

**11.1.1.3 Proposed Development Plan for Lot 3435 Daylesford Close, Lots 3505, 3506, 3508, 3713 and part of Lot 3715 Koojarra Loop, Lot 3509 Kabbarli Loop and Lots 3570 and 3625 Captains Way, South Hedland (File No.: 802337G)**

**Officer** Steve de Meillon  
Planning Officer

**Date of Report** 29 February 2012

**Disclosure of Interest by Officer** Nil

**Summary**

Council has received a Development Plan prepared by RPS on behalf of Jaxon Property Management Pty Ltd over various Lots 3505, 3506, 3508, 3713 and part of Lot 3715 Koojarra Crescent, Lots 3625 and 3570 Captains Way, Lot 3435 Dorrigo Loop, and Lot 3509 Kabbarli Loop, South Hedland (the site).

Council is requested to initiate the proposed Development Plan to allow advertising.

**Background**

*Site Description and Locality (Attachment 1)*

The site is situated approximately 850 metres southeast of the South Hedland Town Centre, and surrounded predominately by medium density residential land uses.

The site is bound by Masters Way to the east, Koojarra Loop to the south, Daylesford Close to the west and Kabbarli Loop to the north.

*Current Zoning*

In terms of the Town of Port Hedland Town Planning Scheme No.5 (TPS5) the site comprises a variety of zonings as outlined in table 1 below.

Table 1 - Current Zoning

Current Zoning
"Community – Education" "Residential R20" "Parks and Recreation" "Other Public Purpose – Water and Drainage" reserve

The site is currently the subject of a rezoning, should the rezoning "Scheme Amendment 49" be adopted the zoning of the site will be "Urban Development".

*The Proposal (Attachment 2)*

The Development Plan proposes a mixture of R30 and R40 residential development. In terms of these zoning it may be possible to obtain a yield of 216 residential dwellings.

**Consultation**

*Internal*

The proposed development was circulated internally to ensure all aspects of the Development Plan are compliant.

*Manager Recreation Services:*

*"Consideration has been given to the level and nature of Public Open Space (POS) provided within the Development Plan application. The Town has significant concerns that the application does not provide a suitable level of high quality POS."*

The issued raised in regarding the provision of POS area as follows:

- The area surrounding the proposal is currently underprovided with quality passive POS.
- There is heavy reliance on the development of the drainage reserves.
- The size and location of the proposed POS is not adequate to provide any genuine community benefit.
- There is no consideration given to the demographic of this area in South Hedland.

In light of the quality of the proposal, and the proposed contributions to improve the drainage reserves, the Town is willing to consider proposals that are innovative in how POS is provided.

A reduction in POS will be subject to the consideration and approval of the Manager Recreation Services and Facilities.

*External*

Should Council initiate the Development Plan, external consultation and public advertising will be undertaken in accordance with the requirements of TPS5.

**Statutory Implications**

Once endorsed by Council, a Development Plan becomes a policy statement under the statutory provisions of TPS5.

**Policy Implications**

Nil

**Strategic Planning Implications**

Town of Port Hedland Strategic Plan 2010/2015  
Key Result Area 4 – Economic Development  
Goal 4 – Land Development Projects  
Immediate Priority 1:

- Fast track the release and development of commercial, industrial and residential land.

Draft Pilbara Port City Growth Plan  
Precinct 12 – South Hedland East  
Implementation Indicators:

- Masterplanning commencing (Department of Housing) for detailed site design and development of priority land release south of Murdoch Drive.
- Amendment to TPS5 proposed to facilitate continues regeneration of established areas following progression of 'New Living' program.
- Key immediate land release sites being progressed by the private sector and not-for-profit organizations.

**Budget Implications**

The applicant has paid an application fee of \$5,414 for the proposed Development Plan.

**Officer's Comment**

The Development Plan has been circulated internally to ensure accordance with Appendix 6 – "Matters to be addressed by Development Plans" of TPS5. The proposed Development Plan is deemed to satisfy the requirements and additional matters associated with the "Urban Development" zone.

*Public Open Space*

The Development Plan proposes 0.11ha of public open space (POS), which comprises 1.3% of the total area, falling significantly short of the 10% POS generally required.

In lieu of the shortfall of POS the applicant has committed to upgrading 1.39ha of drainage reserve equating to a contribution in of approximately 16.4% of the area.

The contribution to upgrade the drainage reserves will be accepted by Council Officers on the condition high quality landscaping is provided, including walkways and cycle paths. To ensure a high quality product is delivered, a Memorandum of Understanding (MOU) will be entered into with the applicant. Current agreements have indicated the upgrade contribution will be equivalent to a cash contribution of \$1.2 million.

Council Officers will provide comment to the WAPC on receipt of the subdivision application, to include a condition that prior to subdivision clearance, the applicant submits an extensive landscaping plan and timeframes to the satisfaction of the Manager of Recreation Services.

#### *Developer Contribution*

As part of the Lease agreement between the applicant and Department of Regional Development and Lands (RDL) a developer contribution is required to the benefit the Town of Port Hedland.

The applicant proposes to construct culvert crossings adjacent to the site, to improve east – west traffic movements within the immediate vicinity.

The Town will enter into an agreement, to the satisfaction of the Manager of Technical Services, with the applicant to ensure the level of the contribution is adequate, and a sufficient bank guarantee is provided at the stage of subdivision clearance.

#### *Density*

The site is identified as an immediate term housing supply opportunity within the Draft Pilbara Port City Growth Plan (Draft Growth Plan).

Strategically, the estimated 216 new dwellings contributes to the Town achieving the Key Figures outlined for Precinct 12 within the Draft Growth Plan.

The Development Plan proposes a mixture of R30 and R40 residential zoning. The proposed density is considered to complement existing development within the vicinity of the site, predominately comprised of medium residential developments.

Further the proposal is in accordance with the Town's future plans to increase the residential density in South Hedland.

**Attachments**

1. Development Plan Report – attached under separate cover

**Options**

Council has the following options when considering the request:

1. Support the public advertising of the Development Plan.

This would allow the advertising of the Development Plan and address any concerns or questions raised by the community.

2. Require changes prior to supporting public advertising.

This option should be resolved if Council has concerns regarding the proposed Development Plan such as layout, density or land uses.

3. Refuse the request to initiate the Development Plan.

Refusing the initiation of the Development Plan would be in direct conflict with the Town's current Strategic Plan and Draft Growth Plan.

Option 1 is recommended.

**Officer's Recommendation**

That Council:

- i) Gives notice of the proposed Development Plan in accordance with Section 5.2.8 of the Town of Port Hedland Town Planning Scheme No. 5 as follows:
  - a) Publish a notice of the proposed Development Plan once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of:
    1. The land affected by the draft Development Plan,
    2. Where the draft Development Plan may be inspected,
    3. In what form and during what period (being no less than 14 days from the day the notice is published) submissions may be made, and
  - b) Erect a sign/s displaying the notice of the proposed Development Plan on the affected land.
- ii) Should no objections be received during the statutory advertising period, Council formally adopts the Development Plan.

- a) The date of adoption shall be the date of the Ordinary Council Meeting following the closing date of the advertising period.
- iii) Delegates authority for the CEO to agree to the level of the community contribution to be received by the Town.
- iv) Delegates authority for the CEO to agree to the conditions of the MOU.
- v) Subject to ii) above delegates the Manager Planning Services pursuant to clause 5.2.7 of the Town Planning Scheme No. 5 to forward the Development Plan to the WAPC for adoption.

#### **201112/355 Officer's Recommendation/Council Decision**

**Moved: Cr A A Carter**

**Seconded: Cr M Dziombak**

**That Council:**

- i) **Gives notice of the proposed Development Plan in accordance with Section 5.2.8 of the Town of Port Hedland Town Planning Scheme No. 5 as follows:**
  - a) **Publish a notice of the proposed Development Plan once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving the details of:**
    - 1. **The land affected by the draft Development Plan,**
    - 2. **Where the draft Development Plan may be inspected,**
    - 3. **In what form and during what period (being no less than 14 days from the day the notice is published) submissions may be made, and**
  - b) **Erect a sign/s displaying the notice of the proposed Development Plan on the affected land.**
- ii) **Should no objections be received during the statutory advertising period, Council formally adopts the Development Plan.**
  - a) **The date of adoption shall be the date of the Ordinary Council Meeting following the closing date of the advertising period.**
- iii) **Delegates authority for the CEO to agree to the level of the community contribution to be received by the Town and report back to Council.**

- iv) Delegates authority for the CEO to agree to the conditions of the MOU.**
  
- v) Subject to ii) above delegates the Manager Planning Services pursuant to clause 5.2.7 of the Town Planning Scheme No. 5 to forward the Development Plan to the WAPC for adoption.**

***CARRIED 7/0***