



SHIRE OF ASHBURTON

SPECIAL MEETING OF COUNCIL

AGENDA

**Irwin Meeting Room
Mercure Hotel
Perth**

4 August 2010

SHIRE OF ASHBURTON
SPECIAL COUNCIL MEETING

Dear Councillor,

Notice is hereby given that a Special Meeting of the Council of the Shire of Ashburton will be held on Wednesday 4 August 2010 at the Irwin Meeting Room, Mercure Hotel, Perth commencing at 3.00pm with a phone link to the Onslow Administration Centre, Pannawonica Library and Tom Price Council Chambers.

The business to be transacted is shown in the Agenda.

Keith Pearson
CHIEF EXECUTIVE OFFICER

29 July 2010

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Ashburton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.

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1.08.0 DECLARATION OF OPENING

2.08.0 ANNOUNCEMENT OF VISITORS

3.08.0 ATTENDANCE

3.08.1 ATTENDANCE

Cr G Musgrave	Shire President, Ashburton Ward
Cr L Rumble	Deputy Shire President, Paraburdoo Ward
Cr T Bloem	Tom Price Ward (via phone conference)
Cr L Shields	Tom Price Ward
Cr L Thomas	Tableland Ward
Mr K Pearson	Chief Executive Officer
Mr F Ludovico	Executive Manager Corporate Services
Mr J Breen	Executive Manager Engineering Services
Mr L Softley	Executive Manager Community & Economic Services

3.08.2 APOLOGIES

Cr I Dias	Paraburdoo Ward
Cr L Corker	Ashburton Ward
Cr K White	Onslow Ward

3.08.3 APPROVED LEAVE OF ABSENCE

Cr S Dann	Pannawonica Ward
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4.08.0 PUBLIC QUESTION TIME

4.08.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.08.2 PUBLIC QUESTION TIME

5.08.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.08.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

6.08.1 PETITIONS

6.08.2 DEPUTATIONS

6.08.3 PRESENTATIONS

7.08.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

8.08.0 DECLARATION BY MEMBERS

That Councillors have given due consideration to all matters contained in the Agenda presently before the meeting.

9.08.0 BUSINESS

9.08.01 APPLICATIONS FOR PLANNING APPROVAL FOR THE CONSTRUCTION OF A GAS TREATMENT AND COMPRESSION PLANT, AND TRANSIENT WORKFORCE ACCOMMODATION CONNECTED TO THE OFF-SHORE GAS FIELD BY A PIPELINE, AND CONSTRUCTION OF THE PIPELINES FROM THE GAS TREATMENT AND COMPRESSION PLANT CONNECTING TO THE DAMPIER TO BUNBURY NATURAL GAS PIPELINE, ONSLOW ROAD, ASHBURTON NORTH

FILE REFERENCE:	RD.OG.2.7
AUTHOR'S NAME AND POSITION:	Rob Paull Shire's Town Planning Consultant
NAME OF APPLICANT/RESPONDENT:	MGA Town Planners for BHP Petroleum
DATE REPORT WRITTEN:	10 July 2010
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter, however his personal superannuation fund holds 418 shares in BHP Billiton.
PREVIOUS MEETING REFERENCE:	Council Meeting July 2010 – Item 13.07.37 – Applications For Planning Approval For The Construction Of A Gas Treatment And Compression Plant, And Transient Workforce Accommodation Connected To The Off-Shore Gas Field By A Pipeline, And Construction Of The Pipelines From The Gas Treatment And Compression Plant Connecting To The Dampier To Bunbury Natural Gas Pipeline, Onslow Road, Ashburton North – Matter not considered by Council.

Summary

The Shire is in receipt of two Applications for Planning Approval from MGA Town Planners on behalf of BHP Billiton Petroleum as follows:

- Construction of a gas treatment and compression plant connected to the off-shore gas field by a pipeline, transient workforce accommodation and private road (Shire Ref: 20101070) within the general vicinity of the proposed Ashburton North Strategic Industrial

Area.

- Construction of the pipelines from the gas treatment and compression plant connecting to the Dampier to Bunbury Natural Gas Pipeline (Shire Ref: 20101071).

This Report covers both applications.

The Applications were advertised and 15 submissions were received from State agencies and individual persons/organisations. The majority of submissions draw to the attention of Council the significant issue of flooding and hydrology matters. The Shire has engaged the services of ARUP consulting engineers in order to achieve an independent assessment of the hydrology issues associated with the applications.

ATTACHMENT 9.08.01

Due to a separate assessment being undertaken pursuant to the Environmental Protection Act ('EPA Act'), Council is unable to determine the applications until the Minister for Environment has determined the matters.

Taking into account the submissions and the advice of the Shire's engineering consultant, it is recommended that when the Minister for Environment has provided consent pursuant to the EPA Act, planning approval be issued for both proposals subject to the significant modification to the design of the private road linkage from Onslow Road to the facility being developed essentially 'at grade'. The conditions proposed by staff would, however, allow the applicant to seek road works above grade, but only after a more detailed hydrological assessment to the satisfaction of the Shire and State agencies.

It is recommended that should Council be satisfied with the assessment and recommendations provided in this Report, that the Chief Executive Officer be provided delegation to issue Approvals once the Minister for Environment has provided consent pursuant to the EPA Act.

It should be noted that the Applications were referred to the 13 July Council meeting however the Item was not considered at the meeting due to there not being a quorum. Since referring the Item to that meeting, BHP Billiton Petroleum has responded to the draft conditions, requesting changes conditions associated with flood mitigation, road design/impacts, community facilities and impacts on Old Onslow. Some of the changes suggested by BHPB Billiton are appropriate however, it is recommended that the majority of the conditions included in the original Report to Council be retained.

Background

The Shire is in receipt of two Applications for Planning Approval from MGA Town Planners for BHP Billiton Petroleum as follows:

- Construction of a gas treatment and compression plant connected to the off-shore gas field by a pipeline within the area identified for the proposed Ashburton North Strategic Industrial Area.

Associated with these works is a road linking the gas treatment and compression plant with Onslow Road and a temporary construction camp to house the construction workforce. **Attachment 9.08.01 A** provides an aerial photo, location plan, site plans, and elevations perspectives of the proposal.

ATTACHMENT 9.08.01 A

- Construction of the pipelines from the gas treatment and compression plant connecting to the Dampier to Bunbury Natural Gas Pipeline (DBNGP). **Attachment 9.08.01 B** provides an aerial photo and pipeline proposal.

ATTACHMENT 9.08.01 B

This Report covers both applications.

Comment

Environment Protection Authority Assessment

The Environmental Protection Act 1986 (EP Act) stipulates certain obligations on developers. The Applicant has advised that they referred the project to the Environmental Protection Authority (EPA) for assessment under Part IV.

The EPA has released advice and recommendations to the Minister for Environment within agreed timelines and set an Environmental Protection Statement (EPS) level of assessment on the proposal by BHP Billiton Petroleum Pty Ltd to construct a subsea pipeline from the Macedon Gas Field (100 kilometres west of Onslow) to an onshore gas treatment and compression plant at Ashburton North Strategic Industrial Area (15 kilometres southwest of Onslow) with a domestic gas pipeline linking to the Dampier to Bunbury Natural Gas Pipeline, approximately 80 kilometers inland.

In a press release, EPA Chairman Paul Vogel has advised that it is unlikely that the EPA's objectives would be compromised, provided there is satisfactory implementation by the proponent of the recommended conditions:

“The predicted air quality is well within National Environment Protection Measure standards in Onslow, Urala and at popular camping and recreation spots and greenhouse gas efficiency design features have been included in the proposal”. Dr Vogel said.

The EPA notes that the Macedon Gas Development and the Wheatstone Project (Chevron Australia) are the first proposals for development in the Ashburton North Strategic Industrial Area (SIA).

“The impacts of the Macedon Gas Development are small in comparison to those of other proposals within the SIA and are unlikely to be critical in a cumulative impact assessment being undertaken by the EPA,” Dr Vogel said.

A two-week public appeal period on the report and level of assessment closed on 19 July 2010. The Shire is unable to formally determine the applications until further advised by the EPA.

The Macedon Gas Development project

The Macedon Gas Development project is a proposal by BHP Billiton to develop the Macedon gas field, located in Commonwealth waters offshore approximately 40km north of Exmouth and 100 km west of Onslow. The project will involve construction and operation of the following major components:

- Drilling of four gas projection wells and installation of subsea trees, connectors, flow lines and a manifold to feed the projected gas into a wet gas pipeline. Up to three additional wells may be drilled over the lifetime of the project.
- Installation of a subsea wet gas pipeline for the transport of gas from the gas field to a mainland shore crossing adjacent to the existing Griffin Joint Venture (GJV) pipeline shore crossing west of the Ashburton River on Urala Station.
- Installation of a subsea electro-hydraulic umbilical control line from the shore to the field to control the subsea wells. The umbilical will be controlled from the plant site.

Construction is expected to occur over a 30 months period. After 12 months of operation, the plant will be closed down for a 2-week period of maintenance activity. The Applicant proposes that temporary construction camp facilities remain in-situ for a total period of less than 4 years.

The Applicant has advised that available gas volumes and other technical factors do not justify liquefaction for export with the result that the reserve is ideal for supplying the domestic market. It is anticipated that the resource will supply the domestic market for approximately 20 years.

The gas resource occurs at approximately 1,000 m below sea level in water depths ranging from 120 to 180 m. The gas from the Macedon field is a "lean" gas with a predominant methane component (>93% methane) with only small amounts of condensate and trace quantities of heavier hydrocarbon components. Other constituents include nitrogen (about 5%), and a small amount of carbon dioxide (less than 0.5%).

It is important to note that the Macedon gas field and parts of the offshore sections of the wet gas pipeline and umbilical routes are located in Commonwealth waters. The Shire's responsibility under the Scheme is for land-based development and waters up to the high water mark.

BHP Billiton advise that the onshore infrastructure comprises:

- Installation of the onshore component of the wet gas pipeline from the shore crossing to the plant site
- The umbilical and wet gas pipeline will be laid in parallel
- Construction of a gas treatment and compression plant and associated infrastructure on a site located some 15 km to the southwest of Onslow known as Ashburton North
- Installation of condensate storage and loading facilities for the export by road of small amounts of produced condensate (between 250 and 2,500 L/day)
- Establishment of a temporary construction camp to accommodate the workforce during construction phase. Operation personnel will be located in Onslow and BHP Billiton will try to recruit based on residential status.

A number of development and technical studies have been undertaken by BHP Billiton to

establish the technical and commercial viability of the field. These include extensive geophysical and geodynamic studies and volume/reserve estimates, a reservoir simulation model, well drilling and completion design and costs.

The onshore component of the project is proposed to be located in the vicinity of the coastal town of Onslow. The gas processing plant is proposed to be located approximately 15 km to the southwest of Onslow. The plant site is within the Urala Station pastoral lease. The proposed permanent lease area for the gas processing facility, associated infrastructure (including the ground flare and evaporation pond), construction lay down areas and construction/operations accommodation areas, covers approximately 300 ha. The extent of this area is likely to be refined following detailing and commencement of operations. The project has been submitted as two Applications and involves construction and operation as follows:

Planning Application 20101070

Construction of a gas treatment and compression plant, connected to the offshore gas field by a pipeline and road comprises

- Drilling and completion of four subsea wells, with the potential for up to three additional wells if required.
- Connection of the subsea wells via flow lines and a subsea manifold to the wet gas pipeline
- A subsea wet gas pipeline and an onshore wet gas pipeline to the plant site.
- A control umbilical running from the onshore gas plant to the offshore gas field providing for well control, corrosion inhibition and hydrate control.
- A single train onshore gas plant with a nominal capacity of 200 million standard cubic feet per day comprising the following main components:
 - gas conditioning (mercury removal, dehydration, and hydrocarbon dewpoint control)
 - wet gas compression
 - flares
 - sales gas compression
 - condensate storage
 - central control room
 - plant infrastructure
 - utilities
 - evaporation pond
- An access road to link the plant site to Onslow Road
- A temporary construction camp to accommodate the workforce (of up to 300 persons) during the construction period.
- Various quarry materials to provide road base, sand for concrete, heavy rocks for pipeline stabilisation (all of these will be sourced from existing licensed quarries)
- Concrete batch plant, desalination plant and wastewater treatment plant.

Planning Application 20101071

A sales gas supply pipeline (nominally 500 mm diameter) to take gas from the plant along a route adjacent to the plant access road and Onslow Road easement to a metering and injection point

on the DBNG Pipeline.

Land details

Planning Application 20101070

Construction of a gas treatment and compression plant, transient workforce accommodation connected to the offshore gas field by a pipeline and road comprises as follows:

- Lot 152 on Deposited Plan 238333 contained in Crown Land Title LR 3098/710 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd.
- Lot 153 on Deposited Plan 220110 contained in Crown Land Title LR 3135/585 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd.

Planning Application 20101071

Construction of the pipelines from the gas treatment and compression plant connecting to the DBNGP comprises as follows:

- Lot 149 on Deposited Plan 220384 contained in Crown Land Title LR 3058/1000 subject of Pastoral Lease CL 864 / 1967 to Jundaree Aboriginal Corporation.
- Lot 150 on Deposited Plan 220207 contained in Crown Land Title LR 3046/473 and existing as Unallocated Crown Land.
- Lot 152 on Deposited Plan 238333 contained in Crown Land Title LR 3098/710 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd.
- Lot 153 on Deposited Plan 220110 contained in Crown Land Title LR 3135/585 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd.
- Lot 162 on Deposited Plan 220265 contained in Crown Land Title LR 3098/711 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd.
- Lot 163 on Deposited Plan 220110 contained in Crown Land Title LR 3135/584 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd.

Statutory Planning Processes

As noted, the Applications are subject to the provisions of the Shire of Ashburton Local Planning Scheme No.7 ('Planning Scheme'). However, the Applications will need to be assessed against other planning matters of State significance (as follows).

State Planning Framework

The Western Australian Planning Commission (WAPC) has adopted a range of State Planning Policies (SPP) which are to be taken into account in making planning decisions, as prescribed in the SPP's themselves and Clause 5.9 of the Scheme. A number of SPP's have direct relevance to the Applications.

SPP 2 – Environment and Natural Resources Policy - recognises the importance of minerals and petroleum resources to the state. With particular regard to the petroleum industry, the Policy advises:

“The Western Australian Petroleum Industry accounts for a substantial portion of the State’s earnings from resources development. Onshore gas fields and pipelines carrying gas to domestic markets, processing plants and other industrial sites, require protection in the form of setback distances and dedicated easements, that safeguard the infrastructure and the safety of local communities. The activities of the oil and gas industries are administered by the Department of Mineral and Petroleum Resources (now Department of Mines and Petroleum), using petroleum legislation and regulations.”

The pipeline routes are to be contained in easements that are to be accommodated within reserved areas under the Scheme. These routes have been referred to the relevant State agencies for comment and no objection in principle is offered. Any approval will need to ensure appropriate conditions are included to reflect the advice of the State agencies.

SPP 3.4 – Natural Hazards and Disasters – states that the project is within an area prone to cyclonic activity advising that: “Requirements for structures to be able to withstand cyclonic winds and rain are contained within the Building Code of Australia. This policy confirms those requirements, and incorporates them by reference”.

All components of the project will need to be constructed in accordance with the Building Code of Australia and Australian Standards. SPP 3.4 also notes the potential impact of storm surge:

“Where storm surge studies have been undertaken and show that inundation may occur, new permanent buildings should be constructed to take account of the effects of storm surge”

Planning Application 20101070 shows pipelines to be buried and therefore be secured from the effects of wind and overland water flow. They are to have corrosion protection and will be subject to regular monitoring. Again, this is also subject to further environmental approvals.

SPP 4.1 – State Industrial Buffer Policy - applies to all industries including resource processing. Since publication of this SPP in 1997, a draft review of the policy was released in July 2004 and remains to be finalised. The SPP requires the assessment of buffer requirements as necessary on a case by case basis. A major factor in respect of oil and gas industries is risk assessment and this assessment has been undertaken as part of the Environmental Protection Statement still under consideration.

Regional Structure Planning - The Department of Planning (DoP) is completing a “Pilbara Framework” for the WAPC which will identify planning directions for the region and which is expected to be finalised in late 2010. The “Pilbara Framework” will update and expand upon strategies contained in the State Planning Strategy (1997) that recognises the importance of the minerals, oil and gas resources of the region.

Importantly the Applications were referred to the DoP and no objection in relation to the “Pilbara Framework” was raised.

Shire of Ashburton Local Planning Scheme No. 7 (‘Scheme’) - the Scheme Area extends into the

ocean and the umbilical and wet gas pipeline are partially located within this area. Under the Scheme, the Application for construction of a gas treatment and compression plant is defined as *'industry - resource processing'* is major industry which would normally involve:

- a) *the processing of natural resources (including chemical industries),*
- b) *substantial capital investment,*
- c) *significant employment in either the construction or operational phase, and*
- d) *a need for substantial separation or buffer distance to sensitive uses.*

Under the Scheme *"industry - resource processing"* is an 'A' use – which Council must advertise before considering the application. This was undertaken and discussed further in 'Consultation'.

The accommodation component of the application is *'transient workforce accommodation'* is defined as *'... dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas'*.

Under the Scheme *'transient workforce accommodation'* is an 'D' use – which Council is not obliged to advertise before considering the application. However, the application was included in the overall advertising.

The application for pipelines from the gas treatment and compression plant connecting to the DBNGP is *'infrastructure'* and defined as *"....physical equipment or systems, such as cables, pipelines, roads, railways, conveyors and pumps constructed, operated and maintained by a public authority or private sector body for the purposes of conveying, transmitting, receiving or processing water, sewerage, electricity, gas, drainage, communications, raw materials or other goods and services , but does not include domestic infrastructure less than one metre in width or height and does not include industry"*.

Under the Scheme *'infrastructure'* is an 'D' use – which Council is not obliged to advertise before considering the application. However, the application was included in the overall advertising and discussed further in 'Consultation'. The ocean is shown on the Scheme Map to be coloured light blue but there is no corresponding designation within the Scheme Map Legend, however, it is likely that the light blue classification of the ocean indicates that this part of the Scheme Area is reserved for "Waterways".

Consistent with the lack of any inclusion of this light blue area within the Scheme Map Legend, there are no specific provisions of the Scheme Text applying to this area either. However, what can be concluded is that there is ample precedent for pipelines to be permitted within that part of the Scheme Area under the ocean. There are sub-sea pipelines in existence within that part of the Scheme Area.

A section of the pipeline from the coast to the Ashburton River is within land reserved for "Conservation, Recreation and Natural Landscapes". East of the Ashburton River to the Gas Plant Site, the importing pipeline is located within land zoned "Rural". The route of the domestic gas pipeline to the Onslow Road and beyond until it reaches the Cane River Conservation Park is

also on land zoned "Rural". The section of the pipeline through the Cane River Conservation Park is reserved in the Scheme for "Conservation, Recreation and Natural Landscapes".

With respect to the portions of the pipeline situated on land reserved "Conservation, Recreation and Natural Landscapes", Clause 3.2.5 of the Scheme Text advises:

3.2.5 The Conservation, Recreation and Natural Landscapes reserve is intended to accommodate a broad range of natural and modified land uses and development and may, subject to relevant approvals, include extractive or resource processing industry and infrastructure. Where applications for such development are considered by Local Government, it shall have regard for other legislation and/or the advice of the relevant land owner/manager.

The Applications have been referred to the Department of Conservation and EPA where the conservation issues were addressed in responses.

It is recommended that should Council support the applications that as a condition of any Approval/s that the project site be included in a scheme amendment rezoning the SIA to the "Strategic Industry" zone while the pipeline be reserved "Other Purposes – Infrastructure". This would be included as a condition on both approvals reflected as an agreement to be entered into with the Shire.

Ashburton North Strategic Industrial Area (Amendment No. 9)

The State Government has announced that it intends to create a Strategic Industrial Area (SIA) at Ashburton North to cater for proposed Liquid Natural Gas (LNG) and domestic gas processing as well as promoting related downstream opportunities.

The creation of the Ashburton North SIA will promote regional development; provide a gas hub to monetise small sub-economic gas fields in the Carnarvon Basin; and promote more diverse sources of domestic gas.

The creation of the SIA will facilitate investment in LNG processing facilities and, via gas aggregation, provide opportunities to commercialise many of the relatively small gas fields in the southern Carnarvon Basin. Both Chevron and BHP Billiton Petroleum/ExxonMobil are proposing domestic gas plants at Ashburton North, so the SIA will assist the development of more diverse sources of domestic gas.

It will also provide land and new port facilities to service other potential gas processing development at Onslow and in the western Pilbara. Amendment No 9 to the Scheme proposes the establishment of a SIA provision in the Scheme to allow for a port precinct, multi-user facilities on the coastal strip, land allocations for specific proponents as well as land for users that are yet to be determined, and multi-user infrastructure corridors. In total, the area is approximately 8,000ha.

In order to provide strategic direction for the establishment of the SIA, an Ashburton North Strategic Industrial Area Structure Plan will need to be prepared. The Plan will set the context for specific projects development within the SIA and is to be prepared either prior to or in association

with, the rezoning of land for any particular proponent to "Strategic Industry".

Under the provision, the SIA acknowledges the possible establishment of the 'BHP Billiton' Applications before Council.

Hydrology

In order for the Shire to be in a position to assess the hydrological impact of the Applications (in particular, the private road connection from Onslow Road to the facility), the services of ARUP consulting engineers were sought to provide advice to the Shire.

BHP Billiton's Macedon Project site is located in an area of low topographic relief, adjacent to the outlet of the Ashburton River that is prone to tidal influx. Areas adjacent to the project site have a significant amount of storage and may be slow draining. These areas also have the potential to be inundated regularly due to high sea levels. The proposed plant footprint is 168 ha and is located on a slightly elevated area of land, surrounded by a low-lying area that has the potential to be inundated. The Ashburton River drains via major and minor floodway or tributaries that run adjacent to the proposed plant site. Several drainage paths that drain upstream from the Ashburton River catchment intersect the proposed road alignment.

The base case flooding scenarios for the 10 year, 20 year and 100 year ARI across the proposed road alignment were modelled and the outcomes were as follows:

- Max flow height across the road alignment during the 10 year ARI event is 3.4m AHD
- Max flow height across the road alignment during the 20 year ARI event is 5.9m AHD
- Max flow height across the road alignment during the 100 year ARI event is 6.5m AHD

BHP Billiton modelled the effect of the proposed access road and site in its developed state for several different drainage design iterations. These simulations were used to evaluate the function of the conceptual drainage designs of the access road and estimate resultant flood levels upstream of the road and at the plant location. The conceptual drainage of the access road was designed for a 10-year ARI rainfall event. The function of the final conceptual drainage design was evaluated under the conditions of a 20 year and 100 year ARI design rainfall event.

The impacts of the development identified include:

- loss of floodplain storage;
- changes to rainfall runoff rates;
- impedance of surface flows;
- impacts on surface water quality ; and
- operational impacts

For the chosen concept design the 10 year ARI flood event allows flows to pass across the road, however, with some retardation upstream. In particular at the location closest to the proposed plant pad, there is flood flow back up. However, BHP Billiton acknowledges that this will require a review of the capacity at detailed design.

For the 20 year ARI event the road overtops and causes an increase in the area of flow retardation both on the plant site and near Onslow Road.

For the 100 year ARI event the road also overtops and there is further wide spread retardation of flows as the flood flows exceed the design flows of the drainage infrastructure.

In the base case high current speeds are found at the sea outlet of the main drainage area and the flow speeds are reduced in the developed case, which indicates that flow is being restricted in the developed case.

Although several concept designs were modelled, the findings acknowledge that the chosen concept design still causes flood waters to be detained upstream of the road although to a lesser extent than the reject concept designs. In terms of the identified impacts the effects of these impacts are identified as follows:

Loss of floodplain storage - there is a loss of floodplain storage of 1.7sq km storage but the impact of this is considered to be low as the plant footprint is located on elevated land and it is stated that it only slightly encroaches on the floodplain in the south east corner. The flows from the plant site may need to be contained on site to prevent impacts on surface water quality downstream. The development may result in increased velocities downstream, which could result in increased sedimentation downstream.

Impedance of surface flows - is considered to be potentially the most significant impact and may have the effect of increased flood levels, prolonging inundation times and redirection of some of the flow to the eastern adjoining catchment across Onslow Road. For the Old Onslow Road for events greater than the 10year ARI the development is expected to extend the inundation time of the road and thus impact the operation of the road. A similar impact is expected on Onslow Road south of the proposed intersection.

Operational impacts - sudden failure of the access road could cause flash flooding and impacts on operations downstream, such as Onslow Salt.

The information provided by BHP Billiton's consultants has yet to satisfy ARUP nor many of the State Agencies. However, it is likely that further detailed information will eventually achieve a position where the flood matters referred to above are resolved. In relation to determining the Applications, it is recommended that approvals be issued but for the design and method for the private road linkage from Onslow Road to the facility to be essentially 'at grade'. Conditions recommended to Council will allow the applicant to seek road works above grade but subject to additional information and design that satisfies the needs and requirements of the Shire and State agencies.

Impacts on Onslow town residents – noise and light spill

It is likely that the development will have some impact on the residents of Onslow through some residual background noise and light spill. However this would be generally for a limited time

during construction and due to the distance from the town the impact would not be unreasonable. With respect to worker influx, it is reasonable to suggest that the town has already been affected by workers associated with investigations for the development of the Macedon project and Wheatstone proposal. This impact has been identified by both the planning consultant in the application and the social impact adviser for BHP Billiton in preparation of the Social Impact Statement accompanying the Application.

Increased traffic on North West Coastal Highway / Onslow Road

The development of Macedon and the SIA will lead to an increase in traffic on North West Coastal Highway / Onslow Road.

It is possible that some upgrade and improvement will be required to be established between BHP Billiton and Main Roads WA.

Offshore pipe laying activities disturbance

The issue of the off shore pipeline is a matter for the Federal and State Governments to determine. It is understood that the EPA assessment has made recommendations with respect to off shore impacts and the turtle population.

Possible disturbance of sites of Indigenous or European heritage (Old Onslow)

Prior to any development, an assessment to the satisfaction of the Department of Indigenous Affairs in consultation with the Thalanyji non-exclusive Native Title holders will continue, separate to the planning process. The development, as sought will not directly impact Old Onslow, however, the influx of workers with time on their hands could impact. It would be necessary for arrangements to be established with BHP Billiton in association with the Shire and Heritage Council that will limit access to Old Onslow and for BHP Billiton to contribute to its conservation.

Visual impact of plant

The facility and pipeline will not be visible from Onslow however, it will have some form and impact on the view from Old Onslow. In this regard, should Planning Approval be issued, it is recommended that a landscape plan be sought that not only addresses the normal requirements Council would have for landscaping, but one that seeks to lessen the impact from Old Onslow.

Transient Workforce Accommodation and workforce influx in Onslow

It intended that any Planning Approval have arrangements that would minimise impacts on the town through BHP Billiton limiting access to workers during the construction period. However, as defined in the application, it is intended that should approval be issued that a condition be placed for a limitation on the number of workers and for this to be limited to construction and 'shut down' workers only. BHP Billiton operational staff will be required to be housed in Onslow.

The scheme identifies a series of more significant controls for transient workers accommodation than it does for holiday accommodation. These are largely set out in Clause 6.9, which states, in

part:

6.9.1 All transient workforce accommodation, whether intended as permanent or temporary structures, shall be regarded as residential development and is subject to the requirements of the Residential Planning Codes and clause 6.5 of this Scheme.

6.9.2 Except in the residential zone and notwithstanding subclause 6.9.1, the requirements of the Residential Planning codes and clause 6.5 of the Scheme may be varied for transient workforce accommodation by Local Government provided adequate justification for the variation is submitted by the proponents of the accommodation and provided Local Government considers the variation appropriate.

6.9.3 Planning applications for temporary structures to provide transient workforce accommodation shall, to Local Government's satisfaction, be accompanied by information and plans indicating how and when the development will be removed and the site rehabilitate or developed for a different use intended for the site.

Clause 6.9.1 of the scheme regards transient workforce accommodation, whether a permanent or temporary structure as residential development and is therefore subject to the provisions of the Residential Design Codes ('R Codes'). Under the R Codes, each transient workforce accommodation unit falls under the definition of single bedroom dwelling.

Under Clause 6.1.3 A3 of the R Codes the minimum site area of a single bedroom dwelling may be reduced by up to one third, taking the average lot size of the R30 density code from 300m² to 200m².

The R Codes cover a range of matters, including open space requirements, building setbacks and separations, carparking and landscaping. The R Codes standards when applied to transient workforce accommodation are somewhat unrealistic as they apply private open space requirements. These have been developed on the basis they are suitable for houses or flats and therefore are somewhat excessive when applied to workers accommodation. The proposal under consideration is relatively well spaced when compared with other accommodation facilities within the Shire.

For this reason it is suggested that Council should exercise its discretion pursuant clause 6.9.2 of the scheme and vary the requirements of the code to the standards contained on the submitted plans, in the event of it resolving to grant approval.

Conclusions

The two Applications reflect an important development within the Shire and for Onslow in particular. The proposal will require significantly more detailed assessment prior to the commencement of any works. This assessment reflects the information required by State agencies and the Shire.

However, the level of information provided is sufficient to support the two applications, subject to conditions.

It should be noted that the Applications were referred to the 13 July Council meeting however the Item was not considered at the meeting due to there not being a quorum. Since referring the Item to that meeting, BHP Billiton Petroleum has responded to the draft conditions, requesting changes conditions associated with flood mitigation, road design/impacts, community facilities and impacts on Old Onslow. Some of the changes suggested by BHPB Billiton are appropriate however, it is recommended that the majority of the conditions included in the original Report to Council be retained.

ATTACHMENT 9.08.01 C

Consultation

Chief Executive Officer
Executive Manager Engineering Services
Executive Manager Western Operations
Manager Building Services
Department of Planning and Infrastructure
Department of Environment and Conservation

Community consultation was undertaken via an advertisement in the West Australian newspaper and Pilbara News with the period for submissions open for 21 days. The Shire directly referred the Amendment to:

- Buurabalayji Thalanyji Association Incorporated
- Chevron Australia Pty Ltd
- Dampier Port Authority
- Department of Environment and Conservation
- Department of Health
- Department of Indigenous Affairs
- Department of Main Roads WA
- Department Mines & Petroleum
- Department of Planning
- Department of Regional Development and Lands
- Department of State Development
- Department of Transport
- Department of Water
- Environment Protection Authority
- FESA
- Fortescue Metals Group
- Landcorp
- Onslow Salt
- Water Corporation

During the advertised period fifteen (15) submissions were received and are addressed in the Schedule of Submissions 1 and 2. The recommendation reflects the Shire response to the submissions.

Statutory Environment

Shire of Ashburton Town Planning Scheme No. 7
Environmental Protection Act 1986

Policy Implications

The Onslow Structure Plan reflects the State Government and Council direction with regard to a new Strategic Industrial Area at Ashburton North.

Financial Implications

The Shire is able to recoup costs associated with processing this development application from the Applicant.

Strategic Implications

A new Strategic Industrial Area at Ashburton North will have significant impact upon the Shire and in particular, the strategic direction for Onslow.

The Shire supports the direction of the Federal and State governments however the Shire's Strategic Plan (2007-2011) will need to be modified should the Strategic Industrial Area be approved.

The Strategic Plan 2007-2011 (Incorporating Plan for the Future) seeks to:

1. *Diversify & Strengthen the Economy*
2. *Encourage new industry investment within the Shire.*

Also, under the heading "Diversify and Strengthen the Economy" of the Council's Strategic Plan, the following objective is noted:

"New Industry

Measures and Targets

- » *Increase in major investment enquiries*
- » *Increase in building activity*
- » *Community satisfaction with economic development*
- » *Increased employment opportunities".*

It is suggested that the modifications to the Scheme as sought will assist in achieving the above objectives.

Voting Requirement

Simple majority required

Officers Recommendation

It is recommended that Council:

1. Acknowledge Planning Applications:

- i. Construction of a gas treatment and compression plant, connected to the off-shore gas field by a pipeline, transient workforce accommodation and private road (Shire Ref: 20101070) at:
 - Lot 152 on Deposited Plan 238333 contained in Crown Land Title LR 3098/710 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd; and
 - Lot 153 on Deposited Plan 220110 contained in Crown Land Title LR 3135/585 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd.

 - ii. Construction of the pipelines from the gas treatment and compression plant connecting to the Dampier to Bunbury Natural Gas Pipeline (Shire Ref: 20101071) at:
 - Lot 149 on Deposited Plan 220384 contained in Crown Land Title LR 3058/1000 subject of Pastoral Lease CL 864 / 1967 to Jundaree Aboriginal Corporation;
 - Lot 150 on Deposited Plan 220207 contained in Crown Land Title LR 3046/473 and existing as Unallocated Crown Land;
 - Lot 152 on Deposited Plan 238333 contained in Crown Land Title LR 3098/710 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd
 - Lot 153 on Deposited Plan 220110 contained in Crown Land Title LR 3135/585 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd;
 - Lot 162 on Deposited Plan 220265 contained in Crown Land Title LR 3098/711 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd; and
 - Lot 163 on Deposited Plan 220110 contained in Crown Land Title LR 3135/584 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd.
2. Note that Council does not oppose the issue of Planning Approval for the above use and development subject to conditions as addressed in the Shire report, however Council cannot determine the applications until the Minister for Environment has considered the Environmental Protection Statement (EPS) level of assessment (and resolved any objections) on the proposal by BHP Billiton Petroleum Pty Ltd for the Macedon Gas Development.
3. Subject to the Minister for Environment determining the level of assessment and any objections pursuant to 2. above, authorise the Chief Executive Officer to issue Planning Approval for the construction of a gas treatment and compression plant, connected to the off-shore gas field by a pipeline, transient workforce accommodation and road (Shire Ref: 20101070) at Lot 152 on Deposited Plan 238333 contained in Crown Land Title LR 3098/710 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd, and Lot 153 on Deposited Plan 220110 contained in Crown Land Title LR 3135/585 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd, generally in accordance with, but not necessarily limited to, the following conditions:

1. Prior to the commencement of any road works, information is to be submitted by the Applicant showing the proposed private road connection from the facility to the Onslow Road to be constructed essentially at grade, with the purpose of limiting any build up of flood waters that may affect the Onslow Road and nearby salt operations, all to the requirements and satisfaction of the Shire of Ashburton. The Shire may permit the construction of an alternative road design subject to specific conditions as provided for in this Planning Approval.
2. Prior to the commencement of any works, information is to be submitted by the Applicant in relation to the preparation of a flood water risk mitigation strategy takes a strategic approach to flood mitigation and addresses how future cumulative impacts from flood water may be managed all to the requirement of the Department of State Development and the satisfaction of the Shire of Ashburton.
3. After the preparation of the flood water risk mitigation strategy referred to in 2 the Shire may consider the construction of a road above grade where information is to be submitted by the Applicant that addresses the following:
 - i the means by which road and plant design will not cause unreasonable back up effects which will have an impact on existing infrastructure and future development of the area.
 - ii the means by which the proposed development will not cause redirection of any flow to the adjoining catchment across Onslow Road;
 - iii the means by which the proposed development will not cause an extended inundation time for any of the existing roads, including Onslow Road, Old Onslow Road, and Twitchen Road;
 - iv how the road drainage has been designed to take into account to the extent reasonably practicable the ability to upgrade the road if required for future developments as specified by Main Roads Western Australia) to allow for the future construction of the road to utilise the existing formation and culverts;
 - v the stormwater outflow from the proposed development that will not cause adverse downstream impacts including increase in potential for erosion or flood hazard;
 - vi a cross section to clarify the location of the pipeline;
 - vii the overall height of the access road and the location and size of culverts;
 - viii detailed flood modelling be undertaken by the proponent and include flooding scenario, drainage scenario and environmental drainage shadow issues, calibrated against the 1997 flood event;
 - ix a hydrology study of Hooleys Creek and the anticipated impacts on areas that are affected by Hooleys Creek floodwaters; and
 - x written confirmation from the Department of State Development that ensures the plans are in alignment with the State's overall concept plan for the Ashburton North Strategic Industrial Area;

all to the requirements of the Department State Development, LandCorp Main Roads WA, Department of Water and the Dampier Port Authority and the satisfaction of the Shire of Ashburton.

4. Prior to the commencement of any works, the applicant is to prepare a drainage strategy of the Macedon Development (including road construction) that ensures that the water quality targets specified by the Shire of Ashburton and other relevant State agencies are met for the stormwater outflow from the proposed development in respect of the suspended solids, phosphorous and nitrogen, to preserve health of the receiving waters.

5. Prior to the commencement of any works, information is to be submitted by the Applicant as follows:
 - i a preliminary design concept for the pipeline crossing the Ashburton River is demonstrating how the developer plans to overcome seasonal flooding events that may expose a buried pipeline;
 - ii the proposed pipeline separation between the new pipeline and the existing Griffin (GJV) pipeline at the sections, showing where they will be aligned parallel to each other and at the shore crossing;
 - iii the planned dedicated 50m wide common user pipeline easement is to accommodate up to 3 pipelines;
 - iv the separation distance allocated for each pipeline;
 - v preliminary advice against the EPA Guidance Statement No. 2 – Guidance for Risk Assessment and Management: Off-site individual risk from Hazardous Industrial Plant and considering risk determined distances to neighbours, commercial developments, residences etc;
 - vi risk contour assessment to ensure that the level of risk at the plant site boundaries is appropriate for the operation of the facility and does not present a risk to surrounding uses;

all to the requirements of the Department of Mines and Petroleum, Land Corp and the satisfaction of the Shire of Ashburton.

6. Prior to the commencement of any works, a water management strategy shall be prepared in relation to the impacts of the Macedon Development that reflects the site constraints and risk to water resources and to include but not limited to:
 - i site constraints;
 - ii flood Risks;
 - iii water management;
 - iv fit-for-purpose water source planning; and
 - v design and management objectives;

all to the requirements of the Department of Water and the satisfaction of the Shire of Ashburton.

7. Prior to the commencement of any works, information is to be submitted by the Applicant in relation to the proposed road as follows:

- i the proposed road in a location that fits into the overall concept plan for the multiuser infrastructure corridor currently being established by LandCorp;
- ii the proposed road and the gas sales pipeline alignment planned such that it does not limit the available space within the infrastructure corridor; and
- iii cross sections and further detail of the alignments.

all to the requirements of the Department State Development, LandCorp and the Dampier Port Authority and the satisfaction of the Shire of Ashburton.

8. Prior to the commencement of any works, information is to be submitted by the applicant in relation to the proposed wet gas pipeline and the sales gas pipeline providing the specifications of the gas pipelines whereby the gas plant would be constructed to the residential gas pipeline requirement (i.e. deeper burial and greater wall thickness) to ensure that no constraint is placed on the development of the proposed Ashburton North Strategic Industrial Area, all to the requirements of the Department of State Development and the satisfaction of the Shire of Ashburton.

9. Prior to the commencement of any works, information is to be submitted by the Applicant in relation to the proposed shore crossing advising:

- i as to the umbilical termination to facilitate gas transfer from the offshore well system into the wet gas pipeline;
- ii information on the number of tanks with hydraulic equipment to be constructed within the lease and;
- iii information on whether this area will be fenced;

all to the requirements of the Department of State Development and the satisfaction of the Shire of Ashburton.

10. Prior to the commencement of any works, information is to be submitted by the Applicant in relation to the proposed river crossing, providing details on the river crossing for the wet pipeline as follows:

- i the depth the pipeline will be buried;
- ii when work near the river is sought;
- iii means to address the potential conflict between tourists and pastoralists using the river and the river crossing;
- iv changes to the drainage patterns as a result of the Macedon development; and
- v how it may have an follow-on effect on erosion and sediment deposition that may impact on the mouth of the Ashburton River;

all to the requirements of the Department of State Development and the satisfaction of the Shire of Ashburton.

11. Prior to the commencement of any works, information is to be submitted by the

Applicant in relation to sharing infrastructure, such as the pipeline, along with information showing the location where a provision for future connection(s) to the BHP Billiton sales gas pipeline will be made, all to the requirements of the Department of State Development and the satisfaction of the Shire of Ashburton.

12. Prior to the commencement of any works, information is to be submitted by the Applicant in relation to:
- i the life of the sales gas pipeline;
 - ii whether this means that the system will need to be replaced (say, after 20 years);
 - iii means by which disruption to future industries within the Ashburton North Strategic Industrial Area or impact on road traffic, or third party pipeline user would be minimised; and
 - iv maintenance information of the pipelines, including the timing of maintenance events and the number of people required;

all to the requirements of the Department of State Development and the satisfaction of the Shire of Ashburton.

13. Prior to the commencement of any works, information is to be submitted by the Applicant in relation to:
- i comprehensive traffic impact assessment, addressing the impacts on regional and local roads, particularly Onslow Road, Old Onslow Road and Twitchen Road including anticipated traffic volumes and the timing of peak traffic; during both the construction and operational phase of the development.
 - ii peak traffic on the Ashburton North Strategic Industrial Area access road;
 - iii potential impact on other users of the ANSIA; and
 - iv the preparation of a traffic management/consultation plan;

all to the requirements of Main Roads WA and the Department of State Development and the satisfaction of the Shire of Ashburton. All road upgrading works identified shall be constructed at the Applicant's expense.

14. Prior to the commencement of any works, the Applicant shall contribute to cumulative flood modelling taking into account the staged development of the SIA. This modelling should assess the impacts of the proposed road on flood levels and period of inundation within and outside the SIA. Appropriate mitigation measures should also be identified.
15. Prior to the commencement of any works an assessment to the requirements of the Department of Indigenous Affairs pursuant to the *Aboriginal Heritage Act 1972* shall be undertaken to the satisfaction of the Shire of Ashburton.

16. Prior to the commencement of any works the Applicant shall submit a dust management plan to the specifications and satisfaction of the Shire of Ashburton to address the construction phase of the development.
17. Should the development be not substantially commenced by 21 July 2012, then this Planning Approval lapses at that date. With the written permission of the Shire of Ashburton, this Planning Approval may be extended.
18. Plans submitted shall show finished ground levels and where necessary, finished floor levels to the satisfaction of the Shire of Ashburton.
19. Prior to the commencement of the use of the gas treatment and compression plant or the issue of a building licence (whichever comes first), the Applicant shall prepare a social impact assessment identifying pressures on community facilities and services within Onslow, along with the method of to implement funding by developer contributions identified in the Ashburton to the satisfaction of the Shire of Ashburton.
20. The development being designed and constructed to allow easy access for people with disabilities to the satisfaction of the Shire of Ashburton. Details to be submitted with the building licence application.
21. A geotechnical report covering the development area being prepared by the Applicant at the Applicant's cost and to the satisfaction of the Shire of Ashburton. The report to be lodged with the building licence application, together with certification from a structural engineer that the design is suitable for the site conditions as outlined in the geotechnical report.
22. Prior to the commencement of the use of the gas treatment and compression plant or the issue of a building licence (whichever comes first), the minimum car and bus parking numbers shall be determined to the requirements and satisfaction of the Shire.
23. Prior to the commencement of the use of the gas treatment and compression plant or the issue of a building licence (whichever comes first), the provision on-site of the minimum number of car/4x4 and bus parking bays as determined by the Shire of Ashburton shall be undertaken by the Applicant. The parking area(s), driveway(s) and point(s) of ingress and egress [including crossover(s)] to be designed, constructed, sealed, drained, marked and thereafter maintained to the specifications and satisfaction of the Shire of Ashburton. Details to be submitted with the building licence application.
24. Prior to the commencement of any works, a legal agreement prepared at the Applicant's expense (including legal expenses incurred by the Shire of Ashburton) and to the requirements and satisfaction of the Chief Executive Officer, shall be submitted for the purposes of the following:

- i An agreement by the developer to request the Council to rezone the facility to an Strategic Industrial zone prior to completion of the facility. The designation to be determine in association with advice from the Department of Planning. The fees for rezoning will be in accordance with the relevant regulations.
 - ii The transient workforce accommodation shall be used only for the accommodation of construction staff. Maintenance staff will also be permitted but only for a 3 week period (after 12 months of operation) when the plant is closed down for maintenance activity. The transient workforce accommodation will be a temporary camp facility and remain in-situ for a total period 4 years or other as agreed to by the Chief executive Officer. All operational staff shall reside in Onslow.
 - iii The necessary arrangements shall be established by BHP Billiton in association with the Shire and Heritage Council that will limit access to Old Onslow for those persons employed and indirectly employed by BHP Billiton. BHP Billiton shall contribute to the conservation of Old Onslow.
 - iv The necessary arrangements shall be established by BHP Billiton for the limitation of those persons employed and indirectly employed by BHP Billiton to be permitted in Onslow at any one time.
 - v The preparation an implementation of a Workforce Management Plan that addresses the impact of the overall development on Onslow (in particular on services and accommodation) an implements appropriate contributions as defined in Condition 19.
25. Prior to the use of the gas treatment and compression plant or the issue of a building licence (whichever comes first) information as to the road design and construction as follow;
- i access from the facility and connection to Onslow Road is to be designed, constructed with road signage, markings and necessary street lighting particularly the Onslow Road intersection and provided by the Applicant;
 - ii the design of the road should include reasonable number of crossing points points, so that livestock and vehicles can freely cross from one side to the other; and
 - iii the road being fenced at the cost of the Applicant in the form of stock proof fencing constructed in the same style as existing boundary fencing;
- all to the requirements of Main Roads WA and the Department of State Development and to satisfaction of the Shire of Ashburton.
26. Prior to the use of the gas treatment and compression plant or the issue of a building

licence (whichever comes first), a Fire Management Plan and Emergency Services Plan shall be prepared by the Applicant to the satisfaction prior of the Shire.

27. The proponent is required to demonstrate the land suitability for onsite effluent disposal to the satisfaction of the Department of Health and the Shire's Health Surveyor.
28. The installation of an approved effluent disposal system to the satisfaction of the Shire of Ashburton and / or the Health Department of WA prior to occupation of the development. Such a system is to be designed and submitted by a plumbing consultant or other suitably qualified person and based on a geotechnical report on the absorptive capacity of the soil and the anticipated water usage. Details to be submitted with building licence application.
29. Plans submitted with the building licence application are to show details of stormwater and roof run-off disposal to the satisfaction of the Shire of Ashburton.
30. Details of the means and method of providing a potable water supply to be submitted to, and approved by, the Shire of Ashburton and the Department of Health prior to the issue of a building licence.
31. Prior to the use of the gas treatment and compression plant and/or transient workforce accommodation or the issue of a building licence (whichever comes first), the Applicant shall submit a landscape plan and a landscape assessment to the satisfaction of the Shire of Ashburton. The Plan should indicate:
 - location and species of all trees to be removed and / or retained;
 - the type of fencing to be installed;
 - the location and type of reticulation to be installed; and
 - the location and type of paving to be installed.

The Plan should also include a plant schedule nominating each species, the spacings of each species, the numbers of plants required; and the size of each plant to be used at the time of planting, together with the anticipated height of each plant at maturity. The Plan should identify and include any adjoining road verges. The Plan must be submitted and approved prior to the issue of a building licence.

In relation to the landscape assessment, the Applicant shall, in consultation the Heritage Council, design the landscape plan with the objective of lessening the visual impact of the gas treatment and compression plant from Old Onslow.

32. Landscaping and reticulation to be established in accordance with the approved plan(s) prior to occupation of the transient workforce accommodation and thereafter maintained to the satisfaction of the Shire of Ashburton.
33. Removal of vegetation and subsequent rehabilitation shall be in accordance with the methods approved in the Macedon Gas Project Environmental Protection Statement to

the satisfaction of the Shire of Ashburton. Details to be submitted with the building licence application.

34. The design of the transient workforce accommodation shall reflect the provisions of Clause 6.9 of the Shire of Ashburton Local Planning Scheme.

Advise the Applicant as follows:

- i. Further to this approval, the Applicant is required to submit working drawings and specifications to comply with the requirements of Part 4 of the Building Regulations, 1989 (as amended) and the Health Act, 1911 (as amended) which are to be approved by the Shire's Principal Building Surveyor and Principal Environmental Health Officer prior to the issue of the Building licence.
- ii. LandCorp recommends that BHPB contribute to cumulative flood modelling taking into account the staged development of the SIA. This modelling should assess the impacts of the proposed road on flood levels and period of inundation within and outside the SIA. Appropriate mitigation measures should also be identified.
- iii. The drawings submitted for a building licence are to be properly drawn and certified by a practising structural engineer to confirm that they comply with the requirements of the Building Code of Australia.
- iv. Approval to be obtained from the Fire and Rescue Services of WA.
- v. A separate application being made for all advertising signs in accordance with the Shire's Local Law relating to Signs and Other Advertising Devices.
- vi. Please note for future reference that levels, contours, retaining walls, drainage and sewer lines, etc must be shown on development plans to ensure a proper assessment can be made. Failure to provide this information may require design changes at the building licence stage, resulting in possible delays and inconvenience.
- vii. Council has determined this application. Rights of appeal are also available to you under the Planning and Development Act 1928 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).
- viii. The Shire of Ashburton contains many places of Aboriginal Heritage significance. Proponents are advised to consider Aboriginal heritage issues and their obligations under the Aboriginal Heritage Act 1972 at an early stage of planning. Further information can be obtained from the Department of Indigenous Affairs on 9235 8000 or at the following [://www.dia.wa.gov.au/Heritage/default.aspx](http://www.dia.wa.gov.au/Heritage/default.aspx).
- ix. This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in obtaining a vegetation clearing permit from the

Department of Environment in accordance with the Environment Protection Act 1986. Further information can be obtained from the Department of Environment or at the following website [.environment.wa.gov.au](http://environment.wa.gov.au).

- x. This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in notifying Environment Australia of the proposal for consideration of impacts in accordance with the Environmental Protection and Biodiversity Conservation Act 1999. Further information can be obtained from Environment Australia on (02) 6274 1111 or by visiting [://www.deh.gov.au/epbc/assessmentsapprovals/index.html](http://www.deh.gov.au/epbc/assessmentsapprovals/index.html).
4. Subject to the Minister for Environment determining the level of assessment pursuant to 2. above, authorise the Chief Executive Officer to issue Planning Approval for the construction of the pipelines from the gas treatment and compression plant connecting to the Dampier to Bunbury Natural Gas Pipeline (Shire Ref: 20101071) at:
- Lot 149 on Deposited Plan 220384 contained in Crown Land Title LR 3058/1000 subject of Pastoral Lease CL 864 / 1967 to Jundaree Aboriginal Corporation;
 - Lot 150 on Deposited Plan 220207 contained in Crown Land Title LR 3046/473 and existing as Unallocated Crown Land;
 - Lot 152 on Deposited Plan 238333 contained in Crown Land Title LR 3098/710 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd;
 - Lot 153 on Deposited Plan 220110 contained in Crown Land Title LR 3135/585 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd;
 - Lot 162 on Deposited Plan 220265 contained in Crown Land Title LR 3098/711 subject of Pastoral Lease CL 56/1967 to Forrest & Forrest Pty Ltd; and
 - Lot 163 on Deposited Plan 220110 contained in Crown Land Title LR 3135/584 subject of Pastoral Lease CL 330/1967 to BHP Billiton Petroleum (Australia) Pty Ltd.

generally in accordance with, but not necessarily limited to, the following conditions:

1. Prior to the commencement of any works, information is to be submitted by the applicant in relation to the proposed wet gas pipeline and the sales gas pipeline providing the specifications of the gas pipelines whereby the gas plant would be constructed to the residential gas pipeline requirement (i.e. deeper burial and greater wall thickness) to ensure that no constraint is placed on the development of the proposed Ashburton North Strategic Industrial Area, all to the requirement of the Department of State Development and the satisfaction of the Shire of Ashburton.
2. Prior to the commencement of any works, information is to be submitted by the Applicant in relation to the sharing of share infrastructure, such as the pipeline, along with information showing the location where a provision for future connection(s) to the BHP Billiton sales gas pipeline will be made, all to the requirement of the Department of State Development and the satisfaction of the Shire of Ashburton.
3. Prior to the commencement of any works, information is to be submitted by the

Applicant in relation to:

- i the life of the sales gas pipeline;
 - ii whether this means that the system will need to be replaced (say, after 20 years);
 - iii how the sales gas pipeline has been designed, to the extent reasonably practicable, to minimise impacts on road users and future industries and use of the area; and
 - iv maintenance information of the pipelines, including the timing of maintenance events and the number of people required;
4. Prior to the commencement of any works an assessment to the requirements of the Department of Indigenous Affairs pursuant to the *Aboriginal Heritage Act 1972* shall be undertaken to the satisfaction of the Shire of Ashburton.
 5. Prior to the commencement of any works the Applicant shall submit a dust management plan to the specifications and satisfaction of the Shire of Ashburton to address the construction phase of the development.
 6. Should the development be not substantially commenced by 21 July 2012, then this Planning Approval lapses at that date. With the written permission of the Shire of Ashburton, this Planning Approval may be extended.
 7. The proposed gas pipeline easement to be coincident with the proposed Onslow Road western road reserve boundary to the requirements of Main Roads WA to the satisfaction of the Shire of Ashburton.
 8. Prior to the commencement of any works, a legal agreement prepared at the Applicant's expense (including legal expenses incurred by the Shire of Ashburton) and to the requirements and satisfaction of the Chief Executive Officer, shall be submitted for the purposes of the following:
 - i An agreement by the developer to request the Council to rezone the pipelines to an appropriate zone or reservation prior to completion of the pipeline. The designation to be determined in association with advice from the Department of Planning. The fees for rezoning will be in accordance with the relevant regulations.
 - ii The transient workforce accommodation shall be used only for the accommodation of construction staff. Maintenance staff will also be permitted but only for a 2 week period (after 12 months of operation) when the plant is closed down for maintenance activity. The transient workforce accommodation will be a temporary camp facility and remain in-situ for a total period 4 years or other as agreed to by the Chief executive Officer. All operational staff shall reside in Onslow.
 - iii The necessary arrangements shall be established by BHP Billiton for the

limitation of those persons employed and indirectly employed by BHP Billiton to be permitted in Onslow at any one time.

9. Removal of vegetation and subsequent rehabilitation shall be in accordance with the methods approved in the Macedon Gas Project Environmental Protection Statement to the satisfaction of the Shire of Ashburton. Details to be submitted with the building licence application.

Advise the Applicant as follows:

- i. Approval to be obtained from the Fire and Rescue Services of WA.
- ii. A separate application being made for all advertising signs in accordance with the Shire's Local Law relating to Signs and Other Advertising Devices.
- iii. Please note for future reference that levels, contours, retaining walls, drainage and sewer lines, etc must be shown on development plans to ensure a proper assessment can be made.
- iv. Council has determined this application. Rights of appeal are also available to you under the Planning and Development Act 1928 (as amended) against the decision of Council, including any conditions associated with this decision. Any such appeal must be lodged within 28 days of the date of this decision to the State Administrative Tribunal (telephone 9219 3111 or 1300 306 017).
- v. The Shire of Ashburton contains many places of Aboriginal Heritage significance. Proponents are advised to consider Aboriginal heritage issues and their obligations under the Aboriginal Heritage Act 1972 at an early stage of planning. Further information can be obtained from the Department of Indigenous Affairs on 9235 8000 or at the following [://www.dia.wa.gov.au/Heritage/default.aspx](http://www.dia.wa.gov.au/Heritage/default.aspx).
- vi. This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in obtaining a vegetation clearing permit from the Department of Environment in accordance with the Environment Protection Act 1986. Further information can be obtained from the Department of Environment or at the following website [.environment.wa.gov.au](http://environment.wa.gov.au).
- vii. This Planning Approval issued by the Shire of Ashburton does not remove any responsibility the Applicant may have in notifying Environment Australia of the proposal for consideration of impacts in accordance with the Environmental Protection and Biodiversity Conservation Act 1999. Further information can be obtained from Environment Australia on (02) 6274 1111 or by visiting [://www.deh.gov.au/epbc/assessmentsapprovals/index.html](http://www.deh.gov.au/epbc/assessmentsapprovals/index.html).

Author: Rob Paull	Signature:
Manager: Keith Pearson	Signature:

**10.08.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF MEETING**

11.08.0 NEXT MEETING

12.08.0 CLOSURE OF MEETING