



Kimberley/Pilbara/Gascoyne Joint Development Assessment Panel Minutes

Meeting Date and Time: 12 November 2018; 9:30am
Meeting Number: KPGJDAP/16
Meeting Venue: Department of Planning, Lands and Heritage
140 William Street
Perth

Attendance

DAP Members

Mr Eugene Koltasz (Presiding Member)
Ms Samantha Thompson (Deputy Presiding Member)
Mr Patrick Dick (Specialist Member)
Mayor Camilo Blanco (Local Government Member, Town of Port Hedland)
Cr Julie Arif (Local Government Member, Town of Port Hedland)

Officers in attendance

Mr Chaz Roberts (Town of Port Hedland)
Mr Robert Leeds (Town of Port Hedland)
Mr Stephen Ferguson (Department of Planning, Lands and Heritage)

Minute Secretary

Ms Andrea Dawson (DAP Secretariat)

Applicants and Submitters

Mr Paul McQueen (Lavan)
Mr Michael Chappell (Pracsys)
Mr Dawson Huning (Pracsys)
Mr Timothy Berryman (Mineral Resources Limited)
Ms Karen Wright (Urbis)
Mr Gary Gray (Mineral Resources Limited)
Ms Marieka van den Bergh (Urbis)

Members of the Public / Media

There were 5 members of the public in attendance.

1. Declaration of Opening

The Presiding Member declared the meeting open at 9.38am on 12 November 2018 and acknowledged the past and present traditional owners and custodians of the land on which the meeting was being held.

Mr Eugene Koltasz
Presiding Member, Kimberley/Pilbara/Gascoyne JDAP



The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2017 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2017 which states 'A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.', the meeting would not be recorded.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

7.1 Mr Paul McQueen (Lavan) addressed the DAP against the application at Item 8.1.

7.2 Mr Michael Chappell (Pracsys) addressed the DAP against the application at Item 8.1. Mr Chappell and Mr Dawson Demassiet-Huning (Pracsys) responded to questions from the panel.

7.3 Mr Timothy Berryman (Mineral Resources Limited) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.

7.4 Ms Karen Wright (Urbis) addressed the DAP in support of the application at Item 8.1 and responded to questions from the panel.



PROCEDURAL MOTION

Moved by: Mr Gene Koltasz

Seconded by: Mr Patrick Dick

That the Kimberley/Pilbara/Gascoyne JDAP receive legal advice from representatives of the Department of Planning, Lands and Heritage and that such advice is received behind closed doors, in accordance with section 5.10.2g of the DAP Standing Orders 2017.

REASON: To discuss the validity of the application.

The Procedural Motion was put and CARRIED UNANIMOUSLY

The meeting was closed at 10:25am and re-opened at 10:39am.

8. Form 1 – Responsible Authority Reports – DAP Application

8.1 Property Location:	Miscellaneous Licences L45/437 and L45/93, 100km south of Port Hedland
Development Description:	Aerodrome and Associated Infrastructure
Applicant:	Mineral Resources Limited
Owner:	State of WA
Responsible Authority:	Town of Port Hedland
DAP File No:	DAP/18/01447

REPORT RECOMMENDATION

Moved by: Nil

Seconded by: Nil

That the Kimberley/Pilbara/Gascoyne JDAP resolves to:

1. **Refuse** DAP Application reference DAP/18/01447 and accompanying plans in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of Town of Port Hedland Local Planning Scheme No. 5 for the following reasons:

Reasons

1. The development does not comply with Clause 1.5(a) of Town of Port Hedland Local Planning Scheme No. 5 as it does not encourage an appropriate balance between economic and social development, conservation of the natural environment, and improvements in lifestyle and amenity, on the basis that:
 - The social and economic impact assessment provided did not address social impacts and negative economic impacts of the development;
 - A social and economic impact management plan was not provided to offset negative impacts;
 - The aerodrome will not improve lifestyle and amenity in the area as it supports a 100% fly-in, fly-out operating model; and
 - The aerodrome will likely adversely affect the cost and frequency of flights for the local community.
2. The development does not comply with Clause 1.5(b) of Town of Port Hedland Local Planning Scheme No. 5 as it does not contribute to implementing the following strategic plans for the municipality:


Mr Eugene Koltasz
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- State Planning Strategy 2050 (2014)
 - Pilbara Planning & Infrastructure Framework (2012)
 - Western Australian State Aviation Strategy (2015)
 - Port City Growth Plan (2012)
 - Pilbara Regional Investment Blueprint (2015)
3. The development does not comply with the following State Planning Policies:
- State Planning Policy No.1: State Planning Framework (2017)
 - State Planning Policy No.3: Urban Growth & Settlement (2006)
4. The development does not comply with Clause 67 (Matters to be considered) of Schedule 2 – Deemed Provisions for Local Planning Schemes in the *Planning and Development (Local Planning Schemes) Regulations 2015* as:
- The development does not meet the relevant aims and provisions of LPS5;
 - The development is not consistent with orderly and proper planning;
 - The development does not generate any meaningful social or economic benefits for the local community;
 - The development does not comply with SPP1 and SPP3; and
 - There is a potential loss of community service and benefit in relation to regular affordable and available community airfares to and from Port Hedland.

The Report Recommendation LAPSED for want of a mover and a seconder.

PROCEDURAL MOTION

Moved by: Mr Gene Koltasz

Seconded by: Ms Samantha Thompson

That the consideration of DAP Application DAP/18/01447 be deferred for three (3) weeks in accordance with section 5.10.1a of the DAP Standing Orders 2017 to allow the applicant to seek further legal advice.

REASON: The JDAP determined that a deferral would be beneficial for the applicant to resolve legal issues raised in respect to this application.

The Procedural Motion was put and CARRIED UNANIMOUSLY.

9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval

Nil

10. Appeals to the State Administrative Tribunal

Nil

11. General Business / Meeting Close

There being no further business, the Presiding Member declared the meeting closed at 10:40am.

Mr Eugene Koltasz
Presiding Member, Kimberley/Pilbara/Gascoyne JDAP