



Town of Port Hedland

MINUTES

OF THE

**SPOILBANK MARINA STAKEHOLDER COMMITTEE
OF THE TOWN OF PORT HEDLAND COUNCIL**

HELD ON

TUESDAY 21 JUNE 2011

COMMENCING AT 5:30 PM

**IN COUNCIL CHAMBERS
McGREGOR STREET, PORT HEDLAND**

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*Paul Martin
Chief Executive Officer*

Spoilbank Marina Stakeholder Committee

The Committee be constituted as a formal committee of Council under the provision of Section 5.8 of the Local Government Act (1995)

Purpose/Aim

1. to provide advice to LandCorp on the development of the Spoilbank Marina project;
2. to provide a means of engagement with key stakeholders about the project;
3. investigate and make recommendations on management structures and operations of the Spoilbank Marina.

Membership

The membership of the committee be as follows:

Mayor Kelly A Howlett;
Councillor Stan R Martin;
Councillor Arnold A Carter;
Councillor Jan M Gillingham
Councillor Michael A (Bill) Dziombak

- Port Hedland Port Authority – Lindsay Copeman, Acting Chief Executive Officer
- Port Hedland Yacht Club – Darryl Brown, Commodore
- Port Hedland Returned Services League – Mark Postans, President
(Organisation representatives appointed by Council at its Ordinary Meeting held 9 March 2011)

Community Members:

- Steve Burns; and
- Shelley Wood; and
- Andrew Mitchell

(Community Members appointed by Council at its Ordinary Meeting held 23 February 2010)

Quorum

The quorum for the Committee be a minimum of 50% of its membership.

Delegation Nil but can be reviewed.

Tenure Ongoing

The following dates have been set and advertised in accordance with the Local Government Act 1995:

| Date | Time | Location |
|-------------------|--------|---------------------------|
| 15 March 2011 | 5.30pm | Port Hedland Civic Centre |
| 19 April 2011 | 5.30pm | Port Hedland Civic Centre |
| 17 May 2011 | 5.30pm | Port Hedland Civic Centre |
| 21 June 2011 | 5.30pm | Port Hedland Civic Centre |
| 19 July 2011 | 5.30pm | Port Hedland Civic Centre |
| 16 August 2011 | 5.30pm | Port Hedland Civic Centre |
| 20 September 2011 | 5.30pm | Port Hedland Civic Centre |
| 18 October 2011 | 5.30pm | Port Hedland Civic Centre |
| 15 November 2011 | 5.30pm | Port Hedland Civic Centre |
| 20 December 2011 | 5.30pm | Port Hedland Civic Centre |
| 17 January 2012 | 5.30pm | Port Hedland Civic Centre |
| 21 February 2012 | 5.30pm | Port Hedland Civic Centre |
| 20 March 2012 | 5.30pm | Port Hedland Civic Centre |

(Adopted by Council at its Ordinary Meeting held 23 February 2011)

Responsible Officer: Chief Executive Officer

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ITEM 1 OPENING OF MEETING

1.1 Opening

The Chairperson declared the meeting open at 5:35 pm and acknowledged the traditional owners, the Kariyarra people.

ITEM 2 RECORDING OF ATTENDANCE AND APOLOGIES

2.1 Attendance

Councillor Stan R Martin;
Councillor Arnold A Carter; (entered at 5:45pm)
Councillor Jan M Gillingham (entered at 5:36pm)
Councillor Michael A (Bill) Dziombak

Lindsay Copeman - Port Hedland Port Authority (entered at 5:45pm)
Darryl Brown - Port Hedland Yacht Club
Mark Postans - Port Hedland Returned Services League

Shelley Wood - Community Representative

Mr Paul Martin - Chief Executive Officer
Ms Louise Roux – Administration Assistant Governance

Members of the public - 5

2.2 Apologies

Mayor Kelly A Howlett;
Andrew Mitchell - Community Representative
Steve Burns - Community Representative

2.3 Approved Leave of Absence

Nil

ITEM 3 RESPONSE TO PREVIOUS QUESTIONS - ON NOTICE

Nil.

ITEM 4 PUBLIC TIME

4.1 Public Questions

Nil

4.2 Public Statements

Nil

ITEM 5 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

ITEM 6 DECLARATION BY MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER PRESENTED BEFORE THE MEETING

| | |
|-----------------------|--------------|
| Cr S R Martin | Mark Postans |
| Darryl Brown | Shelley Wood |
| Cr Jan M Gillingham | |
| Cr Michael M Dziombak | |

ITEM 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**SMSC201011/008 Spoilbank Marina Stakeholder Committee Decision**

Moved: Mark Postans

Seconded: Shelley Wood

That the Minutes of the Spoilbank Marina Stakeholder Committee held on Tuesday 17 May 2011 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

ITEM 8 ANNOUNCEMENTS BY CHAIRMAN WITHOUT DISCUSSION

The Chairman indicated that the he recently attended another meeting in Perth with LandCorp and BHP Billiton where BHP Billiton did indicate that there were some concerns about the current plans for the Marina. These concerns being:

1. Small craft and boats entering into the main channel.

It was pointed out to BHP Billiton that the water was deep enough for the small boats and crafts to enter the main channel. It was agreed to install markers and also outlined that if correct management is in place no incidences should occur.

2. Dust Management and residential development at the Spoilbank.

This is an ongoing debate between the Town of Port Hedland, BHP Billiton and LandCorp.

ITEM 9 PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS

Nil

5:45pm Councillor Arnold A Carter entered the room

5:45pm Lindsay Copeman - Port Hedland Port Authority entered the room

ITEM 10 REPORTS OF OFFICERS

**10.1 New Proposed date of the Spoilbank Marina Public Forum.
(File No.: .../...)**

Officer Josephine Bianchi
Governance Coordinator

Date of Report 17 June 2011

Disclosure of Interest by Officer Nil

Summary

At the Spoilbank Marina Stakeholder Committee meeting held on 17 May 2011 it was proposed that the Public Forum be postponed to a later date. As the Committee meeting dates have been advertised, Council is required to formally approve any changes to the dates and ensure that public notice for the change is provided.

Background

Following recommendation from the Spoilbank Marina Stakeholder Committee, at its Ordinary Meeting of Council of 27 April 2011 Council resolved the following:

“That Council requests the Chief Executive Officer to arrange a public forum open to all residents of the town to be held on Sunday 29 May 2011 to discuss the diminishing of boating facilities in town and the proposed Marina Project. The best time for the forum being between 11am and 3pm in Gratwick Hall.”

Following this, the Spoilbank Marina Stakeholder Committee met again on 17 May 2011 and the minutes from this meeting outlined the following:

“NOTE: The Spoilbank Marina Stakeholder Committee collectively agreed that the public forum scheduled to take place on Sunday 29 May 2011 should be postponed until a more suitable date for committee members and consultants is decided upon. As such a recommendation will be put forward to the next Ordinary Meeting of Council to postpone this date”.

Consultation

- Spoilbank Marina Stakeholder Committee Members
- Matt Read – Landcorp

Statutory Implications

Local Government (Administration) Regulations 1996

Public notice of council or committee meetings —

s. 5.25(1)(g)

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

Policy Implications Nil

Strategic Planning Implications Nil

Budget Implications Nil

Officer's Comment

Following the Spoilbank Marina Stakeholder Committee meeting on 17 May 2011 it was recommended that Council consider an alternative time for the Public Forum of the Spoilbank Marina Stakeholder Committee to be held. It is recommended that the Public Forum be postponed until July.

Attachments Nil

SMSC201011/009 Spoilbank Marina Stakeholder Committee Decision

Moved: Cr M Dziombak **Seconded:** Cr J M Gillingham

That the Spoilbank Marina Stakeholder Committee suspends Standing Orders.

CARRIED 8/0

5:40pm Chair advised that Standing Orders were suspended.

SMSC201011/010 Spoilbank Marina Stakeholder Committee Decision

Moved: Cr M Dziombak **Seconded:** Cr J M Gillingham

That the Spoilbank Marina Stakeholder Committee resumes Standing Orders.

CARRIED 8/0

6:10pm Chair advised that Standing Orders were resumed.

Officer's Recommendation

That Council:

1. Notes the recommendations from the Spoilbank Marina Stakeholder Committee; and
2. Approves the postponement of the Public Forum to a date in July yet to be determined.

S MSC201011/011 Spoilbank Marina Stakeholder Committee Decision

Moved: Cr M Dziombak

Seconded: Mr Darryl Brown

That the Spoilbank Marina Stakeholder Committee recommends to Council that a Public Forum be held on a date in July yet to be determined.

CARRIED 8/0

NOTE: Councillor Gillingham requested that the Public Forum does not take place during the school holiday July period.

NOTE: Chairman put forward a recommendation to the committee.

S MSC201011/012 Spoilbank Marina Stakeholder Committee Decision

Moved: Cr M Dziombak

Seconded: Mr Darryl Brown

That the Spoilbank Committee meeting recommends to Council that it looks at the possibility of creating a levy on blocks that are released for residential purposes that are below 600M² in size. This levy is to be put in reserve fund to create secure storage facilities for boats and for caravan trailers.

CARRIED 8/0

ITEM 11 LATE ITEMS AS PERMITTED BY CHAIRPERSON/COUNCIL**11.1 Preferred Concept Plan Spoilbank Marina Development
(File No.: 18/12/0014)**

Officer Paul Martin
Chief Executive Officer

Date of Report 20 June 2011

Disclosure of Interest by Officer Nil

Summary

This item seeks, in principle, endorsement by the Committee of the preferred concept plan for the Spoilbank Marina.

It is proposed to use this preferred concept as part of upcoming consultation with the community prior to consideration by Council.

Background

There have been many concepts for the proposed marina at the Spoilbank over the past 20 years. Most of these concepts included accommodation (both residential and short stay) to offset the costs of the development.

These options have been met with resistance from industry groups given the expansion of the Port and the potential long term impacts of noise and dust.

This has caused the plan to be redrawn removing permanent residential development.

Consultation

The concept plan has been the subject of consultation with some industry companies and discussions between Landcorp and the Town of Port Hedland.

The revised concept plan has been presented to the Noise and Dust Taskforce for information.

The concept is presented to the Spoilbank Committee for endorsement prior to community consultation. The Committee will then have the opportunity to review the concept based upon any feedback received prior to recommending a final concept to Council for consideration.

Statutory Implications

Nil

Policy Implications

Nil

Strategic Planning Implications

The development of the Spoilbank Marina is one of Council's top ten priority projects and a key action in the Strategic Plan.

Budget Implications

LandCorp are obtaining costings on the proposed concept.

Officer's Comment

This revised concept incorporates the following elements:

- 250 boat pen marina with 50 pens constructed as part of stage 1;
- Boat ramp and storage facilities;
- Accommodation of current community uses as part of the concept;
- Short stay caravan park;
- Some commercial development including retail and restaurant facilities;
- Events space for major events; and
- Future capacity for other recreation facilities including aquatic centres.

Overall Officers consider the concept is a good first stage of development on the site. How (and if) the development progresses beyond stage 1 it will be the subject of discussion in the future.

Further refinement of the concept is possible however it is recommended the community be consulted about this plan. The committee will have the opportunity to review the concept following community consultation prior to recommending a final concept to Council for adoption.

Attachments

1. Revised concept plan for the Spoilbank Marina

SMSC201011/013 Spoilbank Marina Stakeholder Committee Decision

Moved: Cr M Dziombak

Seconded: Mr Darryl Brown

The Spoilbank Marina Committee:

1. In principle, endorse the concept for the marina attached at appendix 1 as the preferred concept for the marina development; and
2. Undertakes community consultation about the prior to recommending a concept to Council for consideration.

CARRIED 6/0

ITEM 12 MOTIONS OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

Nil.

ITEM 13 CONFIDENTIAL ITEMS

Nil.

ITEM 14 APPLICATIONS FOR LEAVE OF ABSENCE

SMSC201011/014 Spoilbank Marina Stakeholder Committee Decision

Moved: Councillor M Dziombak **Seconded:** Shelley Wood

That the following leave of absence:

- **Councillor Jan M Gillingham from 11 July until 22 July 2011**
- **Mark Postans on 19 July 2011**

be approved.

CARRIED 8/0

ITEM 15 CLOSURE

15.1 Date of Next Meeting

The next Spoilbank Marina Stakeholder Committee Meeting of Council will be held on 19 July 2011, commencing at 5:30 pm

15.2 Closure

There being no further business, the Chairman declared the meeting closed at 6:30 pm.

Declaration of Confirmation of Minutes

I certify that these Minutes were confirmed by the Spoilbank Marina Committee at its Meeting of _____ 2011.

CONFIRMATION:

CHAIR

DATE