



Cooke Point Recreation Club Redevelopment

Request to Initiate Scheme Amendment

Prepared by:

RPS AUSTRALIA EAST PTY LTD

38 Station Street, Subiaco WA 6008
PO Box 465 Subiaco WA 6904

T: +61 8 9211 1111

E: planning@rpsgroup.com.au

Client Manager: Stuart Devenish

Report Number: PR121183-1

Version / Date: January, 2014

Prepared for:

COOKE POINT PTY LTD

IMPORTANT NOTE

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this report, its attachments or appendices may be reproduced by any process without the written consent of RPS Australia East Pty Ltd. All enquiries should be directed to RPS Australia East Pty Ltd.

We have prepared this report for the sole purposes of COOKE POINT PTY LTD (“**Client**”) for the specific purpose of only for which it is supplied (“**Purpose**”). This report is strictly limited to the purpose and the facts and matters stated in it and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter.

In preparing this report we have made certain assumptions. We have assumed that all information and documents provided to us by the Client or as a result of a specific request or enquiry were complete, accurate and up-to-date. Where we have obtained information from a government register or database, we have assumed that the information is accurate. Where an assumption has been made, we have not made any independent investigations with respect to the matters the subject of that assumption. We are not aware of any reason why any of the assumptions are incorrect.

This report is presented without the assumption of a duty of care to any other person (other than the Client) (“**Third Party**”). The report may not contain sufficient information for the purposes of a Third Party or for other uses. Without the prior written consent of RPS Australia East Pty Ltd:

- (a) this report may not be relied on by a Third Party; and
- (b) RPS Australia East Pty Ltd will not be liable to a Third Party for any loss, damage, liability or claim arising out of or incidental to a Third Party publishing, using or relying on the facts, content, opinions or subject matter contained in this report.

If a Third Party uses or relies on the facts, content, opinions or subject matter contained in this report with or without the consent of RPS Australia East Pty Ltd, RPS Australia East Pty Ltd disclaims all risk and the Third Party assumes all risk and releases and indemnifies and agrees to keep indemnified RPS Australia East Pty Ltd from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

In this note, a reference to loss and damage includes past and prospective economic loss, loss of profits, damage to property, injury to any person (including death) costs and expenses incurred in taking measures to prevent, mitigate or rectify any harm, loss of opportunity, legal costs, compensation, interest and any other direct, indirect, consequential or financial or other loss.

Contents

SUMMARY	1
1.0 INTRODUCTION	2
1.1 Introduction.....	2
1.2 Background.....	2
1.3 Amendment Intent.....	2
2.0 SITE LOCATION AND CONTEXT	3
2.1 Location and Description.....	3
2.2 Ownership	3
2.3 Existing and Surrounding Land Uses	3
3.0 REDEVELOPMENT CONCEPT	5
4.0 PLANNING FRAMEWORKS	6
4.1 Strategic Planning Context.....	6
4.2 Statutory Planning Context	6
5.0 OTHER SITE CONSIDERATIONS.....	9
5.1 Environmental Management.....	9
5.2 European Heritage	9
6.0 PROPOSED SCHEME AMENDMENT	11
7.0 CONCLUSION.....	12

Tables

Table 1 Land Tenure and Title Details.....	3
--	---

Figures

Figure 1 Site Area and Context	4
Figure 2 Town Planning Scheme No.5 Zoning and Proposed Amendment Area	8

Appendices

Appendix 1	Certificate of Title
Appendix 2	Draft Initiation Resolution

Summary

This report requests the initiation of an amendment to Town Planning Scheme No. 5 ('the Scheme') to facilitate the redevelopment of the Cooke Point Recreation Club facility. If successful, the rezoning will enable the comprehensive redevelopment of the 1.5ha site for a modern, multi-use recreation, accommodation and commercial centre – providing an attractive landmark development that will offer an unprecedented level of service to the community.

Concept plans anticipate a four star hotel complex along with a multi-storey apartment development. Commercial activity on the site will provide financial returns necessary to support the redevelopment as well as the ongoing recreational activities of the Club.

The site presently comprises two zones; 'Community' and 'Residential'. A change to 'Mixed Business' zone will enable the Council to address the particulars of the site redevelopment through an application for planning approval. Recognising the environmental considerations associated with artificial light and turtle nesting, a specific Scheme provision addressing this matter is also proposed as part of the amendment.

The Council's initiation of the Scheme amendment will enable the matter to proceed to the Environmental Protection Authority for review and for the Club to further progress detailed development proposals. Council's support for amendment initiation is respectfully sought.

I.0 Introduction

I.1 Introduction

The Town of Port Hedland is requested to initiate an amendment to Town Planning Scheme No. 5 ('the Scheme') as it applies to the Cooke Point Recreation Club site.

A rezoning, along with inclusion of development control provisions in the Scheme addressing environmental considerations, will facilitate the comprehensive redevelopment of the site.

This report sets out the circumstances of the site and explains terms of a redevelopment option being entertained by the Club. Importantly, the planning frameworks are described, including the proposed statutory provisions that will enable detailed proposals to be prepared and assessed by Council.

I.2 Background

From the outset, the objects of the Cooke Point Recreation Club have been to provide social amenities for members and guests of the Club. The provision of services to the local community remains the focus of the Clubs Committee of Management, and is the motivation behind redevelopment concept.

The Cooke Point Recreation Club site initially accommodated a youth centre. Following destruction of the facility by Cyclone Joan in 1975, the local community rallied to raise funds for a replacement centre that was completed in 1977. The reconstruction saw a large main hall for sports and social functions, a gymnasium and change rooms along with smaller rooms for various uses. Operation of the recreation centre has relied heavily on community support and participation, with community fund-raising and volunteer efforts from the public and local service clubs helping to supervise activities and staff the centre.

Since inception of the Club, Port Hedland has experienced growth in transient and resident population. Increasing mining activity and exports through Port Hedland is expected to see further growth – ultimately seeing a total population of around 50,000 reached by 2031. The ageing facilities presently on site do not meet future demand and are not able to respond to opportunities created through the uplift in activity. The Club's Committee of Management recognise this and has elected to pursue redevelopment based on a business model that will see a sustainable income stream capable of supporting the community facilities offered by the Club.

I.3 Amendment Intent

The amendment seeks to provide land use permissibility's covering the range of activities anticipated by the redevelopment concept. The amendment also intends to apply suitable development controls to achieve an optimal built-form outcome.

Noting the land is already zoned and capable of supporting development, appropriate road frontage and utility servicing is available.

The amendment will allow the subsequent preparation of site development proposals for lodgement with, and assessment by the Council. Initial redevelopment concepts have been prepared for the purposes of informing Scheme provisions. The plans referred to in this report however, remain conceptual and are subject to more detailed consideration by the Club prior to lodgement of an application for planning approval.

2.0 Site location and context

2.1 Location and Description

The site is located in the suburb of Cooke Point, approximately 5km to the east of the central Port Hedland, less than 10 minutes drive to the central business district, and 15 minutes drive to Port Hedland International Airport. Described as Lot 1227 on Plan 214561, the site and has a total area of approximately 1.569ha on the corner of Keesing and Dempster Streets.

A gentle fall exists across the site, with the highest point (on the south west corner) approximately 2.5m higher than the north east corner. Views of the Indian Ocean to the north are available from 2.5m above grade - level 2 and higher for any development on the site. Views to the south across the suburb of Cooke Point and broader Port Hedland are also available from this elevation.

The site is located approximately 100m south-southwest from the coastal foreshore reserve and is within 1 km of the coastal area referred to as Pretty Pool.

Refer **Figure 1** for a diagram illustrating the site context and location.

2.2 Ownership

The lot particulars and title details are summarised as follows:

Table 1 Land Tenure and Title Details

Lot No.	Plan No.	Volume	Folio	Tenure	Owner	Size
1227	214561	1785	379	Freehold	Cooke Point Recreation Club Inc	1.5688ha

A copy of the Certificate of Title is provided at **Appendix 1**.

2.3 Existing and Surrounding Land Uses

The Site is bounded by the Keesing Street flats (privately owned) and the Beachfront Motel, which operates as an accommodation facility for mining and port workers, having been retrofitted from its previous use as a detention centre. Some non-residential (commercial) land uses are found opposite the site on the southern side of Dempster Road.

Existing structures on the site include a two storey building, which comprises bar and function areas, dining rooms and gaming facilities, as well as two tennis courts, a bowling green and 60 car parks. The current facilities are dated, and require renewal.



Cooke Point, Port Hedland
Figure 1 - Site Context + Location



PRELIMINARY FOR DISCUSSION PURPOSES ONLY

Scale 1:2000@A3 | Date December 2013 | Project No 118938-5-002

RPS
© COPYRIGHT PROTECTS THIS PLAN
Unauthorized reproduction, distribution,
or use is prohibited. All rights reserved.
Not permitted. Please contact the author.
W. rps@rps.com.au

RPS Australia East Pty Ltd
ACN 140 292 762
ABN 44 140 292 762
PO Box 468 Subiaco WA 6904
38 Station Street
Subiaco WA 6008
T +61 8 9211 1111
F +61 8 9211 1111
W rps@rps.com.au

3.0 Redevelopment Concept

A redevelopment concept has been prepared that involves a major mixed use development incorporating a four storey, four star hotel, a six storey apartment block (which can be serviced apartments or residential) and retail facilities. The development also includes new facilities for the Club comprising, bar and dining facilities, recreational areas including a pool, tennis courts and a bowling green. Sufficient on-site parking is planned along with pick-up and set-down areas as necessary to adequately service the requirements of members, guests, residents and staff.

The concept provides a balance between facilities available to the community and revenue generating activities that are complementary to the Club purposes. Importantly, the revenue activities will help fund the construction and operations of facilities available to members, guests and residents.

Indicative Concept Images



View of Keesing Street Entry



View of Recreational Pool

It is recognised that the particulars of the site development will be subject to detail design, having particular regard for any light attenuation requirements associated with elevated portions of structures. On completion of the amendment, detailed site development plans will be lodged with the Council for assessment.

4.0 Planning frameworks

4.1 Strategic Planning Context

Pilbara's Port City Growth Plan

Pilbara's Port City Growth Plan (the 'Growth Plan') represents a significant step change in long term land use and infrastructure planning for Port Hedland as it continues its evolution into a city of 50,000 (consistent with the targets set by the Draft Pilbara Planning and Infrastructure Framework). The document provides a strategic blueprint for the sustained growth of Port Hedland, building on its relative competitive advantages and an enviable platform of strong and sustained projected economic growth into the future. As a key component of the State Government's Pilbara Cities initiative, the Growth Plan responds to the need to modernise and transform Port Hedland, improving the quality of life for existing residents and to attract and retain new residents.

A key objective of the Growth Plan is to evolve to "a nationally significant, friendly City, where people want to live and are proud to call home." The provision of modern recreation and community facilities are an essential part of the social fabric of the local community and serve to encourage permanent occupancy – reducing reliance on fly-in fly-out transience.

Further, the Growth Plan includes the site within Precinct 2 – East End Urban Village. This precinct anticipates a range of sport, recreational and community facilities so as to provide the necessary support for the local community.

The City Growth Plan Implementation Strategy recognises the role of supporting stakeholders in the provision of community infrastructure. Self-funded community services and facilities such as those provided by the Cooke Point Recreation Club are central to a robust and resilient community.

4.2 Statutory Planning Context

Town of Port Hedland Town Planning Scheme No.5

Land Use Provisions

The majority of the site is currently zoned 'Community (CM)' under the Town of Port Hedland Town Planning Scheme No.5, with a small portion in the south east corner zoned 'Residential R50'. A range of land use classifications defined by the Scheme can be expected within the redevelopment. The permissibility of these uses have been assessed against the existing zone provisions as follows:

Proposed Land Use	'Community' Zone	'Residential' Zone
Multiple Dwelling	Not Permitted	Permitted (at Council's discretion)
Short Stay Accommodation	Not Permitted	Not Permitted
Hotel	Not Permitted	Not Permitted
Motel	Not Permitted	Not Permitted
Private Recreation	Permitted (at Council's discretion)	Permitted (at Council's discretion)
Public Recreation	Permitted (at Council's discretion)	Permitted (at Council's discretion)
Reception Centre	Permitted (if incidental to predominant land use)	Not Permitted
Restaurant	Permitted (if incidental to predominant land use)	Permitted (at Council's discretion)
Entertainment Venue	Permitted (at Council's discretion)	Not Permitted
Shop	Permitted (if incidental to predominant	Not Permitted

	land use)	
Office	Permitted (if incidental to predominant land use)	Not Permitted

From the above table it is clear that the current site zonings do not permit the full range of land use classifications contemplated for the site. By contrast, the 'Mixed Business' zone does not prohibit any of the anticipated land uses, with use permissibility's defined by the zoning table as follows:

Proposed Land Use	'Mixed Business' Zone
Multiple Dwelling	AA - Permitted (at Council's discretion)
Short Stay Accommodation	SA - Permitted (at Council's discretion after advertising)
Hotel	SA - Permitted (at Council's discretion after advertising)
Motel	SA - Permitted (at Council's discretion after advertising)
Private Recreation	AA - Permitted (at Council's discretion)
Public Recreation	AA - Permitted (at Council's discretion)
Reception Centre	AA - Permitted (at Council's discretion)
Restaurant	AA - Permitted (at Council's discretion)
Entertainment Venue	AA - Permitted (at Council's discretion)
Shop	P – Permitted
Office	P – Permitted

It is evident that the application of a Mixed Business zone across the whole site would enable the Council to exercise discretion to assess an application for redevelopment as described above.

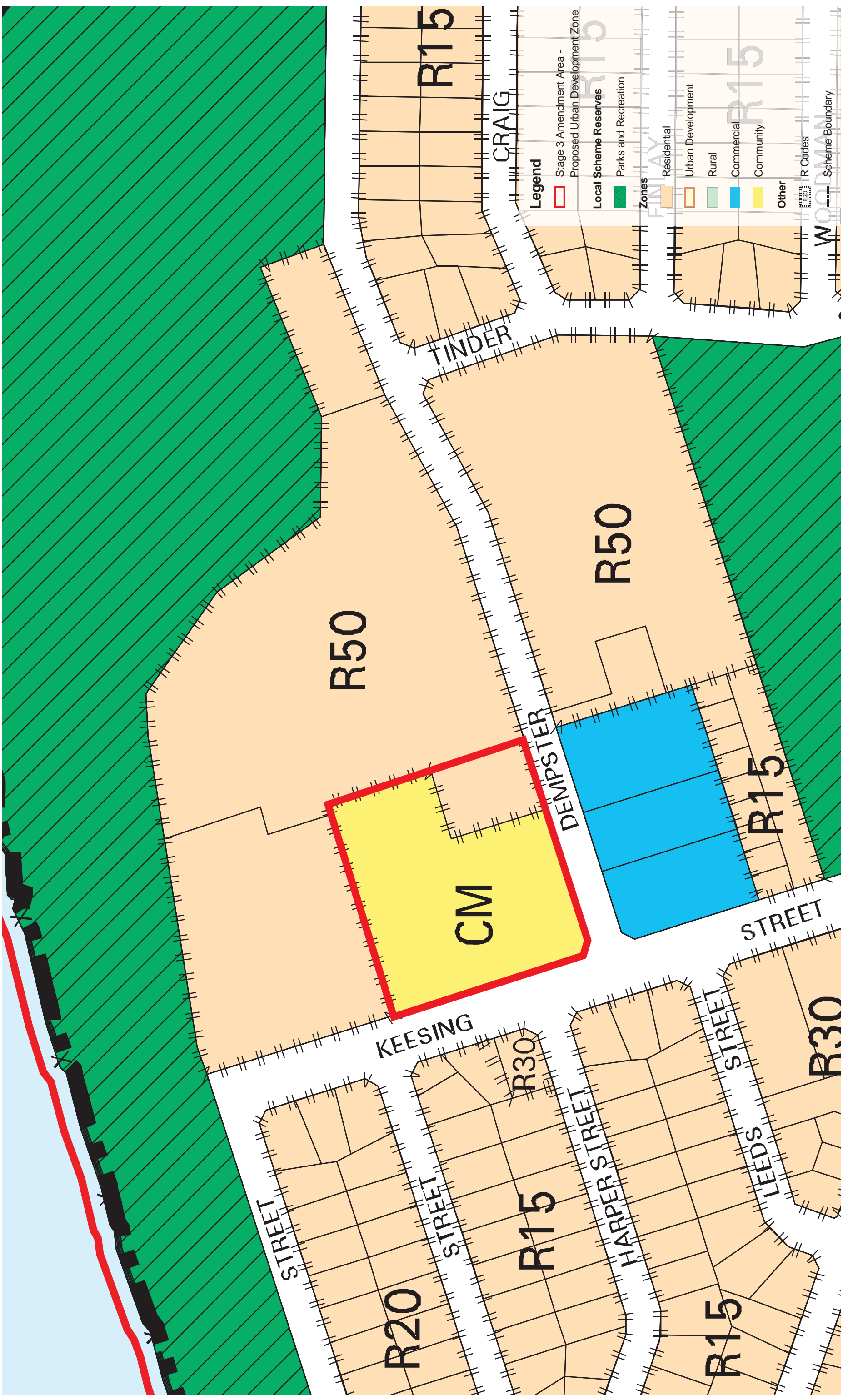
Development Control Provisions

Part VI of the Scheme provides for site development requirements. Provisions relevant to the Cooke Point Recreation Club site include car parking standards, along with landscaping, screening and fencing.

Appendix 7 of the Scheme includes ratios of anticipated car parking demand in relation to intensity of activities. Dependent on the nature of the activity, ratios relate to floor areas or to the number of people expected to attend a development. It is noted that clauses 6.13.5 and 6.13.6 of the Scheme enable alternative rates to those identified in Appendix 7 where circumstances warrant such.

Clause 6.14 of the Scheme requires landscaping, screening and fencing to be addressed on an application for Planning Approval. Discretion is provided in regards to the percentage of the site to be devoted to landscaping, the location of those areas and the like.

It is found that the development control provisions relating to parking and site development are appropriate for the redevelopment of the Cooke Point Recreation Club site. No amendments to existing Scheme Text provisions in these respects are proposed.



Cooke Point, Port Hedland
 Figure 2 - Town of Port Hedland Town Planning Scheme No. 5 Zoning Plan



PRELIMINARY FOR DISCUSSION PURPOSES ONLY

Scale 1:2000@A3 | Date March 2014 | Project No 118938-5-002a

RPS
 RPS Australia East Pty Ltd
 ACN 140 292 762
 ABN 44 140 292 762
 PO Box 466 Subiaco WA 6904
 38 Station Street
 Subiaco WA 6008
 T +61 8 9211 1111
 F +61 8 9211 1122
 W www.rpsgroup.com.au

© COPYRIGHT PROTECTS THIS PLAN
 Unauthorised reproduction or amendment
 not permitted. Please contact the author.

5.0 Other Site Considerations

5.1 Environmental Management

Pretty Pool Beach Turtle Nesting

Marine turtles are listed as threatened fauna and require protection. All species of turtles in WA are addressed in an international convention as well as Commonwealth and State legislation (*Environmental Protection and Biodiversity Act 1999* and *Wildlife Conservation Act 1950* respectively).

It is recognised that lighting from coastal development can disrupt the behaviours of turtles. Artificial light can deter mature turtles from nesting. It can also disorientate or misorientate hatchlings as they emerge from nests, preventing them from finding the sea and consequently suffering dehydration, predation or exhaustion.

The development site is situated approximately 1km from the Pretty Pool beach area. Sandy sections of this beach are known nesting sites for flatback turtles. The beach front in immediate proximity to the development site *does not* support turtle nesting.

Management Measure

The physical separation of the Cooke Point Recreation Club site from the nesting beaches at Pretty Pool significantly alleviates the potential impact of artificial light associated with redevelopment of the club facilities. Notwithstanding this, measures are recommended to ensure any elevated portions of the development that have a direct line of sight to Pretty Pool beachfront have appropriate levels of illumination or shielding. In this way, any risk of direct or indirect light exposure can be minimised and avoid any detrimental impact on turtle breeding.

The terms of the proposed amendment involve Scheme text provisions requiring light emissions to be specifically address prior to the issue of planning approval for redevelopment.

5.2 European Heritage

Municipal Heritage Inventory

The Cooke Point Recreation Club site is recorded as a Category 3 site within the Town of Port Hedland Municipal Inventory of Heritage Places. A Category 3 listed site is considered to be one that has some cultural heritage significance to the Town, but with no constraint to redevelopment. The recommendation is to encourage retention of such sites where feasible, but to photograph and document the place where this is not possible.

The statement of significance associated with the heritage listing is:

“Cooke Point Recreation Club is significant as a recreational and social facility that epitomizes the unique lifestyle and community co-operation in Port Hedland.”

Management Measure

Town Planning Scheme No 5 requires the Council to have regard for places of heritage significance in association with an application for planning approval. It is evident that the ageing facility is in need of comprehensive redevelopment to best provide services to the local community. A suitable record of the

current development will be prepared prior to any site disturbance. In this way, the recommendation contained in the municipal inventory to record the site prior to redevelopment can be fulfilled.

The existing Scheme provisions ensure due regard is given to heritage significance associated with the site, and no further management measures are required.

6.0 Proposed Scheme Amendment

The requested Scheme amendment seeks to change the land's zoning and apply site development requirements that will ensure environmental management requirements relating to light emissions are suitably observed. In this regard, the terms of the requested amendment involve:

Rezoning

Rezoning the whole of Lot 1227 from 'Community' and 'Residential' to 'Mixed Business' zone; and

Text Amendment

Include an additional entry within Appendix 2 of the Scheme as follows:

No.	Description of Land	Additional Use	Conditions
194	Lot 1227 corner Keesing and Dempster Street, Port Hedland	No uses except those permissible under the Zoning Table in Part III.	Any portion of a building with line of sight from/to Pretty Pool beach front shall be designed to restrict artificial light emission as visible from the beach front to the satisfaction of the Office of the Environmental Protection Authority.

The proposed arrangements of the Scheme will ensure appropriate land activities are permissible, enabling the redevelopment objectives for the site to be achieved. It is important to note that the inclusion of an environmental management requirement will provide a higher level of development control than that presently available under the terms of the Scheme.

To assist, a draft resolution that would serve to initiate the amendment is included at Appendix 2.

7.0 Conclusion

The redevelopment concept for the Cooke Point Recreation Club site offers a range of benefits, including:

- the renewal of ageing recreational facilities,
- the supply of high quality hotel accommodation; and
- supply of more efficient long term accommodation than otherwise available.

A multi-faceted approach to the development concept offers a financially viable mix of community based facilities along with accommodation and commercial activity.

The redevelopment will provide a land-mark, quality development in Port Hedland, offering an unprecedented level of service to the community.

A rezoning to Mixed Business is in line with strategic planning objectives for Port Hedland. The redevelopment will contribute to building the Port City as a nationally significant, friendly City, where people want to live and are proud to call home. Additionally, the proposal supports the Growth Plan objectives for Precinct 2 – East End Urban Village by allowing a range of recreational and community activities.

Appendix 1

Certificate of Title



REGISTER NUMBER 1227/DP214561	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

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

VOLUME **1785** FOLIO **379**

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 1227 ON DEPOSITED PLAN 214561

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

COOKE POINT RECREATION CLUB INC OF KEESING STREET, COOKE POINT, PORT HEDLAND
(T E125048) REGISTERED 13 JUNE 1989

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

1. F041725 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 19.11.1992.
2. *M101000 CAVEAT BY TELSTRA CORPORATION LTD AS TO PORTION ONLY. LODGED 12.11.2012.

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: 1785-379 (1227/DP214561).
PREVIOUS TITLE: 1546-859, 1539-542.
PROPERTY STREET ADDRESS: 13 KEESING ST, PORT HEDLAND.
LOCAL GOVERNMENT AREA: TOWN OF PORT HEDLAND.

- NOTE 1: A000001A LAND PARCEL IDENTIFIER OF PORT HEDLAND TOWN LOT/LOT 1227 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 1227 ON DEPOSITED PLAN 214561 ON 12-AUG-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
- NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.
- NOTE 3: L655149 DEPOSITED PLAN (INTEREST ONLY) 70768 LODGED

MF

ORIGINAL - NOT TO BE REMOVED FROM OFFICE OF

CT 1785 0379 F



WESTERN

AUSTRALIA



Application D635828

Volume Folio
1539 542
1546 859

VOL. 1785
FOL. 379

CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

R. Mulcahy
REGISTRAR OF TITLES



Dated 22nd December, 1987

ESTATE AND LAND REFERRED TO

Estate in fee simple in Port Hedland Lot 1227, delineated on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 12.19 metres.

FIRST SCHEDULE (continued overleaf)

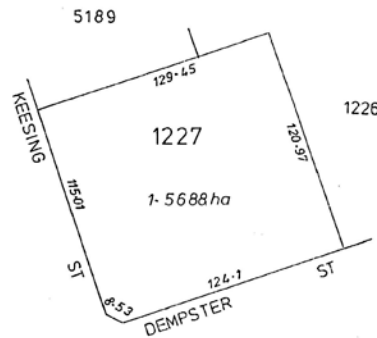
~~Pilbara Iron Ltd., of 30 undivided 100th shares, BHP Minerals Ltd., of 55 undivided 100th shares, Mitsui C Itoh Iron Pty. Ltd., of 10 undivided 100th shares, all of 221 Saint George's Terrace, Perth and Seltrust Mining Corporation Pty. Ltd., of 200 Adelaide Terrace, Perth, of 5 undivided 100th shares, as tenants in common.~~

SECOND SCHEDULE (continued overleaf)

~~Save and except the 30 undivided 100th shares of Pilbara Iron Ltd. and the 5 undivided 100th shares of Seltrust Mining Corporation Pty. Ltd.~~

1. CAVEAT B910995. Lodged 5.5.80 at 10.03 o/c. Withdrawn E125044 13.6.89
- As to the 5 undivided 100th shares of Seltrust Mining Corporation Pty. Ltd.
2. CAVEAT B910997. Lodged 5.5.80 at 10.03 o/c. Withdrawn E125045 13.6.89
- As to the 5 undivided 100th shares of Seltrust Mining Corporation Pty. Ltd.
3. CAVEAT B910998. Lodged 5.5.80 at 10.03 o/c. Withdrawn E125040 13.6.89
- As to the 5 undivided 100th shares of Seltrust Mining Corporation Pty. Ltd.
4. CAVEAT B910999. Lodged 5.5.80 at 10.03 o/c. Withdrawn E125043 13.6.89
- Save and except the 5 undivided 100th shares of Seltrust Mining Corporation Pty. Ltd.
5. CAVEAT B911100. Lodged 5.5.80 at 10.04 o/c. Withdrawn E125046 13.6.89
- CAVEAT B911000. Lodged 5.5.80 at 10.04 o/c. Withdrawn E125042 13.6.89
- Save and except 30 of the undivided 55/100th shares of BHP Minerals Ltd. and the 5 undivided 100th shares of Seltrust Mining Corporation Pty. Ltd.
6. CAVEAT B911001. Lodged 5.5.80 at 10.04 o/c. Withdrawn E125041 13.6.89
- Save and except the 10 undivided 100th shares of Mitsui C Itoh Iron Pty. Ltd. and the 5 undivided 100th shares of Seltrust Mining Corporation Pty. Ltd.
7. CAVEAT B911002. Lodged 5.5.80 at 10.04 o/c. Withdrawn E125042 13.6.89

THIRD SCHEDULE



SCALE 1:2500
INDEX PLAN FINUCANE 2000 27-35

Superseded Copy for Sketch Only


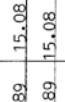
Page 1 (of 2 pages) 1785 379

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

NOTE: RULING THROUGH AND SEALING WITH THE OFFICE SEAL INDICATES THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT RULLED THROUGH MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.





72009/12/77-45M-S/2860

Superseded Copy for Sketch Only

INSTRUMENT NUMBER	NATURE	REGISTERED	TIME	SEAL	INITIALS
	The 5 undivided 100th share of Seltrust Mining Corporation Pty. Ltd. is transferred to CI Minerals Australia Pty. Ltd. The registered proprietors are now Pilbara Iron Ltd of 30 undivided 100th shares, BHP Minerals Ltd. of 55 undivided 100th shares, Mitsui-C Itoh Pty.Ltd. of 10 undivided 100th shares, all of 221 Saint George's Terrace Perth and CI Minerals Australia Pty. Ltd of 7th Floor 221 Saint George's Terrace Perth, of 5 undivided 100th shares, as tenants in common				
	Cooke Point Recreation Club Inc. of Keesing Street, Cooke Point, Port Hedland				
	Transfer	E125047	13.6.89	15.08	
	Transfer	E125048	13.6.89	15.08	

SECOND SCHEDULE (continued)

NOTE: RULING THROUGH AND SEALING WITH THE OFFICE SEAL INDICATES THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT RULED THROUGH MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

INSTRUMENT		PARTICULARS	REGISTERED	TIME	SEAL	INITIALS	CANCELLATION	NUMBER	REGISTERED OR LODGED	SEAL	INITIALS
Caveat	E125049	Lodged 13.6.1989 at 15.08 hrs.									
Mortgage	F41725	to Australia & New Zealand Banking Group Ltd.	19.11.92	8.31			Withdrawn	F41724	19.11.92		
Caveat	F41726	Lodged 19.11.92 at 8.32 hrs.									

CERTIFICATE OF TITLE VOL. 1785 379

Appendix 2

Draft Initiation Resolution

Draft Council Resolution:

That Council:

1. Approve the request from RPS on behalf of Cooke Point Pty Ltd to initiate an amendment to the *Town of Port Hedland Town Planning Scheme No 5* to:

1.1 Rezone Lot 1227 cnr Keesing and Dempster Streets, Port Hedland from 'Community' and 'Residential' to 'Mixed Business':

1.2 Include an additional entry within Appendix 2 of the Scheme as follows:

No.	Description of Land	Additional Use	Conditions
194	Lot 1227 corner Keesing and Dempster Street, Port Hedland	No uses except those permissible under the Zoning Table in Part III.	Any portion of a building with line of sight from/to Pretty Pool beach front shall be designed to restrict artificial light emission as visible from the beach front to the satisfaction of the Office of the Environmental Protection Authority.

2. Following approval from the Environmental Protection Authority to advertise the amendment, Council is required pursuant to section 83 of the Planning and Development Act 2005 to consult persons likely to be affected by the amendment, and also advertise the amendment for a minimum of 42 days pursuant to section 84 of the Planning and Development Act 2005.

SIMPLE MAJORITY VOTE REQUIRED