

Town of Port Hedland

## MINUTES

## OF THE

## SPECIAL MEETING OF ELECTORS

## HELD ON

## WEDNESDAY 19 FEBRUARY 2014

## AT 2:00 PM

## IN COUNCIL CHAMBERS McGREGOR STREET, PORT HEDLAND

## "A nationally significant, friendly city, where people want to live and are proud to call home"

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M.J. (Mal) Osborne Chief Executive Officer

### Agenda Items:

- 1. Auditor General Audit of Town's Finances
- 2. Approval of Transient Workforce Accommodation

- Approval of Transient Workforce Accommodate
   Degradation of Town's Heritage
   Poor State of Infrastructure
   Implementation of the Town's Growth Plan
   Town Planning Scheme and Caretaker Rights
- 7. Community Consultation

## OUR COMMITMENT

## To enhance social, environmental and economic well-being through leadership and working in partnership with the Community.

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## ITEM 1 OPENING OF MEETING

The Mayor declared the meeting open at 2:05pm and acknowledged the traditional owners, the Kariyarra people.

## ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES

## 2.1 Attendance

*Elected Members* Mayor Kelly Howlett Councillor Gloria Jacob Councillor George Daccache Councillor Jan Gillingham Councillor David Hooper Councillor Penny Taylor Councillor Lorraine Butson

Officers	
Mal Osborne	Chief Executive Officer
Russell Dyer	Director Engineering Services
Eber Butron	Director Planning & Development
Gordon MacMile	Director Community Development
Clare Phelan	Director Corporate Services
Grace Waugh	Minute Taker/ Governance Officer

## Electors

- Alexis Le Flohic of Langley Gardens, Port Hedland
- Andrew Henderson of Bottlebrush Crescent, South Hedland
- Brett Thompson of Robinson Street, Port Hedland
- Camilo Blanco of Harwell Way, Wedgefield
- Christopher Cottier of McPherson Street, Port Hedland
- David Denham of Bottlebrush Crescent, South Hedland
- Hazel Lockyer of Kennedy Street, South Hedland
- Jacob O'Brien of Gratwick Street, Port Hedland
- James Douglas-Henry of Moore Street, Port Hedland
- John Todd of Bottlebrush Crescent. South Hedland
- John Van Maanen of Harwell Way, Wedgefield
- Julie Garnet of Moseley Street, Port Hedland
- Mary Attwood of Anderson Street, Port Hedland
- Michael Green of Tinder Street. Port Hedland
- Michael Pound of Greenfield Street, Boodarie
- Miguel Grima of Carlindie Street, Port Hedland
- Morag Lowe of Anderson Street, Port Hedland
- Owen Hightower of Paton Road, South Hedland
- Patricia Wottke of Murrena Street, Wedgefield
- Peta Greening of Leeds Street, Port Hedland
- Phillip Roberts of Saladin Way, South Hedland
- Richard Whitwell of Gratwick Street. Port Hedland
- Sara Andrews of Pedlar Street, South Hedland
- Serge Doumergue of Sutherland Street, Port Hedland

- Sharlene Tressider of Pedlar Street, South Hedland
  - Tony Vujevich of Dowitcher Avenue, South Hedland
  - Vicki James of Panjya Parade, Port Hedland
  - Warren McDonogh of Lukis Street, Port Hedland

## 2.2 Apologies

Councillor Troy Melville Councillor David Van Vugt

## 2.3 Approved Leave of Absence

Councillor Julie Hunt

Mayor advised that the matters to be discussed at the Special Meeting of Electors are as listed below:

- 1. Auditor General Audit of Town's Finances
- 2. Approval of Transient Workforce Accommodation
- 3. Degradation of Town's Heritage
- 4. Poor State of Infrastructure
- 5. Implementation of the Town's Growth Plan
- 6. Town Planning Scheme and Caretaker Rights
- 7. Community Consultation

Mayor asked electors present whether there was a preference for which item should be discussed first. No electors objected to leaving the order of items as listed.

Mayor advised the public of the rules for the Special Meeting of Electors.

- *i.* Given the number of items of business, the Electors present will be given the opportunity to select the first item to be dealt with, after which the remaining items will be considered in the order submitted on the petition.
- ii. After the announcement of an item of business, the CEO will provide an information presentation addressing the item of business. After the presentation Electors will be permitted to ask questions, move/second motions and put the motions up for vote. Once one item of business has been dealt with entirely, the meeting then goes on to consider the next item of business.
- iii. The Presiding Member will only accept questions and motions on those matters directly listed in the Agenda. This will be at the discretion of the Presiding Member.

- iv. Each item will be allocated 5 minutes for questions from Electors to be raised. The Presiding Member will ask for show of hands of Electors wanting to ask questions. Each Elector will be permitted to ask 2 questions and the Presiding Member will then move onto next Elector. After asking all Electors for questions, if on completion of this there is still more time remaining for the question time, the Presiding Member will then go back to 1st Elector until the 5 minutes are expended or all questions have been asked. Electors asking questions are requested to state their name and address prior to asking a question.
- v. The Presiding Member will then accept motions from the floor. Motions will be required to be put and then seconded by Electors present. Following which the mover can speak (3minutes), seconder speak (3 minutes), then the standard meeting rules/protocol of debate with speaker(s) for and speaker(s) against. Then right of reply for the mover. Then a vote is taken. The mover and seconder of a motion must state their name and address prior to moving or seconding a motion.

Mayor advised that the Special Meeting of Electors will close at 4:15pm. Any motions considered at this meeting will be dealt with in accordance with section 5.33 of the Local Government Act 1995.

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable
  - (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose, whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

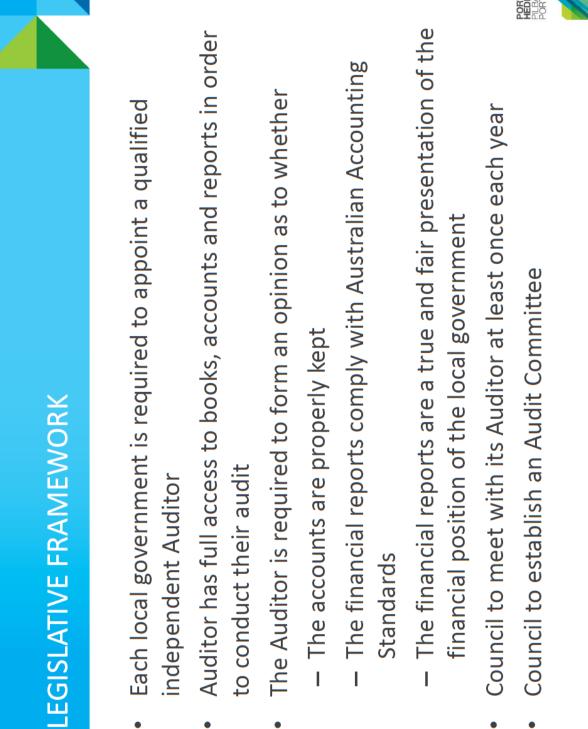
Mayor advised that a Special Council Meeting will be held on Wednesday 19 March 2014 at 6:30pm to consider the decisions made at today's meeting.

Mayor advised that any decisions made at the Special Meeting of Electors are not binding on Council. Elected Members have been democratically elected and it is their legislative obligation to make decisions under the Local Government Act and other legislation.

## ITEM 3 ITEMS TO BE DISCUSSED AS STATED IN FORM 1

## 3.1 Auditor General Audit of Town's Finance

The Chief Executive Officer made the following presentation on this matter.

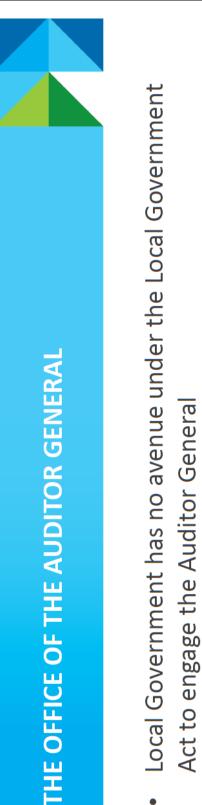




HE TOWN'S AUDIT FRAMEWORK
ToPH has an Audit & Finance Committee
– 4 councillors
<ul> <li>1 community member</li> </ul>
Council has appointed a qualified independent Auditor, Grant Thornton Audit
:

- Grant Thornton conduct both interim and end of year audits •
- Grant Thornton issue their opinion on the financial reports
- Grant Thornton issue a Report to Management on any issues arising from the Audit
- These reports are publicly presented to the Audit & Finance Committee .





- The Department of Local Government may appoint the Auditor General to audit a local government where the council fails to appoint an auditor by 30 November (s 7.7)
- The Office of the Auditor General audit the finances and activities of the Western Australia Public Sector
- sector, and are unable to address issues specifically related to The OAG do not undertake audits of the local government local government
- Department of Local Government and The Office of the The Town has confirmed these points with both the Auditor General



## Motion

## Moved: Mr Camilo Blanco of Harwell Way, Wedgefield

## Seconded: Nil

The electors present request that Council:

- 1. Engage an independent auditor other than Grant Thornton to proceed with a detailed audit of all its financial dealings for the past five years within 12 weeks to ensure compliance with all Local Government legislation; and
- 2. If any activities which appear to be inconsistent with relevant local government legislation are identified, that this information be forwarded to the Department of Local Government and they be requested to undertake a detailed investigation of all of Council's activities over the preceding five years.

MOTION LAPSED FOR WANT OF A SECONDER

## 3.2 Approval of Transient Workforce Accommodation

The Chief Executive Officer made the following presentation on this matter.

Town of Port Hedland Draft FIFO and TWA Str



Original TWA Strategy

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- Council Endorsement to advertise 4<sup>th</sup> April 18<sup>th</sup> April 2012
- 9 x submissions received
- Primarily from Resource Industry
- Workshops undertaken with resource industry
- New Non Residential Workforce Strategy - Advertising – 11<sup>th</sup> December 2013 to 31st March 2014





Summary of Strategy	
Key Outcomes	
<ul> <li>Location of TWAs to be restricted to Airport Land</li> </ul>	
Length of approvals	
<ul> <li>Operational workforce to be integrated into Community and urban fabric</li> </ul>	
<ul> <li>Provisions to regulate operation of NRWA</li> </ul>	





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PORT HEDLAND PORTCITY

TWA'S	
<ul> <li>Existing</li> <li>Port Haven – ToPH (10 year lease, 12/03/2009 - 10/12/2019)</li> <li>Mia Mia – ToPH (10 year lease, 11/12/2009 – 10/12/2019)</li> <li>Wedgefield – Council Resolution for extension not supported</li> <li>Gateway Village</li> <li>Hamilton Motel</li> <li>Pundulmarra</li> </ul>	
Potential• Precinct 3 – BHPBIO – ToPH (10 year lease, 21/06/2011 – 20/06/2022)• Mineral Resource – Lease not yet formalised• Ausco – Lease not yet formalised• Finance Unlimited – No determination until Strategy adoptee	
No. of TWAS <ul> <li>State agreement land - 8</li> </ul>	PORTAND PORTANS PORTANS

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## *3.2.1 Ms Julie Garnet of Moseley Street, Port Hedland*

Given that Pretty Pool and the surrounds are one of the few natural recreation sites for families, why does Council wish to have a Transient Workforce Accommodation (TWA) in Pretty Pool when other TWAs are currently underutilised?

Mayor advised that the Town put out a Request for Proposal (RFP) for a caravan park last year however no responses were received. The RFP was therefore advertised again and one response was received which is now being taken through the public comment period. Council has not made a decision on the proposal as it is still out for public comment. There is an information session on the Mixed Use Caravan Park proposal on Saturday 15 March 2014 which I encourage all community members to attend.

## 3.2.2 Ms Sara Andrews of Pedlar Street, South Hedland

How many beds will the Precinct 3 camp have?

Mayor advised that the BHP Billiton camp is a staged development, in the first instance there were 2000 beds identified which could increase to a maximum of 4000 beds at the completion of the next stage. The decision made in December 2013 regarding the Ausco camp had a maximum of 500 beds.

Director Planning & Development advised that Ausco are currently looking at the details of the camp and the number of beds is now between 460 and 470.

The camp in Wedgefield has 500 beds, why can't Ausco use that camp? Isn't Precinct 3 a Light Industrial Area (LIA) like Wedgefield?

Mayor advised that Wedgefield is not the best location for a TWA and there have been a lot of issues related to people living in this area. Precinct 3 is a Light Industrial Area however doesn't have noxious industry such as Wedgefield. The Pilbara City Vision is to have people living in appropriate areas to minimise planning conflicts.

## 3.2.3 Ms Alexis Le Flohic of Langley Gardens, Port Hedland

The Ausco camp at the airport has been approved so the Pretty Pool TWA should be rejected. Could a policy be implemented on TWA's where approval is not given unless it is for construction workforce and the facilities are designed to benefit the existing businesses and not create towns within towns? There are enough TWA camps in the Town, companies need to start employing locals.

Mayor advised that there is a draft strategy in regards to TWAs that is out for public consultation at the moment. The strategy will help shape future policies and plans on TWAs and all community members are invited to submit their feedback so that all comments can be considered.

## 3.2.4 Ms Mary Attwood of Anderson Street, Port Hedland

I was not aware of the Pretty Pool TWA. The representative body of the Native Title does not consult with the local aboriginal community. There is a significant aboriginal site in that area that will be impacted by the TWA. Has the Yamatji representative approved the development in regards to the cultural impact it will have?

Mayor advised that nothing has been approved yet. The Pilbara Native Title and Yamatji are involved in the process and will be making submissions.

The Native Title and Yamatji have not consulted with the local aboriginal people. Mining companies are not employing local people. How many TWAs are in the Town and how many beds are being utilised as the majority of the camps are on local government property?

With regard to the Native Title not consulting the local aboriginal community the Mayor advised that this was raised by Ms Attwood and discussed at the 29 January 2014 Ordinary Council Meeting. Mayor advised she is meeting with the Pilbara Native Title to ensure the local aboriginal people are being consulted with.

With regard to the number of TWAs and their beds, Chief Executive Officer advised that in regards to Port Haven the Town met with Compass Group in February 2014 and were advised that they had an occupancy rate of 70 - 80%. The TWA camp in Wegdefield has been decommissioned. The other camps in Port Hedland include Club Hamilton which is a FMG owned facility, Gateway which is owned by Roy Hill and Mia Mia by Auzcorp. The Beachfront in Cooke Point is no longer in operation and may only have a few people there for care and maintenance.

## 3.2.5 Mr Camilo Blanco of Harwell Street, Wedgefield

Can the Town provide the occupancy rate of all TWA camps by the next Ordinary Council Meeting?

Chief Executive Officer advised that this information may be commercially confidential to the companies. The information can be requested however there is no obligation for it to be provided.

## 3.2.6 Ms Morag Lowe of Anderson Street, Port Hedland

Can the resource companies provide justification as to why they need these camps? In this way the Town can plan accordingly otherwise it is ad hoc development which is in competition with private development in town.

Mayor advised that the planning department have been attempting to get this information.

Can this information be provided to the public? The community are baffled as to why so many camps are needed when there are so many empty houses.

Mayor advised that a request can be made for the information.

## 3.2.7 Ms Julie Garnet of Moseley Street, Port Hedland

Why hasn't the Walkabout camp been included in these discussions?

Chief Executive Officer advised that the Walkabout is a hotel/motel and is privately owned. The Town has the bed numbers for all hotel/motel facilities which will be made available on the Town's website.

## 3.2.8 Ms Morag Lowe of Anderson Street, Port Hedland

Can Council make it a condition of approval that justification has to be given by the resource sector as to why a TWA is needed?

Mayor advised that a request can be made.

Chief Executive Officer advised that not all camps are proposed by the resource sector. For example, the Ausco camp was proposed by a private company and most of its clients will be small businesses. The public however is encouraged to put all such comments forward so that they can be considered as part of the Town's proposed TWA strategy.

## 201314/240 Decision

Moved: Ms Alexis Le Flohic of Langley Gardens, Port Hedland Seconded: Ms Mary Attwood of Anderson Street, Port Hedland

The electors present request that Council consider not to proceed with the Pretty Pool mixed use caravan park development.

MOTION CARRIED UNANIMOUSLY

## 3.3 Degradation of Town's Heritage

The Chief Executive Officer made the following presentation on this matter.

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	Meaning	It encourages the conservation and sensitive development of heritage places and promotes awareness of our State's cultural heritage. Planning, building, demolition and other applications affecting a place in the State Register are referred by the relevant decision making authority (usually a Local Government) to the Heritage Council for advice.	A Conservation Order is an ongoing protective order that remains in effect indefinitely, unless an end-date is specified. It requires public consultation before the Minister may issue an order. Conservation Orders are rare: they are employed only where urgent protective measures are required, or in other special circumstances where entry in the State Register cannot offer suitable protection.	A Heritage Agreement is a legally binding contract that sets out a framework for the long-term conservation and maintenance of a place.	PILEARAND PORT GITY
	Statutory Listings/ Document	State Register	Conservation Order	Heritage Agreement	
	Relevant Stakeholders		<ul> <li>Historical society</li> <li>Heritage</li> <li>Consultants</li> <li>Landowner(s)</li> </ul>		
Heritage	Responsible Agencies	<ul> <li>Heritage Council</li> <li>of WA</li> </ul>	<ul> <li>Western Australian Planning Commission</li> <li>ToPH</li> </ul>		
	Level of Heritage		State Significance		~

SPE	CIAL MEETING OF ELECTORS						19 FEB	RUAR	Y 2014
									PORT PIL BARA'S PORT CITY
	Meaning/Recommendation	Meaning: A place of exceptional cultural heritage significance to Town of Port Hedland and the state of Western Australia	Recommendation: Retain and conserve the place. Encourage a Conservation Plan	Meaning: A place of considerable cultural heritage significance to Town of Port Hedland that is worthy of recognition an protection	Recommendation: Retain and Conserve the place	Meaning: A place of some cultural heritage significant to Town of Port Hedland	Recommendation: Encourage the retention of the place. Photograph and document the place if retention is not possible	Meaning: A site without built features, but of some cultural significance to Town of Port Hedland	Recommendation: Interpret the place
	Manage- ment Categories	1		2			m	4	
	Relevant Stakeholders			<ul> <li>Heritage</li> <li>Council of WA</li> <li>Historical</li> </ul>	Society	Consultants • Landowner(s)			
	Responsible Agencies				Inventory)				
	Level of Heritage			Local	Significant	(Inventory) Inventory)			



Heritage







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## Town's Heritage

**Towns Municipal Heritage Inventory** 

- Prepared in 2007
- 64 sites identified
- 60 x sites Local Significance
- 4 x sites State Significance

## Town ownership – 1 site

14 Edgar Street, Port Hedland (Old St Matthews Anglican Church)

## Management Order – 5 sites

- Reserve 24658 Lions Park
- Lot 1 McGregor Street Race Course
- Reserve 27693 Pioneers and Pearlers Cemetery
- Lot 76, Richardson Street (Dome Café site)
- Don Rhodes Mining Museum Park Wilson Street





## TOWN OF PORT HEDLAND

MUNICIPAL INVENTORY of HERITAGE PLACES





## 19 FEBRUARY 2014

Laura Gray Heritage & Conservation Consultant

Heritage	<ul> <li>Environmental Heritage</li> <li>Preservation of Environmental Assets</li> <li>Preservation of Environmental Assets</li> <li>Development</li> <li>Environmental Studies</li> <li>Environmental Studies</li> <li>DER &amp; EPA Statutory Approvals</li> <li>DER &amp; EPA Statutory Approvals</li> <li>Preservation of known indigenous Heritage</li> <li>Sites through DER</li> <li>Consultation with respective Aboriginal groups and agencies</li> </ul>	<ul> <li>Town Planning Scheme         <ul> <li>Contains various provision towards the protection and preservation of the built, and natural environment</li> <li>Provisions to ensure consultation with respective agencies including; DER and</li> </ul> </li> </ul>







## 3.3.1 Ms Hazel Lockyer of Kennedy Street, South Hedland

Why does the Town not have a Heritage Officer? The Aboriginal Heritage Act and Native Title Act need to be abided by and the heritage of the aboriginal people is being destroyed, an example being Roy Hill being allowed to cut off the access road to fishing grounds.

Mayor advised that the Town has a History Officer and in terms of the Town's workforce plan and budget there isn't capacity for a Heritage Officer at the moment. However the Town can look into funding sources and opportunities for a Heritage Officer. All planning considerations and statutory approvals are required to take into consideration the Native Title Act. In regards to the Roy Hill proposal, it is State Agreement land and access. Council's commitment is to ensure there is alternative access provided for the public.

## 3.3.2 Mr David Denham of Bottlebrush Crescent, South Hedland

Gratwick Hall is a great cultural facility. Why has it been turned into offices as the Pilbara City Vision is a long way off? How many officers are in Gratwick Hall and what is the reason for moving them there?

Chief Executive Officer advised that 30 staff have been relocated from the airport administration building into Gratwick Hall. The reason for the relocation is that there were occupational, health and safety issues with having staff in the airport administration building. The airport building needs to be removed for the airport redevelopment to proceed and it is more efficient having all the office staff in one building.

## 3.3.3 Mr Michael Green of Tinder Street, Port Hedland

Was the Civic Centre built to have more stories as the roof is flat? Has the beachfront or Wedgefield TWA been investigated as an option for office accommodation?

Mayor advised that the Town does not own these premises however an application has been lodged by the Town to acquire the Beachfront land.

## Has BHP Billiton been asked about the Beachfront?

Mayor advised that BHP does not own the Beachfront, it is federal government property. The Town has put in a submission to develop that property. Discussions with the Hon. Melissa Price are underway to assist with getting a timeframe and an answer.

## 3.3.4 *Ms Mary Attwood of Anderson Street, Port Hedland*

What involvement does the Town have on the approval process for these developments [such as the Beachfront]? Are there not social or environmental studies that need to be undertaken for the approvals?

Chief Executive Officer advised that there are certain requirements for certain developments. People who own freehold land and the title to that land are required to undergo development and building licence processes. If it is Crown or state land or mining lease then other proposals and studies are required.

## Is the local government involved?

Chief Executive Officer advised that if it is a state agreement or mining lease then those companies are required to obtain some approvals from the local government. The Town along with the Pilbara Regional Council has sought to have a seat at the table when State Agreement Acts are being considered however this has not progressed further at this stage. The Director General of the Department of State Development has agreed to meet with the four Pilbara CEO's to discuss some of the potential new State Agreement Acts.

NOTE: Mr David Denham of Bottlebrush Crescent, South Hedland proposed to move that the modification to Gratwick Hall remains temporary as per the original public consultation and associated Council resolution.

Mayor advised that this decision has already been enacted upon and therefore cannot be rescinded.

## 201314/241 Decision

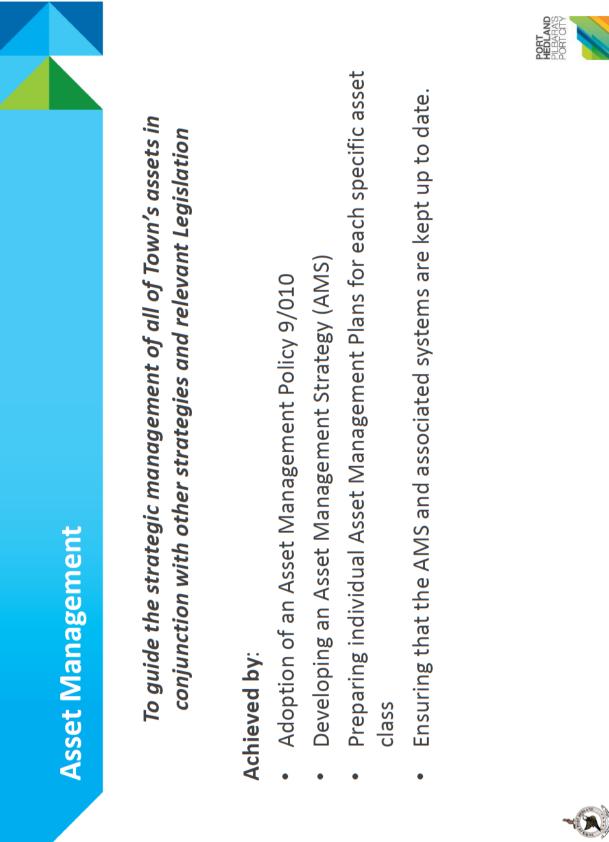
Moved: Mr Camilo Blanco of Harwell Way, Wedgefield Seconded: Ms Mary Attwood of Anderson Street, Port Hedland

The electors present request that Council consider that the development and/or modification of any municipal heritage sites within the Town of Port Hedland undergo public consultation.

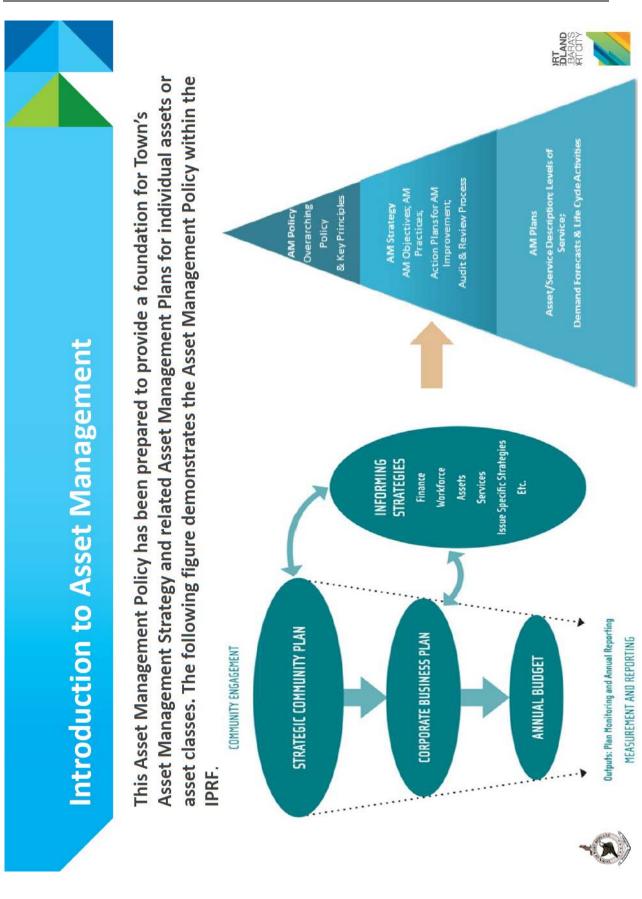
## MOTION CARRIED UNANIMOUSLY

## **Poor State of Infrastructure**

The Chief Executive Officer made the following presentation on this matter.

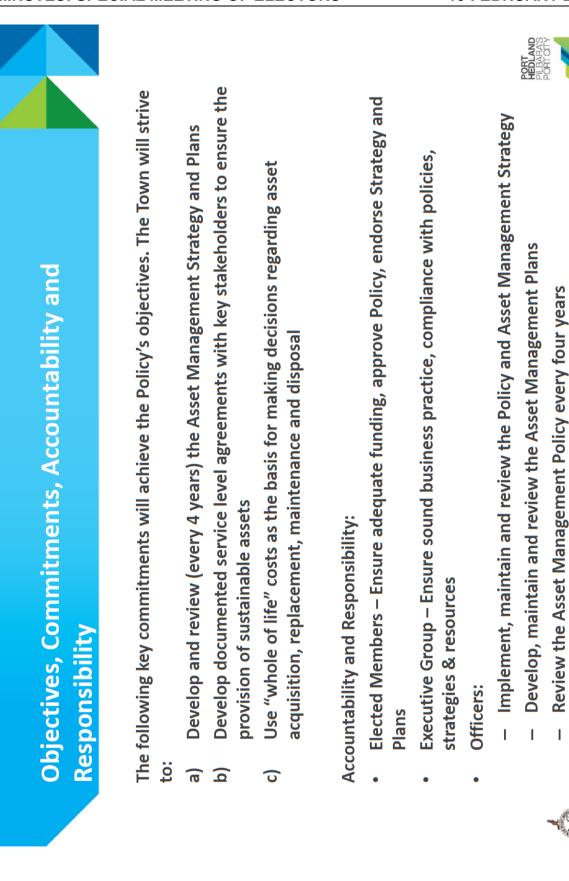


3.4



## **MINUTES: SPECIAL MEETING OF ELECTORS**

## **19 FEBRUARY 2014**



	Assel Management Strategy & Plan
Ă	Asset Management Strategy (AMS)
	Sets asset management objectives, practices and strategies for the improvement of the asset base and asset management system
•	Contains breakdown of infrastructure, buildings, plant and equipment and information and communication technology (ICT) assets
	<ul> <li>Estimated replacement cost of Town's assets is \$575 million.</li> </ul>
ă	Asset Management Plan (Initial)
	Provides the basis for the implementation of the AMS
•	The Total Annual Renewal and Replacement Gap for the next 10 years is estimated at approximately <b>\$163.2</b> million (based on extrapolated data).
•	This equates to the Town needing to spend an additional <b>\$16.32</b> million a year to close the replacement gap over a ten year period on top of what is already being spent for
	existing assets.
	PORTGITY

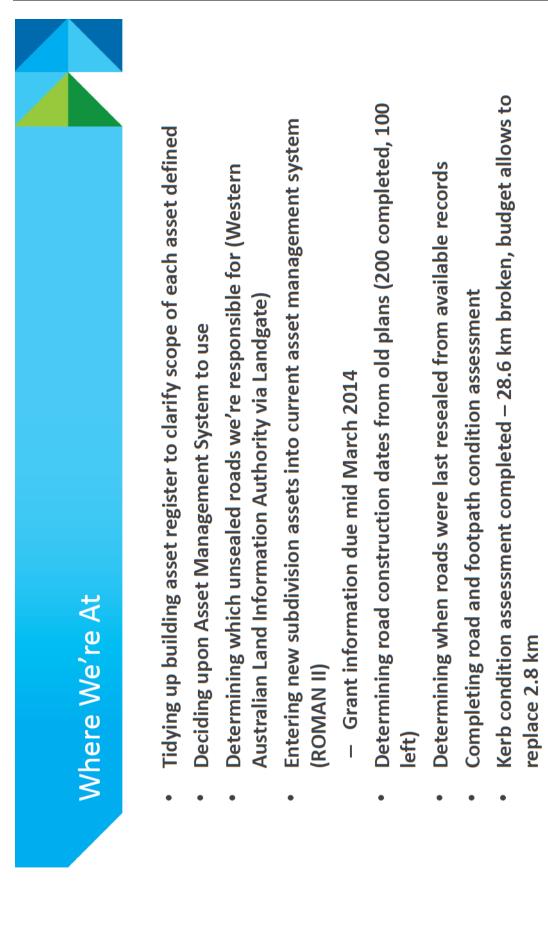




**19 FEBRUARY 2014** 



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Started on first comprehensive Asset Management Plan (sealed roads)



## 3.4.1 Ms Julie Garnet of Moseley Street, Port Hedland

Six years ago there was a lot of gardening happening around town. Why in the last two years has the reticulation not been working, fallen trees not being stood up and the trees in Cooke Point not being replaced?

Mayor advised that the trees in Cooke Point that have been taken out will be replaced. The parks and garden beds are regularly maintained however there are parts of South Hedland and Wedgefield that need more work. As there has been a lot of construction work in South Hedland the gardens and parks are being impacted.

Chief Executive Officer advised that maintaining the gardens has been difficult in some areas as there has been a lot of construction work being undertaken at the same location. The Town is trying to manage and monitor contracts better to ensure the end product is produced as agreed. The developments in the West End had some plants planted that were not the best for the location. The Engineering Services team is looking into improving the gardening around the town.

## 3.4.2 Ms Sharlene Tressider of Pedlar Street, South Hedland

The contractors working on the corner of Parker Street have destroyed the road and have patched it up. Is it their responsibility to bring it back to the condition it was in?

Director Engineering Services advised in the affirmative and that at the moment it is just a patch up job.

Do all the residential properties in town pay rates including those on State and Federal land?

Chief Executive Officer advised that all privately owned land is rateable however Council does allow people to seek concessions which are normally not-for-profit companies. Even though the State Government is not obliged to pay rates the Department of Housing does pay rates on all of its properties. Resource companies pay rates on all their properties unless they are out of town on State Agreement Act land. Federal and State Governments may have some civic buildings which are not rateable for example the Courthouse, the police stations and the hospital.

## 3.4.3 Mr Andrew Henderson of Bottlebrush Crescent, South Hedland

Where is the Town going to find the \$16 million [mentioned in the CEO's presentation] for asset maintenance over the next ten years?

Chief Executive Officer advised that the Town needs to assess the assets to see whether the Town requires each asset. There may be some assets where there is a better way of providing that asset at a lower cost. The figures are calculated on what the Town considers the life of the asset. For example the Town may consider a concrete footpath to last 40 years but it may last 50 years. The Town may be able to get a longer life out of the assets by putting in a small amount of maintenance thereby reducing the annual renewal gap.

## Does the \$16 million include any new infrastructure?

Chief Executive Officer advised that the figure is based on current assets only. If any new assets are acquired then the figure will increase. When acquiring assets the Town will advise Council and the community of the capital cost and also the "whole of life" costs of the asset.

## 3.4.4 Mr David Denham of Bottlebrush Crescent, South Hedland

Why is South Hedland scrubbier than what it ever has been in the past 25 years?

Although there are areas in South Hedland that are well maintained including the Town Centre, Forrest Circle and Cottier Drive, the Chief Executive Officer advised that the underground power project has impacted on the maintenance of many South Hedland areas. There has also been a lot of new construction that has caused damage to vegetation and gardens.

## 3.4.5 Mr Jacob O'Brien of Gratwick Street, Port Hedland

There are trees in South Hedland that fall over every cyclone and are always stood back up. Why doesn't the Town put in trees that will not fall down?

Mayor advised that some trees are no longer going to be stood back up as it is too costly an exercise but the Town will look into what other more appropriate tree species can be used to replace the fallen trees.

## 3.4.6 *Mr Serge Doumergue of Sutherland Street, Port Hedland*

Is the Town using town planning and compliance as a method to assist in maintaining town roads and drains?

Chief Executive Officer advised in the negative. The Town is embarking on compliance matters across the community as many non-compliance issues are being raised with the Town. The Town is not using compliance to source additional funding for the organisation.

Why do development approvals have a condition that the drainage area is to be reticulated, planted and maintained by a tenant?

Chief Executive Officer advised that if the verge in front of a property is being developed then support from the developer to maintain the verge will be sought regardless if it is a drain or a verge used for parking.

Director Planning and Development advised that it depends on the development approval as the conditions vary. Some developers use the verge for parking or other uses which is why they would be required to maintain the drainage area. This condition would come from discussions between the developer and Town planners.

Mayor advised Mr Doumergue that this matter can be discussed outside of this meeting.

## 3.4.7 Mr John Van Maanen of Harwell Way, Wedgefield

How does the Town gauge the risk for the roads from 1 - 5 as stated in the CEO's earlier presentation?

Mayor advised that the Town is waiting on a report to come back which will illustrate this.

Who is accountable if there is an accident or someone is hurt because of bad road conditions? An example is the Great Northern Highway across from the Walkabout Hotel.

Mayor advised that the Great Northern Highway is the responsibility of the State Government.

Chief Executive Officer advised that if there is neglect from the Town in relation to the Town's assets, then the Town will likely be included in any action.

## 201314/242 Decision

Moved: Mr John Van Maanen of Harwell Way, Wedgefield Seconded: Mr Michael Green of Tinder Street, Port Hedland

The electors present request that Council prepare a policy whereby complaints and/or concerns in relation to drainage and road infrastructure are assessed for the risk they present to people and/or property and appropriately actioned by Council.

## MOTION CARRIED UNANIMOUSLY

### Implementation of the Town's Growth Plan 3.5

The Chief Executive Officer made the following presentation on this matter.



Port



- Endorsed by Council on 23rd May 2012
- Endorsed by WAPC on 27<sup>th</sup> December 2012
- Growth Plan Vision 2030

"A nationally significant, friendly, city where people want to live and are proud to call home"



**19 FEBRUARY 2014** 





## **Planning Projects**

- Planning Scheme Review
- Residential Design Guidelines
  - Housing Strategy
- Various Development Plans

# **State Agency Projects**

- Water Corp Horizon Power
  - Landcorp
    - DoH



MINUTES: SPEC	IAL MEETING OF	ELECTOR	RS		19 FE	BRUA	RY 20	14
							PORT PILBALAND PORT CATY	
Development Growth	<ul> <li><u>Residential</u></li> <li>Approx. 23,000 thousand new Dwellings in South and Port Hedland</li> <li>Approx. 17,000 – South Hedland</li> <li>Approx. 6,000 – Port Hedland</li> </ul>	<ul> <li>Commercial</li> <li>Approx. 125,000m<sup>2</sup> of additional retail/Commercial Development</li> </ul>	Industrial Land	<ul> <li>2,000 Hectares – Strategic Industrial Land (Boodarie)</li> <li>450 Hectares – General/Light</li> </ul>	Delivery of significant Infrastructure	Roads     Water	. Sewer Rail	• Port
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	7	PH, PDC, Landcorp, DoH,	esented	BERARD         BERARD
Implementation Plan	<ul> <li>Endorsed by Council on the 25<sup>th</sup> October 2012</li> </ul>	<ul> <li>Strategic Group</li> <li>Port Hedland Steering Group established (ToPH, PDC, Landcorp, DoH, Watercorp, Horizon Power)</li> </ul>	<ul> <li>Technical Working Group</li> <li>Implementation Working Group established</li> <li>Key State and Industry Stakeholders represented</li> </ul>	Fibrata's Port City Implementation Plan

## 3.5.1 Mr Camilo Blanco of Harwell Way, Wedgefield

If the implementation of the Port City Growth Plan was followed, how did the Town get a TWA in Pretty Pool?

Chief Executive Officer advised that the site was identified as a potential site for the development of a caravan park. A key focus of the Town is getting tourism back on track in Port Hedland. The site has been ear-marked since 1996 when the reserve was vested in the Town of Port Hedland for a caravan park. The Growth Plan is a strategic document and needs to consider the current environment. To try and correct the imbalance on tourism that site was selected and proposals for a caravan park sought.

The Growth Plan identifies Pretty Pool as an area for residential accommodation.

Mayor advised this is correct and that a caravan park was seen as a transition and could provide the opportunity to put in the utilities including power, sewerage and water that could be used by permanent residential dwellings.

# 3.5.2 Ms Mary Attwood of Anderson Street, Port Hedland

During the presentation it was stated that there are two different working parties for the implementation process; do either of these groups include aboriginal people?

Chief Executive Officer advised that the steering group has representation from Town of Port Hedland, Pilbara Development Commission (PDC), Landcorp, Department of Housing and Water Corporation.

Director Planning and Development advised that the local implementation group has a similar number of representatives and it also includes technical experts. The PDC and Department of Lands represent the aboriginal community and report back to the group with regard to native titles.

The Town wishes to advise that the Pilbara Development Commission and the Department of Lands do not represent the aboriginal community but they do provide feedback to the implementation group in regards to the Native Title matters in the Town.

## 201314/243 Decision

Moved: Mr Jacob O'Brien of Gratwick Street, Port Hedland Seconded: Mr Camilo Blanco of Harwell Way, Wedgefield

The electors present request that Council consider amending the current Council agenda template to include a section on alignment to the Port City Growth Plan. In this section the officer must detail how the particular item aligns with the Growth Plan and if it does not then the officer must justify why it is in the best interest of Council to adopt this position in contrast to the direction of the Port City Growth Plan.

### MOTION CARRIED UNANIMOUSLY

## 201314/244 Decision

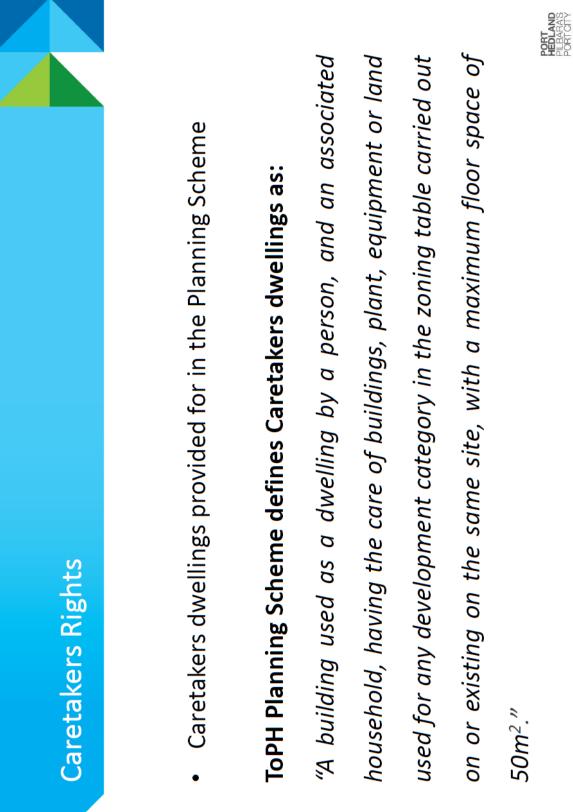
Moved: Mr Jacob O'Brien of Gratwick Street, Port Hedland Seconded: Ms Sara Andrews of Pedlar Street, South Hedland

The electors present request that Council prepare a policy whereby any actions of Council that do not align with the Port City Growth plan need to undergo a period of community consultation where formal submissions on the matter are invited.

MOTION CARRIED UNANIMOUSLY

# 3.6 Town Planning Scheme and Caretaker Rights

The Chief Executive Officer made the following presentation on this matter.



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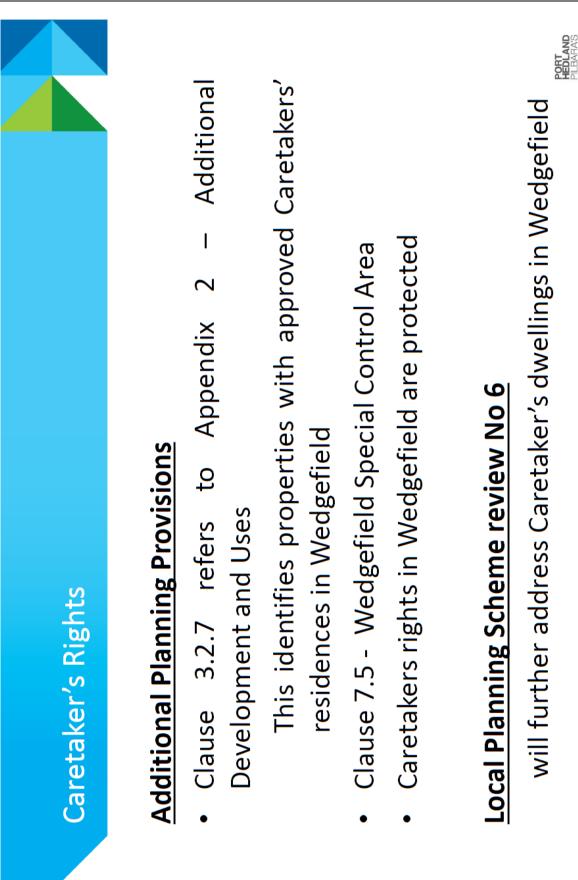
# **19 FEBRUARY 2014**

# MINUTES: SPECIAL MEETING OF ELECTORS

**Caretakers Rights** 



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19 FEBRUARY 2014

## 3.6.1 Mr Camilo Blanco of Harwell Way, Wedgefield

Does the new Town Planning Scheme consider removing the caretakers' rights in Wedgefield on existing approved caretakers residences?

Director Planning and Development advised that the consultants, Town Planning Group, engaged to carry out the Town Planning Scheme review are looking at all the options available in Wedgefield. The Town has asked the consultants to make Wedgefield work as it currently stands.

Are the noxious uses that have been approved in Wedgefield impacting on residential housing to continue as conforming uses?

Chief Executive Officer advised that under the State Planning Framework residential dwellings are not supported in industrial land and there is no support for this from the State Government through the Department of Planning.

## 3.6.2 Ms Sara Andrews of Pedlar Street, South Hedland

In regards to residential properties in Wedgefield, if the Town Planning Scheme changes the properties to non-conforming and 74% of a house is damaged, can it be rebuilt?

Chief Executive Officer advised that the same provisions currently in the scheme will apply, with damage being less than 75% requiring either development approval or a building licence. If the damage is greater than 75% then it will require Council approval.

Will it be no longer legal if the rules change? Will people be left homeless?

Chief Executive Officer advised that rules frequently change. If the rules change the property will stay lawful but will be classed as non-conforming use. The other alternative is that a local government may negotiate with property owners for the removal of the non-conforming use and for compensation.

## 201314/245 Decision

Moved: Mr Camilo Blanco of Harwell Way, Wedgefield Seconded: Mr Michael Green of Tinder Street, Port Hedland

The electors present request that Council:

- 1. Notify the Planning Department that existing accommodation rights in Wedgefield must be protected;
- 2. Consider all noxious uses in the Wedgefield area to be considered in Town Planning Scheme 6 as non-conforming uses as renewals arise so that the heavy industrial area can be justified in line with the Port City Growth Plan; and
- 3. Request the Town undertake a review of the customer service model of the Planning and Building department and bring its operation in line with a best practice model which is more user friendly to local residents / ratepayers and assists with the development of the township with strict time metrics associated to the assessment of applications.

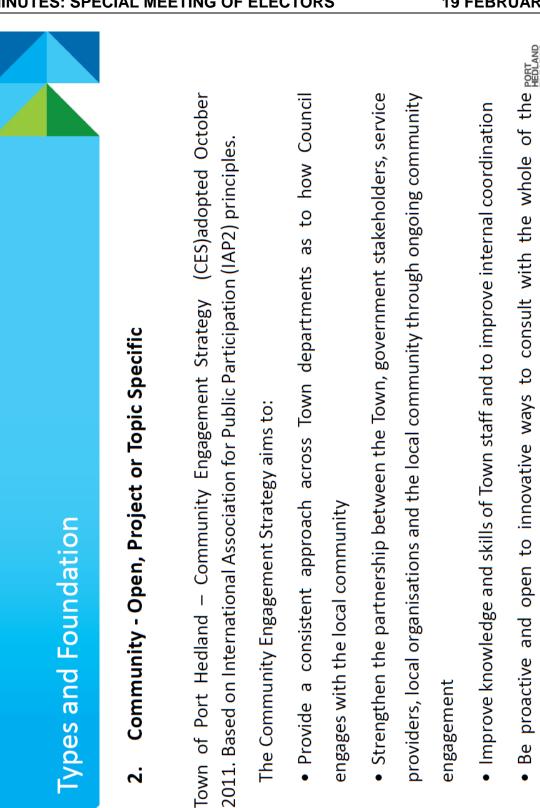
### MOTION CARRIED UNANIMOUSLY

NOTE: Mr Andrew Henderson of Bottlebrush Crescent, South Hedland asked that the Planning Department consider a fee reduction or a once a year fee waive where ratepayers/owners have the opportunity to develop their properties. The planning and building fees are exuberant. Once a year ratepayers/owners should be able to develop their property for free or for a reduced fee.

Chief Executive Officer advised that a budget submission to waive the fees could be considered by Council. Some of the fees and charges are statutory fees and charges set by State Government. As part of the Town Planning Scheme review the Town is looking at removing the requirement for planning applications for simple structures. It is a fee for service, if the revenue stream is not coming from the developer then it is coming from the ratepayers.

# 3.7 Community Consultation

The Chief Executive Officer made the following presentation on this matter.





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# MINUTES: SPECIAL MEETING OF ELECTORS

**19 FEBRUARY 2014** 

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# IAP2 PUBLIC PARTICIPATION SPECTRUM

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EMPOWER	Public Participation Goal:	To place final decision-making in the hands of the public.	Promise to the Public:	We will implement what you decide.	Example Tools:	<ul> <li>citizen juries</li> <li>ballots</li> <li>delegated decisions.</li> </ul>
COLLABORATE	Public Participation Goal:	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.	Promise to the Public:	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	Example Tools:	<ul> <li>citizen advisory committees</li> <li>consensus-building</li> <li>participatory decision-making.</li> </ul>
INVOLVE	Public Participation Goal:	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	Promise to the Public:	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	Example Tools:	<ul> <li>workshops</li> <li>deliberate polling.</li> </ul>
CONSULT	Public Participation Goal:	To obtain public feedback on analysis, alternatives and/or decisions.	Promise to the Public:	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	Example Tools:	<ul> <li>public comment</li> <li>focus groups</li> <li>surveys</li> <li>public meetings.</li> </ul>
INFORM	Public Participation Goal:	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	Promise to the Public:	We will keep you informed.	Example Tools:	<ul> <li>fact sheets</li> <li>web sites</li> <li>open houses.</li> </ul>
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PORT FEDLAND PILBARAS ORT CITY





Examples / Summary of Recent Consultation	

# MINUTES: SPECIAL MEETING OF ELECTORS

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MINUTES: SPECIAL MEETING OF ELECTORS

## **19 FEBRUARY 2014**

Future Engagement Initiatives	
Policies	<b>REGISTER</b> to get involved!
All policies open for public comment through formal submission are listed below.	Closing dates for comment
Any comments with respect to these items should be submitted via one of the following ways: • through the relevant online submission form	Draft Revised Planning Policy 4.1 - 5pm 18 November 2013
<ul> <li>by email to city@subiaco.wa.gov.au</li> <li>by mail addressed to the Chief Executive Officer, City of Subiaco, PO Box 270, Subiaco WA 6904.</li> <li>To find out more about an item of interest to you or to make an online submission, please click on the article below. Here you will find further information about the item, as well as a link to the relevant online</li> </ul>	Rescission of Planning Policy 1.3 'Applications for Development Approval' - 5pm 20 January 2014
submission form. Any additional information or material to accompany your submission can be emailed to city@subiaco.wa.gov.au.	Draft Planning Policy 4.11 Hollywood Precinct - 5pm 17 February 2014
Supporting information for each item is provided in the document library.	Document library
For more information on the formal submission process, read the formal submissions frequently asked questions.	Current Planning Policy 4.11 Hollywood Precinct (70.5 KB) (pdf)
	Council Report - 17 December 2013 (135 KB) (pdf)
Policies open for Submission forms	Draft Revised Planning Policy 4.1 'Jolimont Precinct' (434 KB) (pdf)
Submission form - Draft Planning Policy 4.11 'Hollywood	Planning Policy 4.11 Hollywood Precinct (271 KB) (pdf)
	Formal submissions directory
	Formal submissions hub
This submission form relates to item <b>Draft Planning Policy 4.11 Hollywood Precinct</b> . To make a submission on this item, please complete the submission form below.	Development applications
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ricase ensure you inclove your name, acutess, phone number and email acutess. Name *	Scheme amendments
	Business plans



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Future Engagement Initiatives	Subject of submission	Please state how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property. Please include address of property, if applicable. *	Submission	Please give your comments relating to this item in full. *	If you prefer, you can attach a separate file with your submission. Browse
Future					-

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## 3.7.1 Ms Sara Andrews of Pedlar Street, South Hedland

The Town does put out a lot of consultation and I try to attend most of the workshops. The Town says it wants to listen to the community but it does not seem to do so as the community never receives feedback. Can the community receive feedback from the consultations?

Director Community Development advised that for forums and workshops held over the past 12 – 18 months that would be true. The feedback to community members advising of the outcome of their comments has not happened. The Town has now started to give feedback to the community and will ensure this continues to happen with future consultation. An example is the recent airport place making workshop where community members received feedback on how their comments have been utilised.

Chief Executive Officer advised that community members need to be mindful of the fact that depending on the type of consultation undertaken by the Town their comments at times will be treated as supporting information only.

Elected Members were elected by the public because of what they said during their campaign. How can Elected Members ignore what the majority of the public are saying?

Mayor advised that the Council takes all feedback and information into consideration when making decisions and entering into the decision making process. The community is encouraged to attend Council meetings to hear the discussions on how the feedback and submissions are being taken into consideration.

## 3.7.2 Ms Morag Lowe of Anderson Street, Port Hedland

The Council and Executive are always inviting the community to attend their events and consultation however it may be a good idea to attend the community's events and go where the community meet. People never see the Executive at the community events including the Chambers of Commerce 'Business After Hours' session.

Mayor advised that this is taken on board.

## 201314/246 Decision

Moved: Mr Camilo Blanco of Harwell Way, Wedgefield Seconded: Ms Sharlene Tressider of Pedlar Street, South Hedland

The electors present request that Council:

- 1. Review all consultation policy and procedures and update them to ensure that the consultation truly engages the public;
- 2. Review the way the Council promotes community consultation periods to ensure the appropriate dissemination of information; and
- 3. Develop a policy whereby the consideration of public comments to community consultation is done in a manner that allows members of the public to attend a meeting of council to discuss their submission before council actually considers the matter.

### MOTION CARRIED UNANIMOUSLY

## ITEM 4 CLOSURE

Mayor advised members of the public that they can hear the discussions around agenda items before they are decided upon by the Council at the Public Agenda Briefings. Public Agenda Briefings are generally held on the third Wednesday of each month commencing at 3:30pm in Council Chambers.

The Public Agenda Briefing for the February Ordinary Council meeting commences at 4:30pm today with the Council Meeting being held on Wednesday 26 February 2014 at 5:30pm. The Annual General Meeting of Electors will be held on Wednesday 26 February 2014 commencing at 7:30pm. All motions from today's meeting will be considered at a Special Council Meeting on Wednesday 19 March 2014 at 6:30pm.

There being no further business, the Mayor declared the meeting closed at 4:18pm.