



LOCAL PLANNING SCHEME No. 5

AMENDMENT No. 11

Kojarena Additional Use and Special Control Area

February 2014

PLANWEST

(WA) PTY LTD A.B.N. 77 665 477 168

**CONSULTANTS IN PLANNING,
DESIGN AND MANAGEMENT**

PLANNING & DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
CITY OF GREATER GERALDTON
LOCAL PLANNING SCHEME No. 5 (GREENOUGH)
AMENDMENT No. 11

RESOLVED that the Council in pursuance of Section 75 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Adding a new “industry – hazardous” Additional Use to 'Schedule 2' for portion of Lot 2860 Geraldton – Mt. Magnet Road, Kojarena allowing for the storage and distribution of ammonium nitrate
2. Inserting a new 'Special Control Area' to Part 6 over numerous lots Geraldton – Mt. Magnet and Yanget Roads, Kojarena for the Kojarena ammonium nitrate storage facility.
3. Modifying the Scheme Map accordingly.

Dated this day of 20

.....
Chief Executive Officer

.....
Date

MINISTER FOR PLANNING**PROPOSAL TO AMEND A SCHEME**

- | | | |
|----|---|---|
| 1. | LOCAL AUTHORITY: | City of Greater Geraldton |
| 2. | DESCRIPTION OF TOWN
PLANNING SCHEME: | Local Planning Scheme No. 5 (Greenough) |
| 3. | TYPE OF SCHEME: | District Scheme |
| 4. | SERIAL NUMBER OF
AMENDMENT: | Amendment No. 11 |
| 5. | PROPOSAL | To add a new “industry – hazardous” Additional Use and associated ‘Special Control Area’ to permit the use of a portion of Lot 2860 Geraldton – Mt. Magnet Road, Kojarena for the storage and distribution of ammonium nitrate and preclude the establishment of sensitive uses within close proximity of the site. |

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1 INTRODUCTION

Support is sought from the WA Planning Commission and the Hon. Minister for approval to a Scheme Amendment that seeks to add a new Additional Use to 'Schedule 2 – Additional Uses' to permit the use of portion of Lot 2860 Geraldton – Mt. Magnet Road, Kojarena, for the storage and distribution of ammonium nitrate, and add a 'Special Control Area' to preclude the establishment of sensitive uses within close proximity of the site.

The land is currently zoned 'Rural' in the City of Greater Geraldton Local Planning Scheme No. 5 (Greenough). The use and storage of materials relating to the mining industry is not a permitted use in that zone.

2 BACKGROUND

In October 2012 a similar proposal was determined by the City. Since this time several factors have changed – including the proposed location of the facility.

At its meeting on 23 October 2012 the City resolved as follows:

1. *REFUSE to initiate an amendment to Local Planning Scheme No. 5 (Greenough) which proposes to add an 'Additional Use' and 'Special Control Area' to permit the use of the land for the storage and distribution of ammonium nitrate on Lot 1 Yanget Road, Kojarena; and*
2. *MAKES the determination on the grounds that:*
 - a. *Council is not prepared to initiate a scheme amendment that could potentially compromise the ongoing operations of the Australian Defence Satellite Communication Station facility which has been classified by the Australian Government as a vital critical asset for the protection of its people and interest;*
 - b. *Council considers the site to be unsuitable given the proximity to other important road, rail and communications infrastructure which can potentially be impacted upon; and*
 - c. *The site is located in the 'Sandplain' rural precinct which specifically lists industrial/and uses as undesirable.*

Since this determination several factors have changed.

Firstly, the Department of Mines and Petroleum (DMP) has formally reduced its buffer requirements for an ammonium nitrate storage facility.

Secondly, the proposed location of the facility is now more than 3 kilometres from the Australian Defence Satellite Communication Station facility, and does not affect the Highway, railway, communications or any other services adjacent to the Highway (or any other road).

Thirdly, the ammonium nitrate storage facility has almost no impact on any land that is not currently owned by the vendor.

Fourthly, the location of the facility is located within an area that is not sandplain although mapped as 'Sandplain' rural precinct in the Council's Rural Strategy. Also the site avoids the areas of 'Potential Future Hard Rock and Clay' and 'Gravel and Sand' raw materials areas.

3 PROPERTY DETAILS

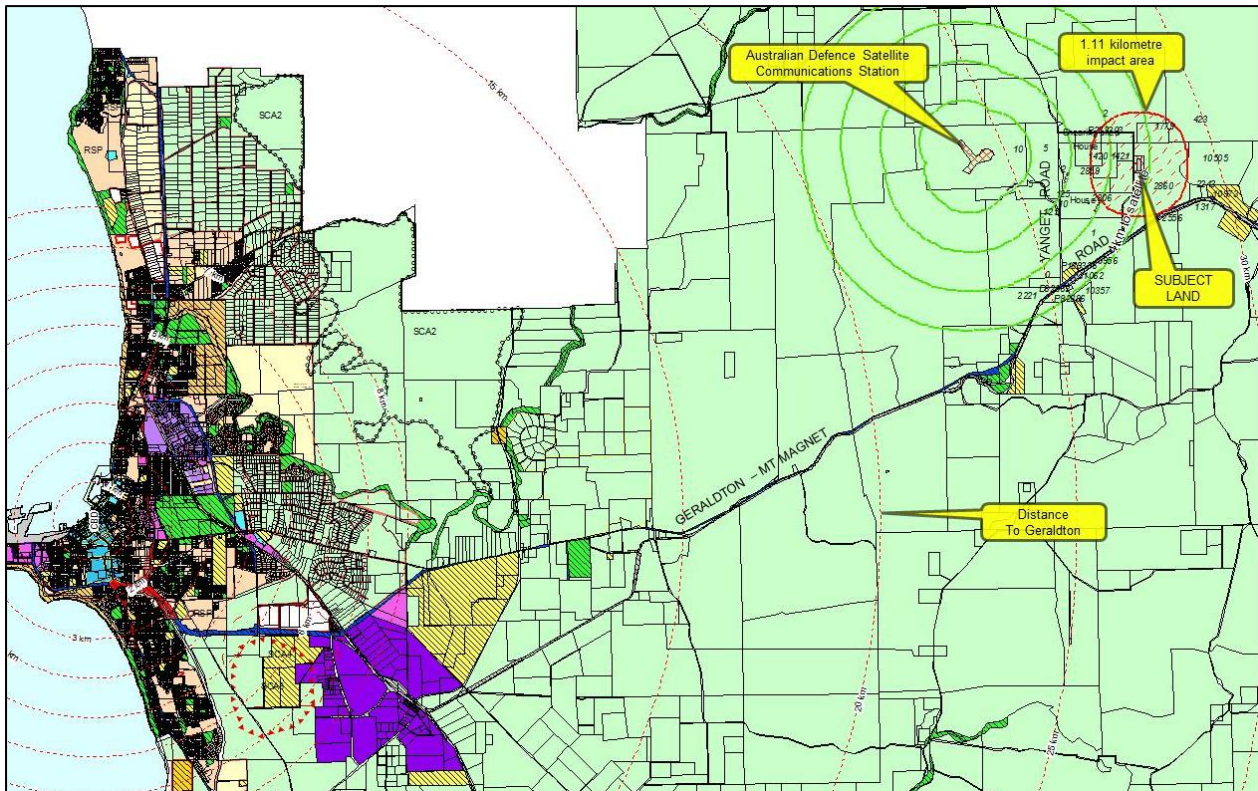
The property subject of this Amendment only relates to portion of Lot 2860; however the main impact area affects adjacent lots in the same ownership. The property is the whole of the land contained in the Certificate of Title as shown below;

LOT NO	VOLUME	FOLIO	AREA
2860	1913	955	401.92

A copy of the Certificate of Title (as at 23 Dec 2013) is attached in **Attachment A**. It should be noted that this land is currently the subject of a subdivision approval and as a consequence these detail may change prior to final approval of this Amendment.

Figure 1 shows the location of the site within about 26 kilometres from the Geraldton Central Business District, with **Figure 2** showing an aerial photograph of the site and surrounding properties highlighting Lot H and a proposed road as the property to be created as part of a recently approved subdivision.

FIGURE 1 – LOCATION PLAN



Source: DoP, Planwest, and Landgate, 2013

4 SITE DESCRIPTION

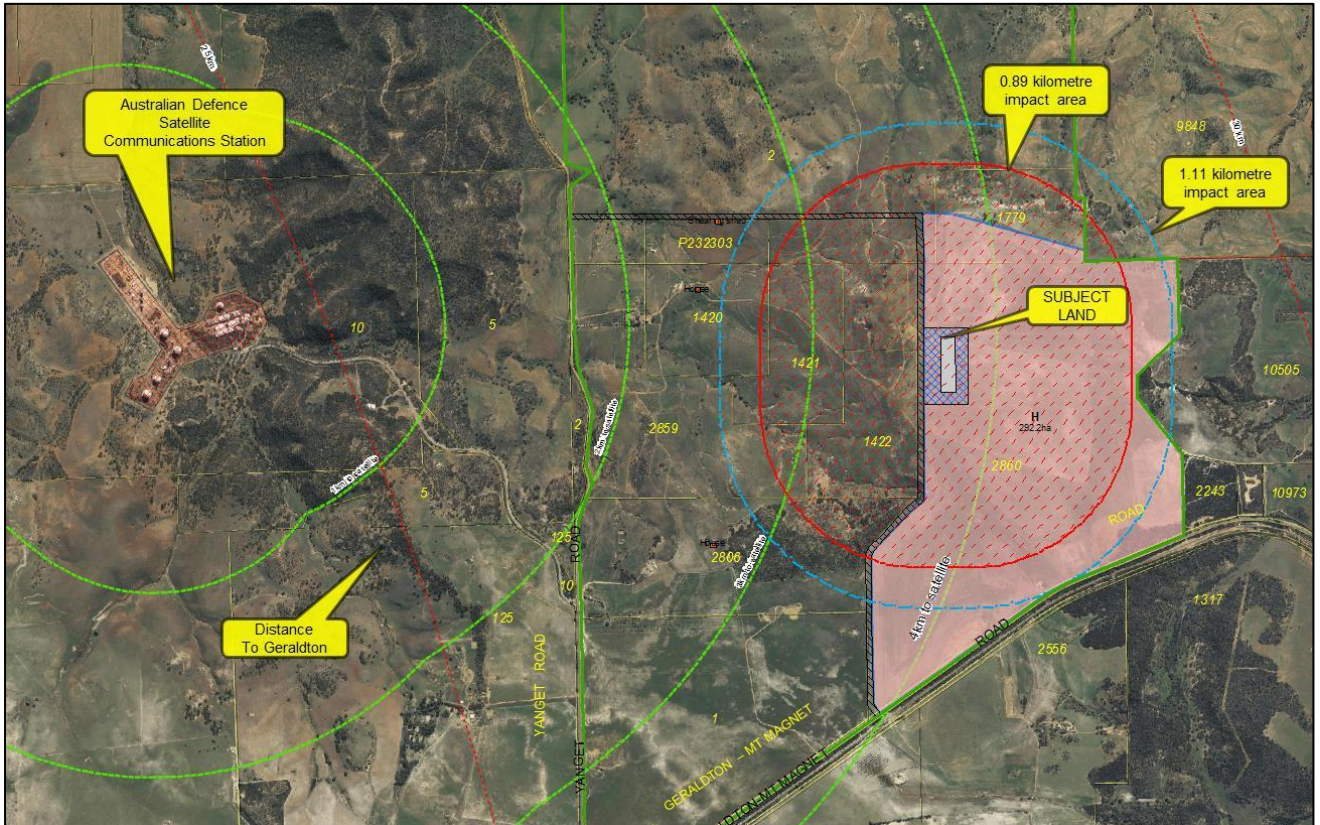
Although the subject land is 402 hectares, only a small portion (about 10ha) will be used for the storage and distribution of materials used in the mining industry. The development proposal will be detailed in the following sections.

Part of the subject land is currently farmed (see **Figure 2**) as is the surrounding privately owned rural farmland. Over 3 kilometres northwest of the subject site land is used as a defence tracking station. Only about 30 hectares is used for the actual tracking station infrastructure with the closest part over 3.5 kilometres nearest part of the additional use area.

The closest two dwellings, one on Lot 2860 and another on Lot 2859, are 1,370 and 1,250 metres respectively from the proposed development site. There are no dwellings within the 1.11 kilometre buffer radius of the development site. **Figure 2** shows the Department of Mines and Petroleum's (DMP) 890m buffer for 'Residential buildings' and the 1.11km buffer for 'Vulnerable facilities and critical infrastructure'.

There are no 'Vulnerable facilities and critical infrastructure' within the 1.11km buffer. The impact of the 890m 'Residential building' buffer only affects Lot 9848 in its south west corner.

FIGURE 2 – AERIAL PHOTOGRAPH OF THE SITE AND LOCALITY



Source: DoP, Planwest, and Landgate, 2013

5 STRATEGIC ENVIRONMENT

There are several levels of strategic plans to be considered in the development of larger land parcels in the District. Two of these levels include the State Planning Strategy and the Local Planning Strategy.

5.1 STATE PLANNING STRATEGY

The State Planning Strategy is a high level strategic document that deals with the overall state and regional strategies, actions, priorities and visions for each region of the State through to 2029. By this time it is estimated that Western Australia will have a population of 2.7 million.

The State Planning Strategy guides the future growth and development of Western Australia through to 2029. A rapidly growing population and close proximity to the Asian market are both seen as key factors to the development of Western Australia.

The Strategy states that in the next three decades, the Mid-West Region will continue to diversify its economic base in the areas of agriculture, minerals development, downstream processing of commodities and tourism. Geraldton will develop as the largest regional centre north of Perth, offering a wide range of facilities and attractions.

As is evident, some of these actions have been achieved, or are in the process of being achieved.

5.2 GERALDTON REGION PLAN - 1999

The Geraldton Region Plan was adopted in 1999 by the WA Planning Commission. It recognised the background and history of previous region plans for Geraldton. These plans had primarily focussed on the broader Geraldton area and development issues in more regional areas based on a need to provide guidance for government agencies and the private sector.

The Geraldton Region Plan supports regionalisation and decentralisation of urban and industrial development in Western Australia and provides a framework for the future management, protection and co-ordination of regional planning in the area. The plan is strategic in nature and has a 20 to 30 year time horizon. The plan addresses the principles outlined in the State Planning Strategy in terms of regional development, community development, natural and cultural environment, economic development and infrastructure.

5.3 GREATER GERALDTON STRUCTURE PLAN

Part three of the Geraldton Region Plan specifically addresses Geraldton as the regional centre and development of areas immediately around it. The Greater Geraldton Structure Plan focuses on the (former) City of Geraldton, and portions of the (former) Shire of Greenough and Shire of Chapman Valley.

The Greater Geraldton Region is the focus of commercial and administrative activities for the Mid-West Region. The Greater Geraldton Structure Plan provides a framework for co-ordinating development of the broader area and identifies a range of land use designations, including industrial areas, for the study area.

Although there is substantial land allocated for industrial uses south east of the Geraldton Central Business District, none of it is suitable for the current proposal. This matter will be expanded on later in this report.

Figure 3 provides an extract from the Greater Geraldton Structure Plan.

5.4 CITY OF GERALDTON-GREENOUGH LOCAL PLANNING STRATEGY

The City's Local Planning Strategy (Greenough) October 2008 identifies that significant population growth occurred over the last 20 years, although population growth slowed down between 1996 and 2001.

The Strategy summarises the adopted approach to general industry in the District as follows;

The strategic direction for industry is that general industry will be accommodated within the Narngulu Industrial Estate. Other land uses compatible with the industrial estate shall be considered in the buffer area for the Narngulu Industrial Estate in accordance with any detailed planning strategy for the Narngulu locality. Wizard Peak shall be retained as an area that, subject to further assessment, may be considered as a future strategic industrial area, if Oakajee does not proceed.

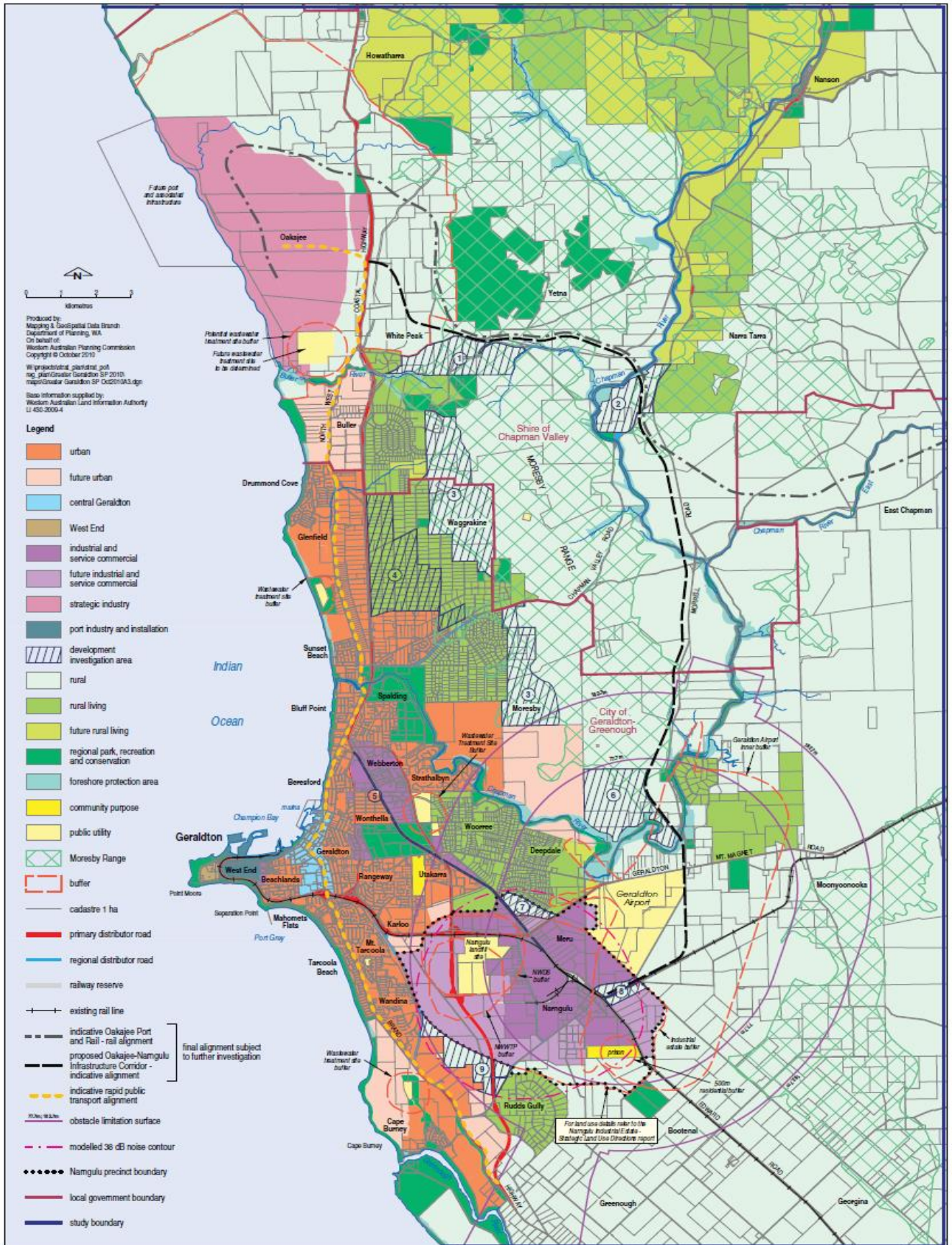
Wizard Peak is located about 5 kilometres east of Narngulu and measures over 1,100 hectares. However, even if the Oakajee port and rail project does not proceed, the Wizard Peak area provides little opportunity for the current proposal.

5.5 LOCAL RURAL STRATEGY (LRS)

The Council's LRS prepared in October 2008 designates the subject land in the Sandplain area between an area of 'Potential Future Hard Rock and Clay' and 'Gravel and Sand' raw materials areas. The footprint of the additional use proposal is considered insignificant compared with the added value to the Region in terms of turnover and employment.

FIGURE 3 – EXTRACT FROM GREATER GERALDTON STRUCTURE PLAN (2010)

Map – Draft Greater Geraldton Structure Plan Update 2010



Source: WAPC, 2013

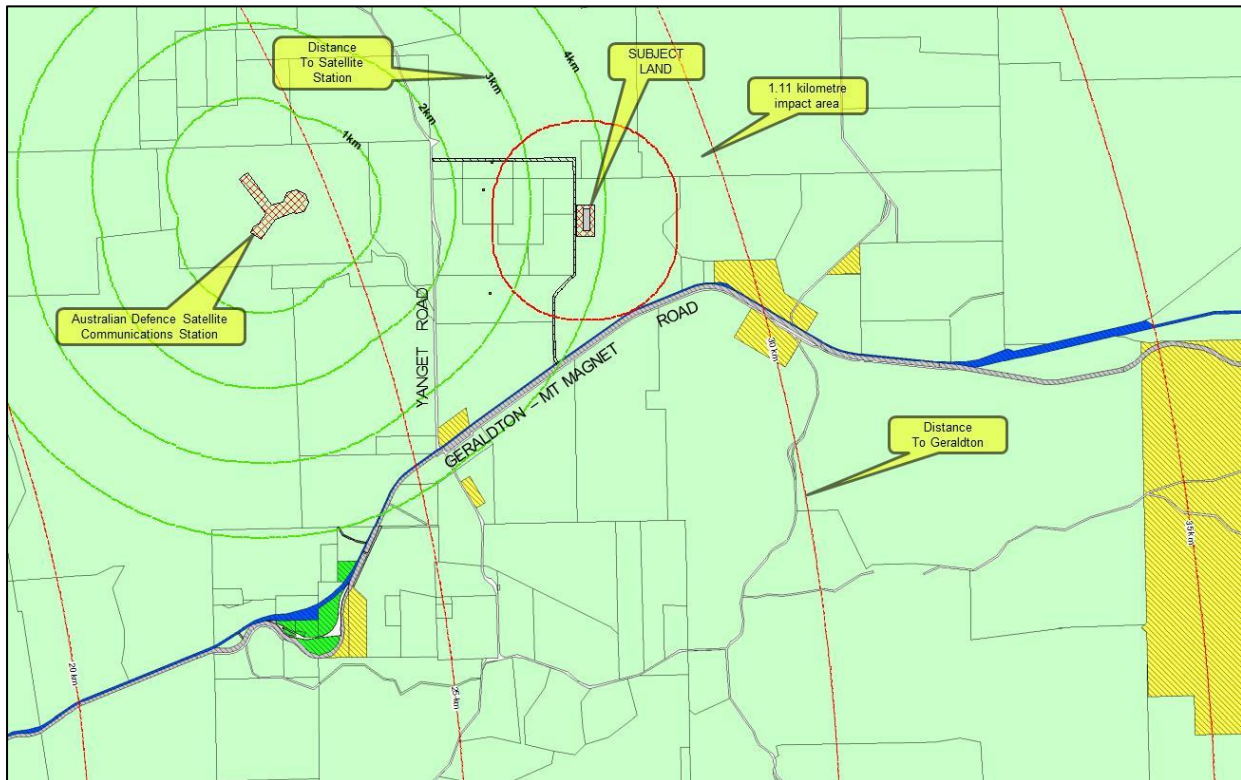
6 STATUTORY ENVIRONMENT

There is currently only one level of statutory control over the subject land at the moment. This is the City of Greater Geraldton Local Planning Scheme No. 5 (Greenough).

The whole of the subject land is zoned 'Rural'. The proposed use has been designated a use class 'Industry – Hazardous' due to nature of the materials to be stored and handled.

Figure 4 shows an extract from the Scheme in the vicinity of the subject land. The figure also shows a 1.11 kilometre buffer and its relationship to the Satellite Station.

FIGURE 4 – EXTRACT FROM LOCAL PLANNING SCHEME No. 5



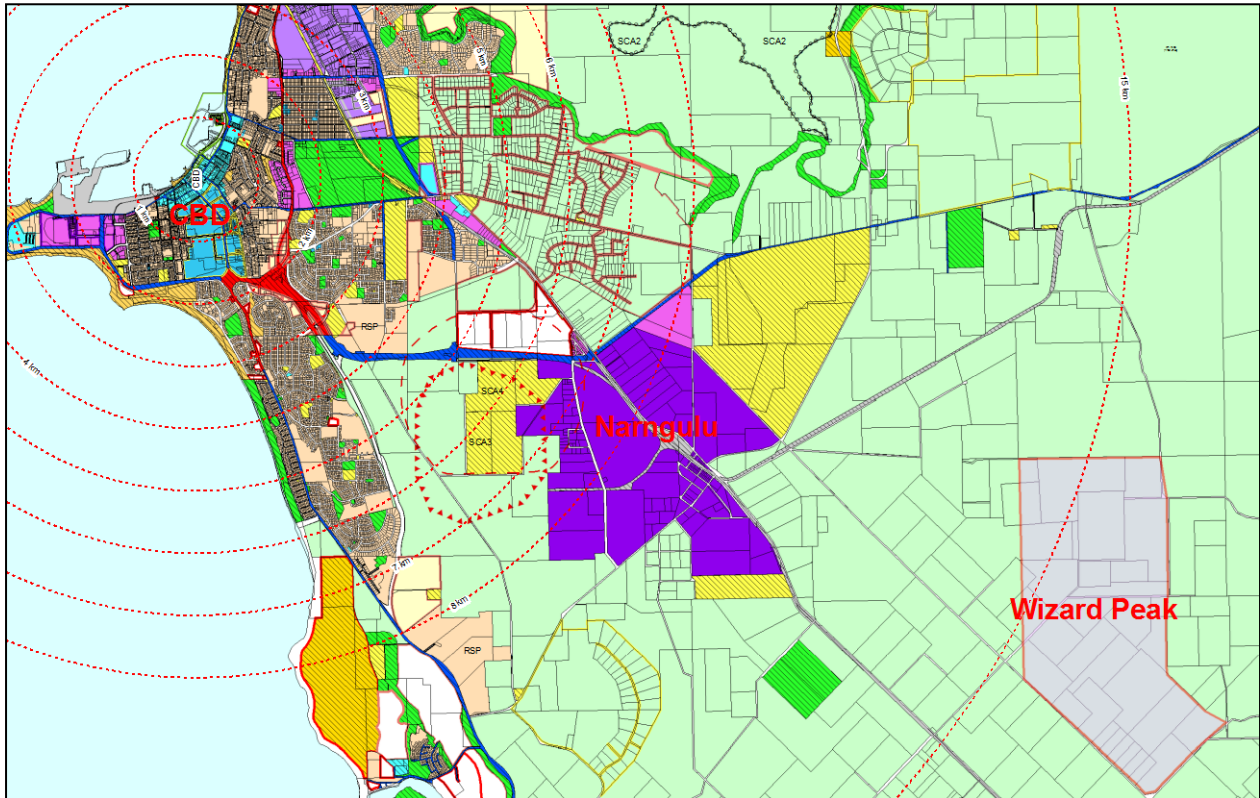
Source: WAPC and Planwest, 2013

An ammonium nitrate facility is classified as an 'Industry – Hazardous' in the Scheme. The only zone in the Scheme that allows an 'Industry – Hazardous' use is the 'General Industry' zone. All the land zoned for 'General Industry' in the Scheme is located in the Narngulu Industrial area south east of the Geraldton CBD. Due to the proximity of residential areas, the potential impact, or risk, on premises surrounding activities, and the problems associated with assembling an area suited for such a proposal; the Narngulu area is not considered appropriate for the proposed activity.

Figure 5 shows an extract from the Schemes indicating the location of the existing Narngulu Industrial Area and the possible future Wizard Peak area in relation to the Geraldton CBD.

The area shown as Wizard Peak Industrial Area is not part of the Scheme but is shown to better indicate its location in relation to Narngulu.

FIGURE 5 – EXTRACT FROM SCHEME’S No. 3 and No. 5



Source: WAPC and Planwest, 2013

7 DEVELOPMENT PROPOSAL

The proponent will import ammonium nitrate from overseas manufacturers located in China, India, Turkey and Russia in lots of 6,000 metric tons (MT) – 8,000MT per shipment. The material will be shipped in 1.2MT (metric tonne) bulka bags, transported to the subject site and stored ready for distribution.

The provision of this facility is currently in demand with the agreement to provide ammonium nitrate to several mining operations in the Region already proven. The multi-million dollar facility will be a valued activity for the Mid West region.

The following sections demonstrate the thorough process through which the activity is required to adhere to as part of the DMP approval process.

7.1 LOGISTIC FORMALITIES

Each shipping consignment will be a dedicated shipment of Ammonium Nitrate only. Other than this material, there will be no other product on board. The ships carrying these cargoes will be approximately 16,000 DWT (deadweight tonnes).

The procedures required by law are very comprehensive and thorough to ensure the best levels of safety are maintained through the whole transport and storage process. These procedures are detailed in the following process.

The proponent will receive the following documents from the manufacturers and will custom clear each cargo 7 days prior to the ships arrival at Geraldton Port;

1. Bill of Landing showing the loading port, discharge port and loading quantity.
2. Original Invoice from Shipper.
3. Certificate of Origin issued by Manufacturer.
4. Manufacturer's Declaration stating the product is packed into new bags at the place of manufacture and complies with the UN code of packing, and each bag will have a UN code approval number.
5. Quantity & Quality Certificate issued by Manufacturer / Independent surveyor; SGS / Inspectorate or any other qualified NATA laboratory (Laboratories of the above suppliers are NATA approved). The quantity and quality certificate received will certify that the cargo is free of organic contamination, no lump formation, product is free-flowing and the carbon content is less than 0.2%.
6. Manufacturer's / Independent surveyor certificate will certify that the ship holds are clean and the external bag has been inspected at the exporting wharf where no organic matter is present.
7. Packing List is issued by Manufacturer.

On receiving the above documents, the proponent's customs agent will clear the cargo. The stevedores are subsequently notified. Following this notification, the stevedores make all necessary arrangements to receive the cargo.

All transport arrangements are made prior to ships arrival. Transport companies qualified to carry Ammonium Nitrate classification 5.1 are engaged to transport the cargo from the port to the proponent's storage and distribution facility. The transport company will provide the proponent with all details, such as the registration numbers of the trucks to be used, the names and license numbers of the drivers and the certificates for the trucks to carry ammonium nitrate.

These details will be entered into the proponent's system and a copy of these details will be provided to Greater Geraldton Port Authority (GGPA) prior to the ship's arrival.

The transport data and stevedoring data will also be provided to GGPA at least 5 days prior to ship's arrival.

7.2 THE PROCESSES:

The ship docks at the wharf.

After the hatches are opened, Customs will board the ship and check the ship's manifest against the previously customs cleared cargo. Customs will subsequently inspect the cargo and clears same accordingly for discharge.

An Australian Quarantine and Inspection Services (AQIS) inspector will then board the ship and inspect the same for cleanliness to ensure the cargo complies with Australian Quarantine Regulations. When satisfied all criteria are in order, AQIS will clear the ship for discharge.

After the above clearances are signed off, the stevedores will enter the hold and commence the discharge procedures.

The manufacturer of the material generally ships 15 empty bags with the consignment. This is to cater for any spillage that might occur in the ship's holds.

It is envisaged that a 20 bag spreader will be used so that the ships cranes can handle 20 bags per lift and load directly onto the truck's deck. This will decrease time for discharge (see **Figure 6**).

FIGURE 6 – BULKA BAG SPREADER



Source: G&F Logistics Safe Operating Procedures, 2012

There will be no cargo placed on the wharf. If in the ship's hold, any bags are identified as needing attention due to deterioration of the bags during the voyage, these will be repaired in the hold using tape and/or rags to plug the holes and shrink wrap over the repair. No bags will be lifted out of the ship's hold unless in good or repaired condition to prevent spillage and time delayed at the wharf. **Figure 7** shows the detail of the bulka bags.

FIGURE 7 – BULKA BAGS



Source: G&F Logistics Safe Operating Procedures, 2012

The contents from any bags that have split is swept up and re-bagged into available new bags inside the ship's hold. **Figure 8** shows a typical ship's hold.

FIGURE 8 – SHIP'S HOLD



Source: G&F Logistics Safe Operating Procedures, 2012

The stevedores in the hold attach the bags to the spreader and the bags are then lifted and swung over the rail by the ship's crane and placed directly onto the positioned trailer. Other assigned stevedores to the trailer assist in this process.

The stevedores keep a running count of the bags that are discharged.

All truck drivers entering the port will need to register their licenses with the staff at the port prior to loading cargo onto their trucks. This is to prevent unauthorised drivers from loading ammonium nitrate.

Immediately after the security check is completed, the truck drivers proceed to the wharf at a speed of 10 km/h. They will be directed to the loading zone by a nominated stevedore.

After having been loaded, the truck will be moved 150m away to a designated area, and any bags that need realigning are removed and replaced squarely on the trailer using a forklift. No trucks will be idle at the wharf.

Any bags that may need attention due to deterioration of the bags during the voyage but are not identified until they are out of the hold, are removed from the truck, repaired, and reloaded.

Any product that is spilt on the truck bed or wharf is immediately swept up and re-bagged into available empty bags.

The bags are strapped down onto the trailer, and the consignment paperwork is completed, with two copies for the driver.

The transport company keeps a running count of the bags leaving the port.

At the completion of the discharge, the stevedores sweep the holds clean, and place the sweepings into bags. These are to be sent to the proponent's storage facility on the last truck out of the port.

On arrival at the proponent's storage facility, security checks will be conducted that will include the truck, the driver and the cargo at the gate of the warehouse. Extra security such as biometric hand scan of the driver will be placed at the gate. After security clearance, the driver proceeds to the warehouse.

At the warehouse, Receivals will check, count and ensure integrity of the bags on each trailer, identify the truck and driver and match details on the consignment note. Receivals will also record arrival times on the consignment paperwork and accordingly signs it. Any discrepancies will be investigated and resolved immediately.

The driver retains one copy of the consignment paperwork, and the other is retained and filed at the facility receivals office.

On completion of these formalities, the restraining straps on the trailers are undone, the bags unloaded using forklifts and stored in a temporary holding area. On the trucks departure, the bags are then transferred to the storage warehouse and stored methodically.

Receivals will maintain a running count of the number of bags unloaded for the day.

At the end of each day, the three counts (stevedores, transport and warehouse) are reconciled; any variances are investigated and resolved immediately.

At the end of the last day, the total reconciled quantity received is reconciled with the shipper's record of the quantity dispatched from the loading port. Any variances are investigated and resolved. Any incidents that occur during the discharge are recorded and actioned as required by the proponent's company procedures, and the appropriate authorities are notified as required by the regulations.

7.3 STORAGE AND DISTRIBUTION FACILITY

The bulka bags will be stored in the storage facility on the subject site. The detailed design and layout of the structure is currently being finalised however the site will ultimately be about 2.4 hectares in area on a site of about 10 hectares.

The facility will employ the most advanced and state of the art technology by using, CCTV and infrared cameras along with imaging technology so as not to trigger false alarm in case of animals entering the facility. There will be 24 hours, 365 days manned security guard at the storage facility (3 shifts, one armed guard) and the entire storage facility will be fenced to keep intruders and animals out of the facility. Any breach of the fence will trigger automatic dialling to 20 nominated telephone numbers such as Police, Fire Brigade and emergency service and to all other concerned parties – including Defence. The people dialled could watch on their computer or TV screen the nature of the breach and then decide to act accordingly. Each bag stored will be barcoded, tagged and electronically accounted for. The storage facility could be monitored live from remote locations anywhere in Australia via CITRIX system and not the internet which can be easily hacked. The Department of Defence can have full access to the system and full audit at random.

The visual impact of the site will be minimised with the installation of strategically placed landscaping ensuring that the planting does not interfere with the fencing, operation or continued farming operations.

Access to the site will be via a new road connected to the Geraldton – Mt. Magnet Road (not Yanget Road). This new road is being created through an existing subdivision application.

Figure 9 provides photographs from a new facility a Bajool, Queensland. This structure has been approved by the Queensland Government as it is considered to be a ‘state of the art’ facility. The materials are non-flammable and the open ends provide ventilation avoiding the build-up of vehicle fumes.

FIGURE 9 – ‘STATE OF THE ART’ FACILITY IN BAJOOL, QUEENSLAND



Source: Blue Energy, 2014

7.4 DEVELOPMENT PROPOSAL CONCLUSION

The location and setup of the Scheme Amendment proposal is considered ideal in terms of;

- minimising any risk on surrounding activities;
- having easy access to the major transport network;
- minimising any impact on the continued agricultural activities in the region;
- minimising the visual impact of the proposal from the surrounding road network;
- limiting the use to that specified in the additional use Schedule; and
- limiting the extent of the additional use to that area specified in the additional use Schedule.

8 IMPACT OF PROPOSAL

8.1 DMP BUFFER

Following detailed ongoing discussions and liaison with the Department of Mines and Petroleum (DMP), it has been determined that the appropriate level of impact is 1.11 kilometres from the proposed activity. The proposed activity for the purpose of this proposal will be the development site area. Within the 1.11 kilometre buffer no sensitive uses will be permitted; this includes residences (to 890m).

This Code of Practice for the Safe Storage of Solid Ammonium Nitrate can be accessed on the DMP web site as follows;

http://www.dmp.wa.gov.au/documents/Code_of_Practice/DGS_COP_StorageSolidAmmoniumNitrate.pdf

This code gives guidance regarding distances that should be provided to various facilities, including critical infrastructure. In order to ensure that no sensitive uses (including dwellings) are constructed within this buffer in the future this amendment will impose a Special Control Area in the Scheme precluding the establishment of such uses. **Figure 10** provides a plan of the site showing the impact of the 1.11 kilometre buffer. As the figure demonstrates there is no impact on adjoining properties not already owned by the existing owner.

In order to issue a Licence to Store Dangerous Goods the DMP needs to receive an application which demonstrates that the facility can operate with minimal risk to people, property and the environment as required by the Dangerous Goods Safety Act 2004.

The only impact of this buffer will be to restrict the construction of new sensitive uses (including dwellings) but will not prohibit the continued agricultural use of the land.

As previously mentioned, Lots 1, 10, 2859 and 2860 are owned by the same entity and are fully aware of the impacts of the proposal.

8.2 IMPROVED DELIVERY

Currently all ammonium nitrate used in the mining industry within the Mid-West region needs to be delivered by road from Perth. This requires the delivery trucks to traverse about 400 kilometres of National roads to reach their destination. The establishment of the proposed facility will enable the ammonium nitrate to be delivered to the Geraldton Port and trucked only about 30 kilometres on the Geraldton – Mt. Magnet Road to the facility prior to delivery to each client.

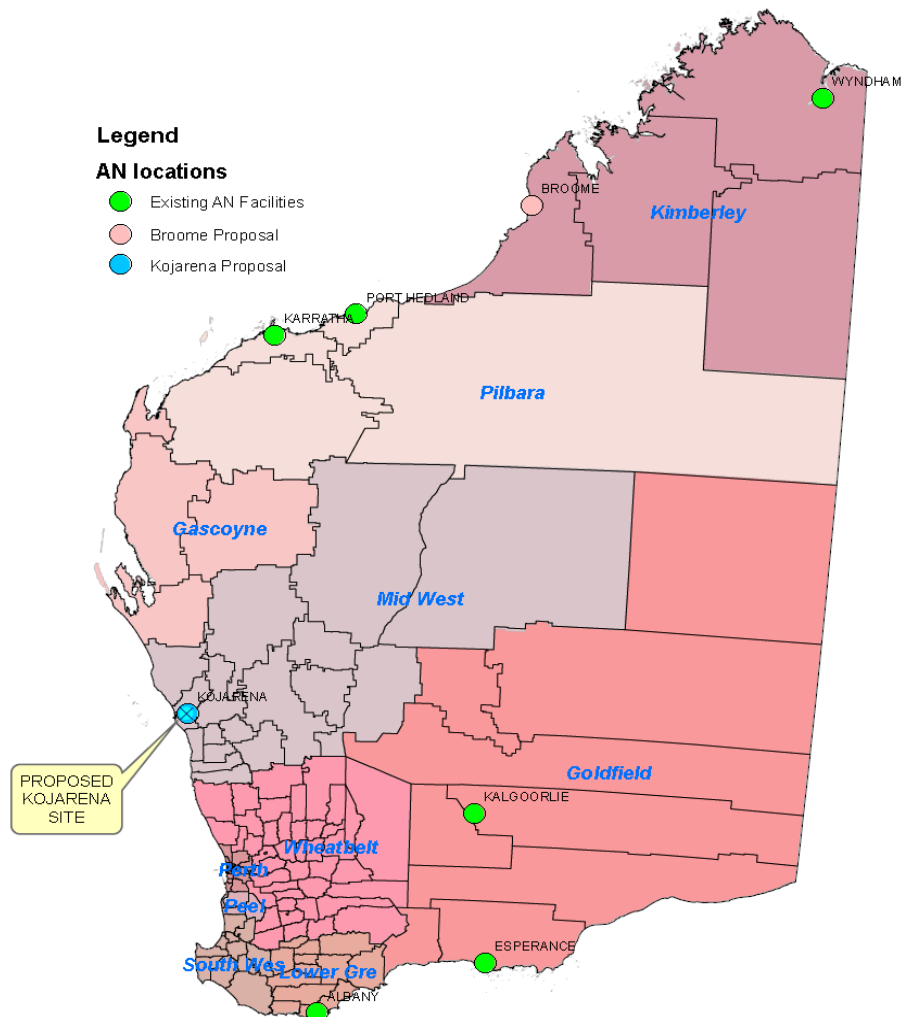
Whilst this may seem to be only a marginal benefit to the City of Greater Geraldton – it is a significant regional benefit. Other existing ammonium nitrate facilities exist in Port Hedland, Karratha, Wyndham, Kalgoorlie, Albany and Esperance. Broome has recently approved the establishment of a similar facility.

The Queensland Government has put aside large areas of land for the express purpose of safely storing and distributing explosives facilities evenly throughout the State.

FIGURE 10 –STATE DISTRIBUTION OF AN FACILITIES

The Kojarena facility will complete a regional strategic distribution of these facilities providing a facility to service the Mid-West region.

Figure 10 provides a visual demonstration of how the Kojarena facility contributes to the regional distribution of the other existing and proposed facilities.



Source: PLANWEST, DoP.

9 AMENDMENT PROPOSAL

The Amendment is proposed in two parts. The first is the introduction of an 'Additional Use' and the second is the insertion of a new 'Special Control Area'.

9.1 ADDITIONAL USE

Given that Narngulu and Wizard Peak remain unsuitable, the Scheme area provides no scope to cater for the proposed ammonium nitrate distribution centre, without either;

- rezoning a new site to 'General Industry' zone or a 'Special Use' zone; or
- providing for an additional use in the rural area - away from conflicting landuses and with minimal impacts for the continued rural use of the land.

The concept of rezoning a specific site in a rural area for 'General Industry' or a 'Special Use' is not a preferred planning option as it may also provide for other industrial activities that would be better centralised and serviced in a formal industrial estate (i.e. Narngulu). In addition this could be considered as a 'spot' zoning; not a favoured planning option.

In order to allow the proposed development to proceed without changing the existing zoning it is proposed to allow for an 'Additional Use'. Clause 4.5 of Scheme provides for additional uses; however 'Schedule 2 – Additional Uses' has no entries to date.

4.5 Additional uses

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

The additional use will only apply to a relatively small part of Lot 2860 (being 10 hectares of the 402 hectare lot). This small footprint will not significantly impact the continued agricultural use of the land.

The owner of Lots 1, 2, 692, 1420, 1421, 1422, 1779, 2859 and 3415 Geraldton – Mt. Magnet and Yanget Roads is also the current owner of Lot 2860 and is therefore already fully aware of the project.

No.	Description of land	Additional Use	Conditions
1	<p>Portion of Lot 2860 Geraldton – Mt. Magnet Road, Kojarena</p> <p>As shown on Scheme Map 1/12 as A1</p>	<p>“industry – hazardous”</p> <p>(Storage and distribution of ammonium nitrate)</p>	<ol style="list-style-type: none"> 1. Prior to any subdivision or development of the land a Detailed Area Plan (DAP) shall be prepared and endorsed by the Local Government (in consultation with the Department of Mines and Petroleum, Department of Environment Regulation, Department of Fire and Emergency Services, the Australian Government Department of Defence and any other agency as required). 2. The DAP should address the following: <ul style="list-style-type: none"> • Exact definition of the Additional Use area; • Vehicular access; • Landscaping; • Fire protection strategy; • Emergency response plan; and • Security measures. 3. All development must be contained within the boundaries of the Additional Use area. 4. Storage of ammonium nitrate is restricted to a maximum of 20,000 tonnes. 5. Other than material contained within Intermediate Bulk Containers (IBC's) no other open storage of material is permitted. 6. No vehicles transporting ammonium nitrate are permitted on Yanget Road.

9.2 SPECIAL CONTROL AREA (SCA)

The addition of a new Special Control Area will be inserted in accordance with the impact distances determined by DMP in its Code of Practice for the safe storage of solid ammonium nitrate.

The addition of a new SCA involves a text as well as a map amendment.

9.2.1 Scheme Text Amendment

The text amendment requires two changes; the first to add the new SCA to the list of SCA's in clause 6.1.1, and the second to add a new clause in Part 6 – Special Control Areas.

Clause 6.1.1 will be amended by adding a new SCA after '(e) Development Contribution Areas' as follows;

- (f) *Kojarena “Industry – Hazardous” (SCA 6)*

Part 6 will be amended by inserting a new clause as follows;

6.7 Kojarena “Industry – Hazardous” Special Control Area (SCA 6)

- 6.7.1 *The Kojarena ammonium nitrate storage and distribution facility is a strategically located facility to service the mining sector of the region.*
- 6.7.2 *Purpose of the Special Control Area*
 - (a) *To identify land likely to be the subject of off-site impacts from the facility.*
 - (b) *To ensure that the use and development of the land in the vicinity of the facility is compatible with the approved use of the facility.*
 - (c) *To prevent sensitive land uses from establishing within the Special Control Area.*
- 6.7.3 *Application Requirements for Subdivision and Development*
 - (a) *Planning approval is required for ALL development within the Special Control Area.*
 - (b) *No development of sensitive land uses (as defined by SPP 4.1 State Industrial Buffer and the Environmental Protection Authority’s Guidance Statement No. 3 “Separation Distances between Industrial and Sensitive Land Uses”) is permitted.*
 - (c) *No further subdivision of the land within the Special Control Area is permitted.*
- 6.7.4 *Relevant Considerations*

Before determining any application for planning approval the local government must have due regard for:

 - (a) *The provisions of SPP 4.1 State Industrial Buffer.*
 - (b) *The provisions of the Environmental Protection Authority’s Guidance Statement No. 3 “Separation Distances between Industrial and Sensitive Land Uses”.*
 - (c) *Whether the proposal is compatible with the approved use of the facility.*

6.7.5 Referral of Applications

Before determining any applications for planning approval the local government must consult with the Department of Mines and Petroleum, Department of Environment Regulation, Department of Fire and Emergency Services, the Australian Government Department of Defence and any other agency as required.

9.2.2 Scheme Map Amendment

There are two parts to the amendment of the Scheme Map, the first to annotate the site to reflect the additional use, the second to insert the new SCA.

The first change requires the identification of the additional use with an annotation '**A1**' over the site the subject of the additional use, and a dotted boundary to indicate the extent of the additional use.

The second Scheme Map amendment requires the addition of the SCA boundary on the Scheme Map in accordance with the Scheme Amendment Map.

10 CONCLUSION

It is considered that this Amendment will provide for a significant service to the mining industry in the Region and improve the variety and diversity of activities in the region acknowledging the importance of the whole range of primary industries.

Subject to advice from the Environmental Protection Authority, advertising, and notification of those owners and operators in the vicinity, approval of the Amendment is recommended.

WESTERN



AUSTRALIA

REGISTER NUMBER 2860/DP113302	
DUPLICATE EDITION 3	DATE DUPLICATE ISSUED 8/4/2009

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
1913

FOLIO
955

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 2860 ON DEPOSITED PLAN 113302

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

COASTAL DAIRY SUPPLIES PTY LTD OF 3 WIEIBBE HAYES LANE, GERALDTON
MIDWEST REIT PTY LTD OF 33 CHAPMAN ROAD, GERALDTON
AS TENANTS IN COMMON IN EQUAL SHARES

(T L426409) REGISTERED 13 SEPTEMBER 2010

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. THE LAND THE SUBJECT OF THIS CERTIFICATE OF TITLE EXCLUDES ALL PORTIONS OF THE LOT DESCRIBED ABOVE EXCEPT THAT PORTION SHOWN IN THE SKETCH OF THE SUPERSEDED PAPER VERSION OF THIS TITLE.
2. TITLE EXCLUDES THE LAND SHOWN ON PLAN 22067.
3. *L426410 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 13.9.2010.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1913-955 (2860/DP113302).
PREVIOUS TITLE: 1529-372.
PROPERTY STREET ADDRESS: LOT 2860 GERALDTON-MOUNT MAGNET RD, KOJARENA.
LOCAL GOVERNMENT AREA: CITY OF GREATER GERALDTON.

NOTE 1: A000001A PENDING SURVEY - PLAN 3129.
NOTE 2: LAND PARCEL IDENTIFIER OF VICTORIA LOCATION 2860 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 2860 ON DEPOSITED PLAN 113302 ON 29-APR-02 TO ENABLE ISSUE OF A DIGITAL

END OF PAGE 1 - CONTINUED OVER

PLANNING AND DEVELOPMENT ACT 2005
CITY OF GREATER GERALDTON
LOCAL PLANNING SCHEME No. 5 (GREENOUGH)

AMENDMENT No. 11

The City of Greater Geraldton under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

- 1 Adding the following to “Schedule 2 – Additional Uses” of the Scheme Text:

No.	Description of land	Additional Use	Conditions
1	Portion of Lot 2860 Geraldton – Mt. Magnet Road, Kojarena As shown on Scheme Map 1/12 as A1	“industry – hazardous” (Storage and distribution of ammonium nitrate)	<ol style="list-style-type: none"> 1. Prior to any subdivision or development of the land a Detailed Area Plan (DAP) shall be prepared and endorsed by the Local Government (in consultation with the Department of Mines and Petroleum, Department of Environment Regulation, Department of Fire and Emergency Services, the Australian Government Department of Defence and any other agency as required). 2. The DAP should address the following: <ul style="list-style-type: none"> • Exact definition of the Additional Use area; • Vehicular access; • Landscaping; • Fire protection strategy; • Emergency response plan; and • Security measures. 3. All development must be contained within the boundaries of the Additional Use area. 4. Storage of ammonium nitrate is restricted to a maximum of 20,000 tonnes. 5. Other than material contained within Intermediate Bulk Containers (IBC’s) no other open storage of material is permitted. 6. No vehicles transporting ammonium nitrate are permitted on Yanget Road.

2. Adding a new Special Control Area to Clause 6.1.1 as follows:

‘f) Kojarena “Industry – Hazardous” (SCA 6)’

3. Adding the following to “Part 6 – Special Control Areas” of the Scheme Text:

6.7 Kojarena “Industry – Hazardous” Special Control Area (SCA 6)

6.7.1 The Kojarena ammonium nitrate storage and distribution facility is a strategically located facility to service the mining sector of the region.

6.7.2 *Purpose of the Special Control Area*

- (a) *To identify land likely to be the subject of off-site impacts from the facility.*
- (b) *To ensure that the use and development of the land in the vicinity of the facility is compatible with the approved use of the facility.*
- (c) *To prevent sensitive land uses from establishing within the Special Control Area.*

6.7.3 *Application Requirements for Subdivision and Development*

- (a) *Planning approval is required for ALL development within the Special Control Area.*
- (b) *No development of sensitive land uses (as defined by SPP 4.1 State Industrial Buffer and the Environmental Protection Authority's Guidance Statement No. 3 "Separation Distances between Industrial and Sensitive Land Uses") is permitted.*
- (c) *No further subdivision of the land within the Special Control Area is permitted.*

6.7.4 *Relevant Considerations*

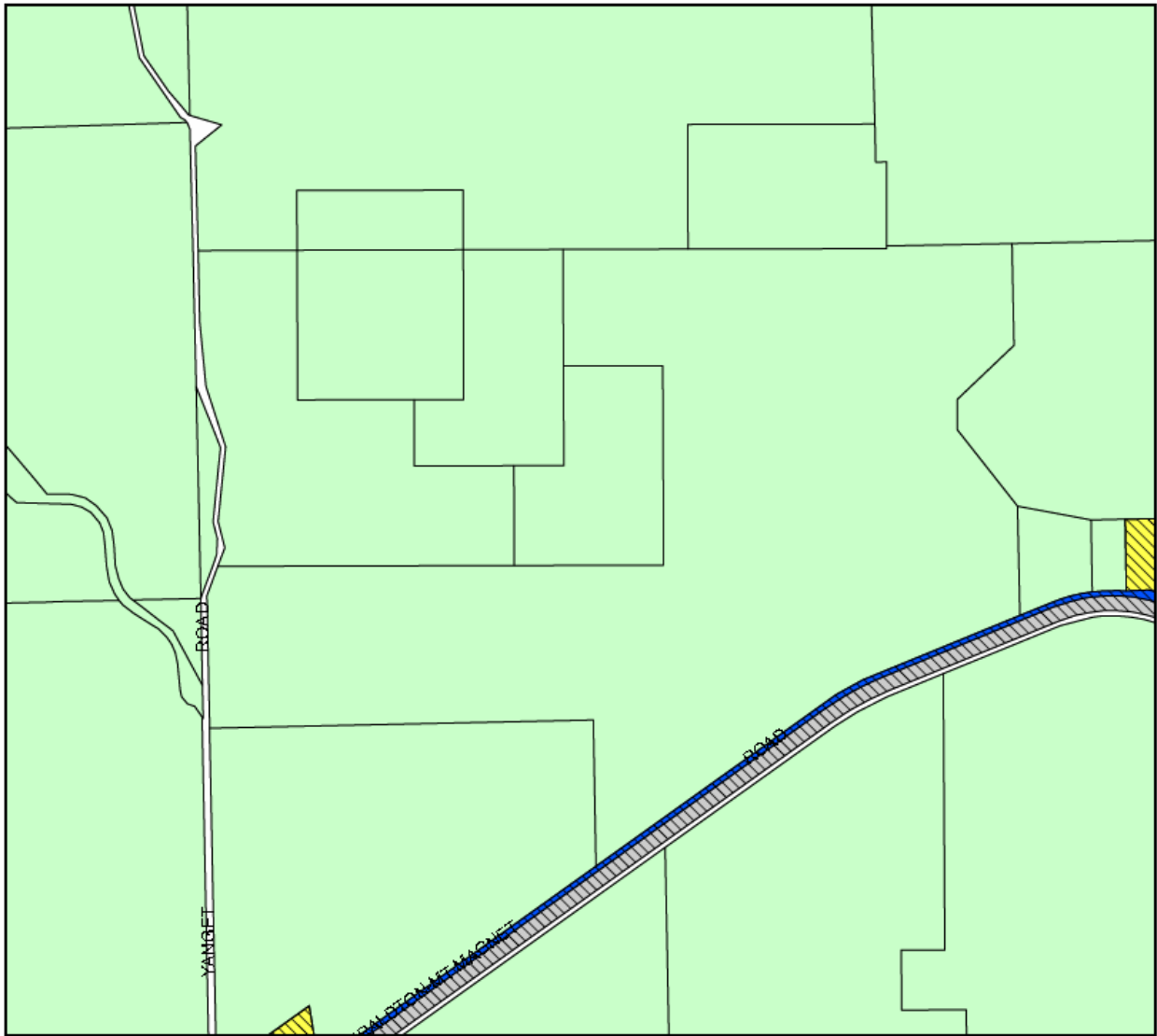
Before determining any application for planning approval the local government must have due regard for:

- (a) *The provisions of SPP 4.1 State Industrial Buffer.*
- (b) *The provisions of the Environmental Protection Authority's Guidance Statement No. 3 "Separation Distances between Industrial and Sensitive Land Uses".*
- (c) *Whether the proposal is compatible with the approved use of the facility.*

6.7.5 *Referral of Applications*

Before determining any applications for planning approval the local government must consult with the Department of Mines and Petroleum, Department of Environment Regulation, Department of Fire and Emergency Services, the Australian Government Department of Defence and any other agency as required.

4. *Modifying the Scheme Map accordingly.*



CITY OF GREATER GERALDTON

LOCAL PLANNING SCHEME 5 (GREENOUGH) AMENDMENT No 11

Legend

LOCAL SCHEME RESERVES

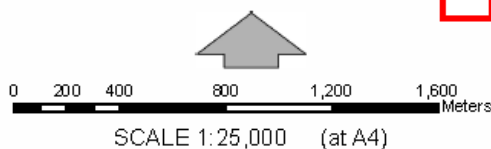
- MAJOR ROAD
- PUBLIC PURPOSES
- PARKS AND RECREATION
- NATURE RESERVES
- WATERWAY
- RAILWAY

ZONES

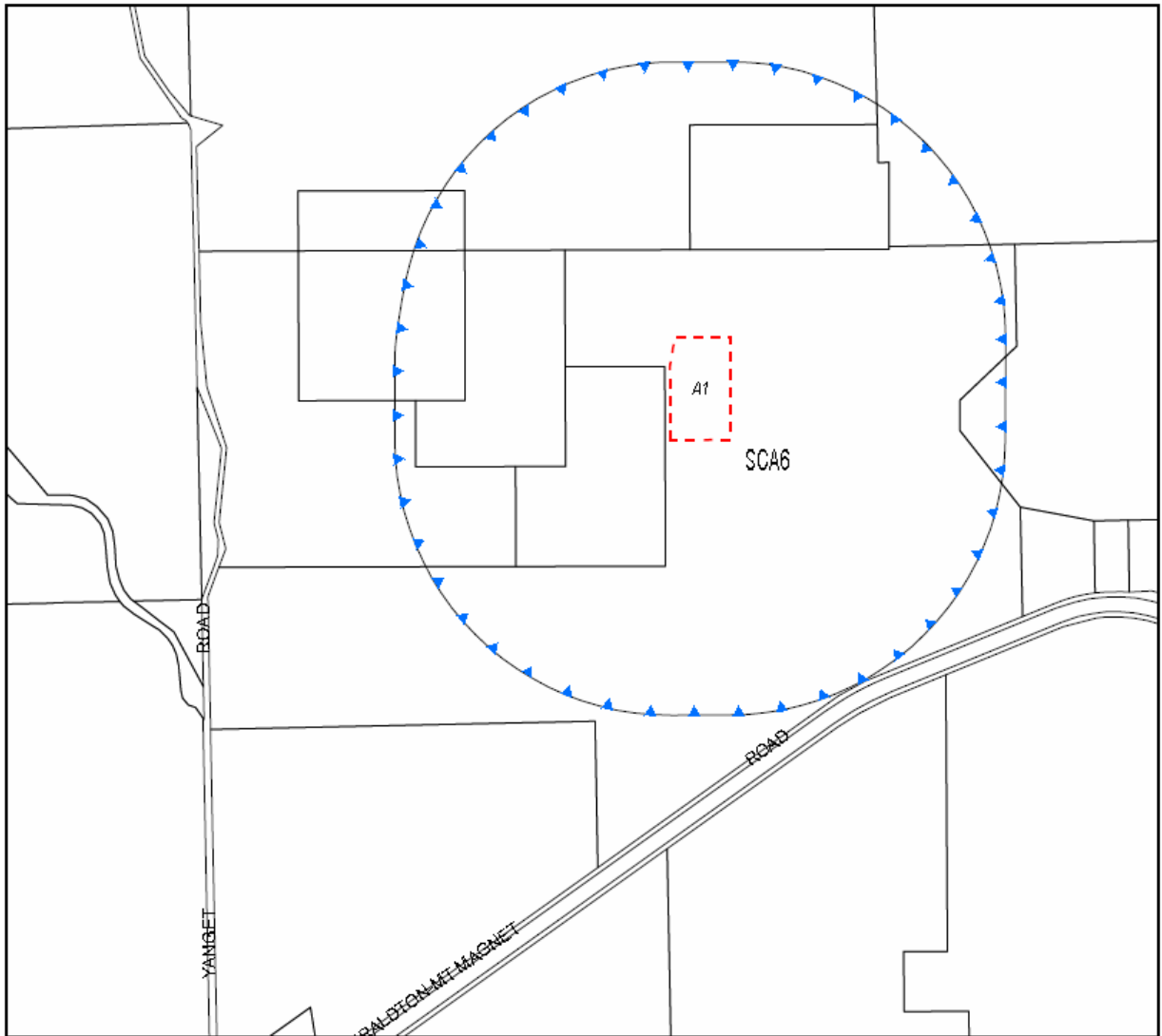
- RESIDENTIAL
- DEVELOPMENT
- COMMERCIAL
- HIGHWAY COMMERCIAL
- TOURIST
- CIVIC AND CULTURAL
- GENERAL INDUSTRY
- LIGHT INDUSTRY
- RURAL SMALLHOLDING
- RURAL RESIDENTIAL
- RURAL
- SPECIAL USE

OTHER

- Scheme 5 Boundary
- SCA 1 - Greenough Heritage
- SCA 2 - Moresby Range Landscape
- SCA 3 - Namgulu WWTP
- SCA 4 - Namgulu Waste Disposal Facility
- Road
- Special Use Area
- Rural Residential Area
- Rural Smallholding Area
- Rcodes





EXISTING ZONING MAP

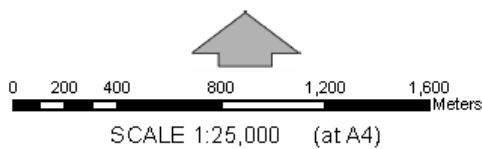


CITY OF GERALDTON-GREENOUGH

LOCAL PLANNING SCHEME 5 (GREENOUGH) AMENDMENT No 11

Legend

-  SCA 6 - STORAGE AND DISTRIBUTION OF AMMONIUM NITRATE (SEE SCHEME TEXT)
-  A1 ADDITIONAL USE (SEE SCHEME TEXT)



SCHEME AMENDMENT MAP

ADOPTION

Adopted by resolution of the Council of the City of Greater Geraldton at the Ordinary

Meeting of the Council held on the day of 20

.....
MAYOR

.....
DATE

.....
CHIEF EXECUTIVE OFFICER

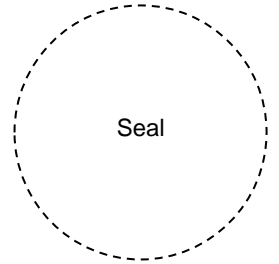
.....
DATE

FINAL APPROVAL

Adopted for final approval of the City of Greater Geraldton at the meeting of Council held on

the..... day of 20

and the Common Seal of the City of Greater Geraldton was hereunto affixed by the authority of a resolution of the Council in the presence of:



.....
MAYOR

.....
DATE

.....
CHIEF EXECUTIVE OFFICER

.....
DATE

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

.....
WAPC, Delegated under S. 16 of PD Act 2005

.....
Date

FINAL APPROVAL GRANTED

.....
MINISTER FOR PLANNING

.....
Date