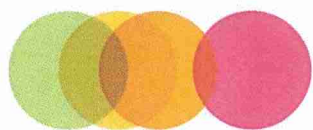


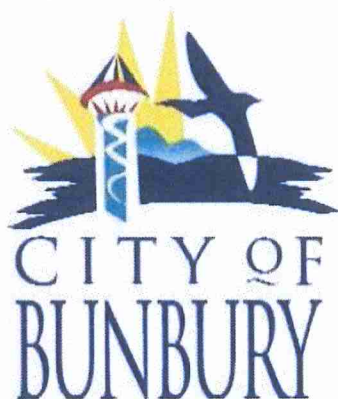
ID	
DEPARTMENT OF PLANNING BUNBURY OFFICE	
9 FEB 2015	
FILE	



Harley Dykstra

PLANNING & SURVEY SOLUTIONS

ID	
DEPARTMENT OF PLANNING BUNBURY OFFICE	
3 FEB 2015	
FILE	SPN/0706



STRUCTURE PLAN

Pt Lots 120 & 549 South Western Highway, Davenport

Prepared by Harley Dykstra Pty Ltd for the City of Bunbury

BUNBURY

21 Spencer Street, Bunbury WA 6230
PO Box 778, Bunbury WA 6231

T: 08 9792 6000
F: 08 9721 9611

E: bunbury@harleydykstra.com.au
www.harleydykstra.com.au

Albany Bunbury Busselton Kelmscott Perth

ACN 009 101 786 ABN 77 503 764 248



FS 536019

**CERTIFIED THAT THIS STRUCTURE PLAN
WAS ADOPTED BY RESOLUTION OF THE
WESTERN AUSTRALIAN PLANNING COMMISSION ON**

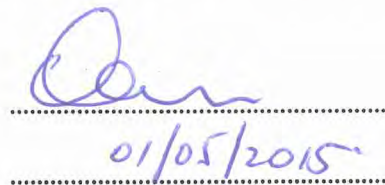
.....1 May 2015.....

Date

Signed for and on behalf of the Western Australian Planning Commission

..........

an officer of the Commission duly authorised by the Commission pursuant to section 16 of the *Planning and Development Act 2005* for that purpose, in the presence of:

..........
.....01/05/2015.....

Witness

Date

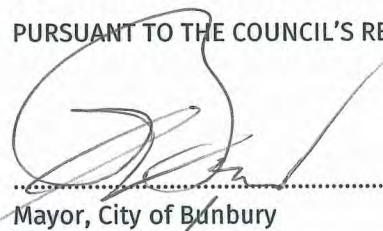
And by
RESOLUTION OF THE COUNCIL OF THE CITY OF BUNBURY ON

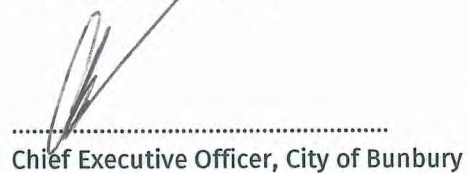
.....20 / 01 / 2015.....

Date

And

PURSUANT TO THE COUNCIL'S RESOLUTION HEREUNTO AFFIXED IN THE PRESENCE OF:

..........
Mayor, City of Bunbury

..........
Chief Executive Officer, City of Bunbury

.....2 / 02 / 2015'.....

Date

This Structure Plan is prepared under the provisions of the
City of Bunbury Town Planning Scheme No. 7

DOCUMENT CONTROL

Modification No.	Plan/ Report Rev.	Description of modification	Date	Issued to:	Date endorsed by Council/ WAPC
0	A	Original document	03.06.14	Client for review	8 July 2014 Council approved advertising of Structure Plan, subject to modifications
Modification 1	B	Modifications to report and plan as requested by Council	25.09.14	City of Bunbury	
Modification 2	C	Further modifications to report and plan as requested by Council	14.10.14	City of Bunbury	

Prepared for: City of Bunbury
 Prepared by: LB
 Reviewed by: HD
 Date: 14.10.14
 Job No & Name: 20103 City of Bunbury
 Version: C

DISCLAIMER

This document has been prepared by HARLEY DYKSTRA PTY LTD (the Consultant) on behalf of the City of Bunbury (the Client). All contents of the document remain the property of the Consultant and the Client except where otherwise noted and is subject to Copyright. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission.

This document has been exclusively drafted. No express or implied warranties are made by the Consultant regarding the research findings and data contained in this report. All of the information details included in this report are based upon the existent land area conditions and research provided and obtained at the time the Consultant conducted its analysis.

Please note that the information in this report may not be directly applicable towards another client. The Consultant warns against adapting this report's strategies/contents to another land area which has not been researched and analysed by the Consultant. Otherwise, the Consultant accepts no liability whatsoever for a third party's use of, or reliance upon, this specific document.

CONTENTS

DOCUMENT CONTROL.....	i
DISCLAIMER.....	i
CONTENTS	ii
PART 1- STATUTORY SECTION	1
1. Structure Plan Area	1
2. Structure Plan Content	1
3. Interpretation and Relationship with the Scheme	1
4. Operation	2
5. Land Use and Subdivision	2
5.1 Land Use Permissibility	2
5.2 Subdivision.....	2
6. Development.....	2
PART 2- NON-STATUTORY (EXPLANATORY) SECTION.....	4
1. Planning Background	4
1.1 Introduction and Purpose	4
1.2 Land Description	4
1.3 Planning Framework	5
2. Site Conditions and Constraints	7
2.1 Biodiversity and Natural Area Assets.....	7
2.2 Landform and Soils	7
2.3 Groundwater and Surface Drainage	8
2.4 Bushfire Hazard	8
2.5 Heritage.....	8
2.6 Context and other Land Use Constraints.....	9
3. Land Use Requirements.....	11
3.1 Land Use.....	11
3.2 Infrastructure Coordination and Servicing.....	11
4. Justification and Conclusion	12
APPENDIX A – STRUCTURE PLAN MAP.....	
APPENDIX B – CERTIFICATES OF TITLE	

APPENDIX C – CORRESPONDENCE FROM THE DEPARTMENT OF WATER	
APPENDIX D – CORRESPONDENCE FROM THE DEPARTMENT OF ABORIGINAL AFFAIRS	
APPENDIX E – CORRESPONDENCE FROM THE DEPARTMENT OF ENVIRONMENT REGULATION	
APPENDIX F – PRELIMINARY/CONCEPT DEVELOPMENT PLAN OF ANIMAL WELFARE SHELTER	

PART 1- STATUTORY SECTION

1. Structure Plan Area

This Structure Plan applies to Part Lots 120 and 549 South Western Highway, Davenport being the land contained within the inner edge of the line denoting the Structure Plan area on the Structure Plan map (refer to **Appendix A**). This Structure Plan is to be referred to as the 'Structure Plan- Pt Lots 120 and 549 South Western Highway, Davenport'.

2. Structure Plan Content

This Structure Plan comprises:

a) Part 1 – Statutory section

This section contains the Structure Plan statutory planning provisions and requirements.

b) Part 2 – Non-statutory (explanatory) section

This section is to be used as a reference guide to interpret and justify the implementation of Part 1.

c) Appendices – Supporting plans and information.

3. Interpretation and Relationship with the Scheme

Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Bunbury Town Planning Scheme No. 7 (the Scheme).

The Structure Plan map outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under this Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

Pursuant to clause 6.2.8.2 of the Scheme:

- a) The provisions, standards and requirements specified under Part One of this Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. In the event of there being any variations or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of this structure plan, then the provisions, standards or requirements of this Structure Plan shall prevail;
- b) Any other provision, standard or requirement of Part One of the Structure Plan that is not otherwise contained in the Scheme, shall apply to the structure plan area as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and
- c) Part Two of this Structure Plan and all appendices are to be used as a reference only to clarify and guide interpretation and implementation of Part One.

4. Operation

In accordance with clause 6.2.8.1 of the Scheme, this Structure Plan shall come into operation when it is adopted by the Local Government pursuant to clause 6.2.5.15 of the Scheme (i.e. approval of the Structure Plan is granted by the Western Australian Planning Commission).

5. Land Use and Subdivision

The Structure Plan map outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under this Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

5.1 Land Use Permissibility

Land use permissibility within the Structure Plan area shall be in accordance with the corresponding zone under the Scheme, with the following exceptions. The following use classes (as defined in the Scheme) shall be 'D' (discretionary) uses within the Structure Plan area:

- Animal Establishment;
- Caretaker's Dwelling;
- Car Park;
- Civic Use;
- Community Purpose;
- Nursery;
- Storage;
- Veterinary Centre.

All proposed land uses and development proposals will be considered having regard to Clause 10.2 of the Scheme.

For other Structure Plan provisions and the associated conditions of development approval, refer to the Structure Plan map (**Appendix A**).

5.2 Subdivision

Any future subdivision is to be in accordance with the Scheme and other relevant planning legislation, including Western Australian Planning Commission Development Control and State Planning Policies.

6. Development

Future development within the Structure Plan area is to be located within the 'Development Area'. No development shall be located outside the 'Development Area' as indicated on the Structure Plan map.

Building setbacks shall be in accordance with the requirements of the Scheme. Future development shall also comply with *Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas* (AS 3959).

Prior to the lodgement of any subdivision or development application to the relevant decision making authority, a Fire Management Plan is to be completed to the satisfaction of the Department of Fire and Emergency Services and the local government. Following the completion of a Fire Management Plan, the recommended fire management controls are to be reflected on an updated structure plan and implemented to the satisfaction of the Western Australian Planning Commission, Department of Fire and Emergency Services and the local government.

PART 2- NON-STATUTORY (EXPLANATORY) SECTION

1. Planning Background

1.1 Introduction and Purpose

This report has been prepared on behalf of the City of Bunbury in relation to Pt Lots 120 and 549 South Western Highway, Davenport, as supporting information to accompany the Structure Plan. This report has been prepared in accordance with the requirements of the Local Government and the Western Australian Planning Commission.

The Structure Plan has been prepared to facilitate a number of uses for the property, especially a proposed animal welfare shelter. The Structure Plan is required since the property is within a 'Development Investigation Policy Area' (DIPA) as indicated on the Scheme map. Clause 6.2.3.1 of the Scheme states that the Local Government requires a Structure Plan for a DIPA, or for any particular part of a DIPA, before recommending subdivision or approving development of land within the DIPA.

A copy of the Structure Plan map submitted for endorsement is attached at **Appendix A**. Once approved, the Structure Plan will provide the City of Bunbury with the necessary framework in which to guide its decision making when considering applications for development approval.

1.2 Land Description

1.2.1 Location

The Structure Plan area is located approximately 7km south east of the Bunbury City Centre. The site is located adjacent to the South Western Highway and the Bunbury Airport. A Location Plan is included as Figure 1. An aerial photo of the property can be seen at Figure 3 (in Section 2.1) below.

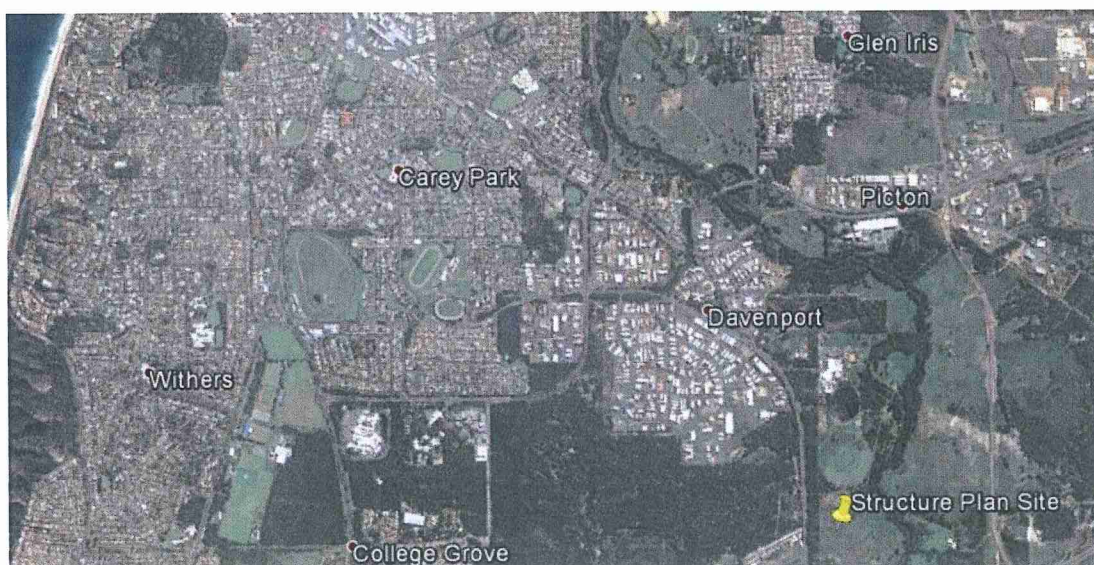


Figure 1: Location Plan

1.2.2 Area and Land Use

The Structure Plan area only includes the northern portions of Lot 120 and Lot 549. The Structure Plan area is 5.9ha in total and the site is currently vacant. The site has been indiscriminately used by the City of Bunbury in the past for the storage of green waste.

1.2.3 Legal Description and Ownership

Lot 120 on Deposited Plan 71852 is contained on Certificate of Title Vol. 2784 Fol. 505. Lot 549 on Deposited Plan 213069 is contained on Certificate of Title Vol. 1631 Fol. 38. The registered proprietor for both lots is the City of Bunbury. The Certificates of Title are attached at **Appendix B**.

1.3 Planning Framework

1.3.1 Zoning and Reservations

Greater Bunbury Region Scheme

The Structure Plan area is zoned 'Rural' under the Greater Bunbury Region Scheme (GBRS).

South Western Highway (to the west) is reserved as a 'Primary Regional Road' under the GBRS. The abutting land to the north of the Structure Plan area is reserved for 'Regional Open Space' while the abutting land to the south is reserved for 'Public Purpose- Airport'.

City of Bunbury Town Planning Scheme No. 7

The majority of the Structure Plan area is zoned 'Rural' by the City of Bunbury Town Planning Scheme No. 7 (the Scheme). The north west corner of the Structure Plan area includes a small section of road reserve which connects to the South Western Highway and gives legal road frontage to Lot 120.

The surrounding reserves are the same as those relevant to the GBRS outlined above.

An abstract of the Scheme zoning plan showing the zoning of the property ('Rural' zone indicated in light green shading) and its surrounds is shown in Figure 2.

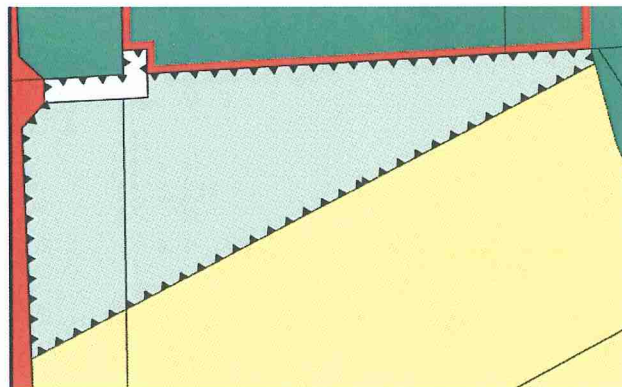


Figure 2: Zoning Plan

It should be noted that the property is also within a 'Development Investigation Policy Area' (DIPA) as indicated on the Scheme map. Clause 6.2.3.1 of the Scheme states that the Local Government requires a Structure Plan for a DIPA, or for any particular part of a DIPA, before recommending subdivision or approving development of land within the DIPA. The proposed Structure Plan has been prepared in accordance with this Scheme requirement.

1.3.2 Structure Plans

This Structure Plan is not subject to any higher order Structure Plans.

1.3.3 Policies

State Planning Policy 2.5- Land Use Planning in Rural Areas

The objectives of SPP 2.5 include the minimizing of land use conflicts and the promotion of regional development through provision of ongoing economic opportunities on rural land. The Policy also clearly states that *"beyond its principle function for primary production, rural land is also required for public purposes..."*.

The Structure Plan area, simply due to its size, has very limited primary production potential. The Structure Plan area incorporates a 5.9ha area of rural land (part of which is fully vegetated) which is surrounded by land which is reserved for various purposes. The property is therefore suitable for uses relating to public purposes, especially if development on the land can provide for land uses which are incompatible with many other uses (e.g. an animal welfare shelter). In this way the proposal seeks to satisfy the intention and principles of SPP 2.5.

GBRS Floodplain Management Policy

Over 1000m² of the easternmost section of the property is located in the "flood fringe" and a 6m² portion of the property is located in the "flood way" portions of the Greater Bunbury Region Scheme Floodplain Management Policy. It should be noted that both of these areas are located outside of the proposed development area.

City of Bunbury's LPP- Development within 100 m from the Toe of the Preston River

The City of Bunbury's Local Planning Policy outlines circumstances where development of buildings can take place within 100m of the toe of the Preston River levee.

It is noted that a very small section of the Structure Plan area is within proximity to the Preston River. It is also noted however that the Structure Plan restricts development of the property to within the 'Development Area' shown on the Structure Plan map. Any future development on the property will therefore be located at least 150m from the Preston River and therefore comply with the City's Policy.

2. Site Conditions and Constraints

2.1 Biodiversity and Natural Area Assets

Figure 3 below shows an aerial view of the property, with the outline of the property itself in red. As the figure shows, most of the property has been cleared, although Lot 549 contains remnant vegetation. Whilst the vegetated portion of Lot 549 is contained within the Structure Plan area, this area of the property is not proposed to be used for any development. As indicated on the Structure Plan map, this portion of the property is outside of the dedicated development area.

No trees or vegetation are to be removed from the property.



Figure 3: Aerial View of Property

2.2 Landform and Soils

The property is flat with a height of approximately 15m AHD.

A search of the Shared Land Information Platform was conducted in May 2014 in order to ascertain the risk of Acid Sulfate Soils (ASS) on the property. The search confirmed a *moderate to low* risk of ASS occurring within 3 metres of natural ground level over the property.

Potential excavation will be required for septic tanks and/or rain water tanks. The potential for ASS disturbance represents a development constraint and further acid sulphate soil investigation and management planning should occur if the excavation of 100m³ or more of soil beneath the natural water table and or drainage works (e.g. dewatering) be proposed.

It should be noted however that at this point no excavation below the existing natural ground level is expected to be undertaken to allow for future development. Fill will be required to

facilitate future development and services such as a suitable effluent disposal system will be located on site within the fill layer (i.e. above the existing natural ground level).

2.3 Groundwater and Surface Drainage

There is no evidence of groundwater issues on the property.

Any future development on site will utilise on-site drainage given the appropriate soil conditions and the need to provide fill on site prior to development.

It should be noted that comments were sought and received from the Department of Water (DoW), a copy of which is attached at **Appendix C**. The DoW confirmed that there is no major flooding risk for the development area proposed on the Structure Plan map. The DoW also recommended that prior to development occurring on the property, a Water Management Plan be prepared to address water supply, stormwater management and effluent disposal. This recommendation has been implemented by including a condition of development on the Structure Plan map.

2.4 Bushfire Hazard

While the west side of the property contains some remnant vegetation, the majority of the property is clear of vegetation. The designated development area shown on the Structure Plan map is located central to the property in an area that is clear of vegetation. Future development will comply with *Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas* (AS 3959).

It should be noted that prior to the lodgement of any subdivision or development application to the relevant decision making authority, a Fire Management Plan will be completed to the satisfaction of the Department of Fire and Emergency Services and the local government. It is acknowledged that there may be a future requirement for a Hazard Reduction Zone and Building Protection Zone buffers between buildings and bushland, bearing in mind that the existing remnant vegetation on Lot 549 is not to be cleared and the 100m buffer and or other fire management controls are to be applied to the proposed development area. The continued use of the site for the storage of green waste, should this be proposed post-development, could further contribute to the fire risk onsite.

2.5 Heritage

2.5.1 Aboriginal Heritage

A search of the Department of Aboriginal Affairs (DAA) Heritage Sites was conducted in May 2014.

This search identified that the Preston River has been registered as a heritage site with mythological significance (Site 19795). This registration is similar to that given to all named waterways within the South West Land Division and does not place a burden on the development of the subject site, especially since no part of the proposed development area indicated on the Structure Plan map is to affect this heritage site.

The property is also partially within a buffered extent of an aboriginal heritage (archaeological) site which mostly covers the adjoining property to the north (Site 4873).

The Structure Plan was referred to the DAA for comment. The DAA in their response (see copy attached at **Appendix D**) confirmed the existence of the two Aboriginal sites registered with the DAA. They also referred to the department's Cultural Heritage Due Diligence Guidelines but did not raise any specific heritage issues in relation to the property. The Heritage Risk Assessment Matrix which forms part of the Cultural Heritage Due Diligence Guidelines was used to assess the property/ proposed development and the proposal was found to be low risk.

Any future development on the property will be subject to the *Aboriginal Heritage Act* and its obligations relating to the recording and protection of any heritage finds that may be uncovered during development. This is the same obligation that exists for all development in areas where there was pre-European settlement.

2.5.2 Native Title

Native title has been extinguished over the subject property in the same manner as all other freehold lots in the region.

2.5.3 European Heritage

There is no evidence of European Heritage significance on the property.

2.6 Context and other Land Use Constraints

The property lies adjacent to the South Western Highway and next to the Bunbury Airport. No access is proposed directly off the South Western Highway. In the north west corner of the Structure Plan area is a small section of road reserve which connects to the South Western Highway and gives legal road frontage to Lot 120. This road reserve currently contains an unsealed road.

The neighbouring airport and airport reserved land is noted. It is also noted that the airport is mostly used for general and recreational flight training for light aircraft. In that the main objective of the Structure Plan is to allow for an animal welfare shelter and other similar non-residential uses, there is not likely to be any land use conflicts resulting from the proposal.

As outlined earlier, Lot 549 contains remnant vegetation. As indicated on the Structure Plan map, this portion of the property is outside of the dedicated development area and therefore will not be affected by and future development on the property. The existing vegetation acts as a natural buffer to the South Western Highway.

It is noted that the site supports approximately 30 individual native trees in a "parkland cleared" (i.e. completely degraded) setting. Native vegetation in WA is protected under the WA Environmental Protection Act 1986. The Department of Environment Regulation (DER) previously advised in July 2013 that the clearing of these trees is likely to require a clearing permit. However, it is noted that the construction of buildings, roads and footpaths is at times exempt under the Act.

Council recommended that further advice be sought from the DER on this issue, as the proposal had been further developed since the time of the department's original advice. This occurred and further advice was received from the DER in September 2014. A copy of the correspondence from DER is attached at **Appendix E**. The DER, in acknowledging that no trees or vegetation are to be removed from site, stated that there appeared to be no issues in relation to the clearing of vegetation.

It is noted that the Preston River lies to the east of the property but has no impact on the property, especially since no development is to occur near the eastern side of the property.

Overhead power is present along the northern boundary of the property and also traverses the property near the eastern side. Telecommunication infrastructure is present in the South Western Highway road reserve. Services relevant to the property are outlined in more detail in Section 3.2 below.

There is also an unsubstantiated report of organochlorine pesticide use on the site during the 1950's, which may have resulted in site contamination. The City of Bunbury reported the suspected contaminated site to the Department of Environment Regulation in 2007, which subsequently classified the site as "Report Not Substantiated" under the WA Contaminated Sites Act 2003 i.e. insufficient evidence to determine the presence or otherwise of contaminants.

Comments were sought and received from the DER (refer to **Appendix E**) in relation to possible contamination associated with the property. The DER in their comments confirmed that there were no issues or concerns in relation in relation to possible contamination.

In their comments the DER also raised the matter of potential noise issues. The DER acknowledged that this matter is best considered and dealt with by the local government. In response to the potential issues raised, the following should be noted:

- The proposed development (animal welfare shelter) is to be a sound proof construction. Therefore no noise from the proposed development will be emanating from the property;
- In any case there are no sensitive land uses (residences etc) in close proximity to the property;
- Any future development on the property (within the 'development area' shown on the Structure Plan map) will be setback substantially from the highway (at least 80m) and will be buffered from the highway by the existing vegetation on Lot 549. Future development will also be outside of the flight paths of the light aircraft operating from the Bunbury Airport;
- Overall, the City Health Department has already considered the matter of noise and is satisfied that no issues will result from the proposed development.

3. Land Use Requirements

3.1 Land Use

The Structure Plan has been prepared in accordance with the requirements of the Scheme, especially in light of Section 6.2.4 and Clause 6.2.3.1 which requires Structure Plans to be prepared for properties within Development Investigation Policy Areas. The Structure Plan map is included as an attachment at **Appendix A**.

The Structure Plan has been prepared to facilitate development of an animal welfare shelter and other possible similar uses. A preliminary/ concept development plan of the animal welfare shelter is attached at **Appendix F**.

This proposal is based on the fact that the property, although having a rural zoning, has very limited primary production potential (especially due to its size). The property is suitable for the uses proposed due to its location and the various reservations surrounding it.

3.2 Infrastructure Coordination and Servicing

Future development on the property will require a range of services. Existing and required services are detailed below.

3.2.1 Electricity

Aerial electricity is present along the northern boundary of the property and also traverses the property near the eastern side. Power can be easily connected to future development on the property.

3.2.2 Effluent Disposal

Reticulated sewer is not available to the property. Future development on the property will be serviced via onsite effluent disposal in accordance with the local government and Health Department of Western Australia requirements, similar to the airport and other surrounding uses.

3.2.3 Water

The property is not connected to a reticulated water supply since reticulated water is not available in the locality.

Future development on the property will utilise rooftop catchment and rainwater tanks, to the satisfaction of the local government.

3.2.4 Telecommunications

Telecommunication infrastructure is present in the South Western Highway road reserve and can be connected to the property.

3.2.5 Access

Access to the property is via a small section of road reserve in the north west corner of the Structure Plan area which connects to the South Western Highway. The existing access will be maintained.

Should access modifications or any other activity warrant the clearing of native vegetation onsite, a clearing permit under the WA Environmental Protection Act 1986 and/or Ministerial approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 may be required in view of the recognised environmental values of native vegetation in the area.

4. Justification and Conclusion

The proposed Structure Plan as outlined has been prepared in accordance with the relevant adopted planning legislation.

The Structure Plan has been prepared to facilitate development of an animal welfare shelter and other possible similar uses, given the suitability of the property for these uses.

Once approved, the Structure Plan will provide the City of Bunbury with the necessary framework in which to guide its decision making when considering applications for development approval.

APPENDIX A – STRUCTURE PLAN MAP

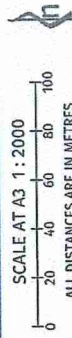
STRUCTURE PLAN

Pt Lot 120 on DP 71852 &
Pt Lot 549 on DP 213069
Davenport, BUNBURY



Harley Dykstra

PLANNING & SURVEY SOLUTIONS



SCALE AT A3 1:2000

ALL DISTANCES ARE IN METRES

DRAWN
Bdr 15-10-14

CHECKED
LB 15-10-14

DATE
14-05-14

DESCRIPTION
Original Drawing

REV
A Delete Indicative Bldg; Amend Note

C Additional Notes

LEGEND

LAND DETAILS

Structure Plan Area

Existing Boundaries

Development Area

ZONING / RESERVES

Rural

Public Purpose - Airport

Regional Open Space

Primary Regional Roads

Development Investigation

Policy Area

SERVICING INFORMATION

Overhead Electricity

Telecommunications

Figure 1

BUNBURY OFFICE:

21 Spencer Street, Bunbury WA 6230

Ph: 08 9437 1111

F: 08 9437 1111

E: bunbury@harleydykstra.com.au

W: www.harleydykstra.com.au

OFFICES also at Albany, Exmouth, Geraldton, Mandurah and Perth

COPYRIGHT:

This document is the property of HARLEY DYKSTRA.

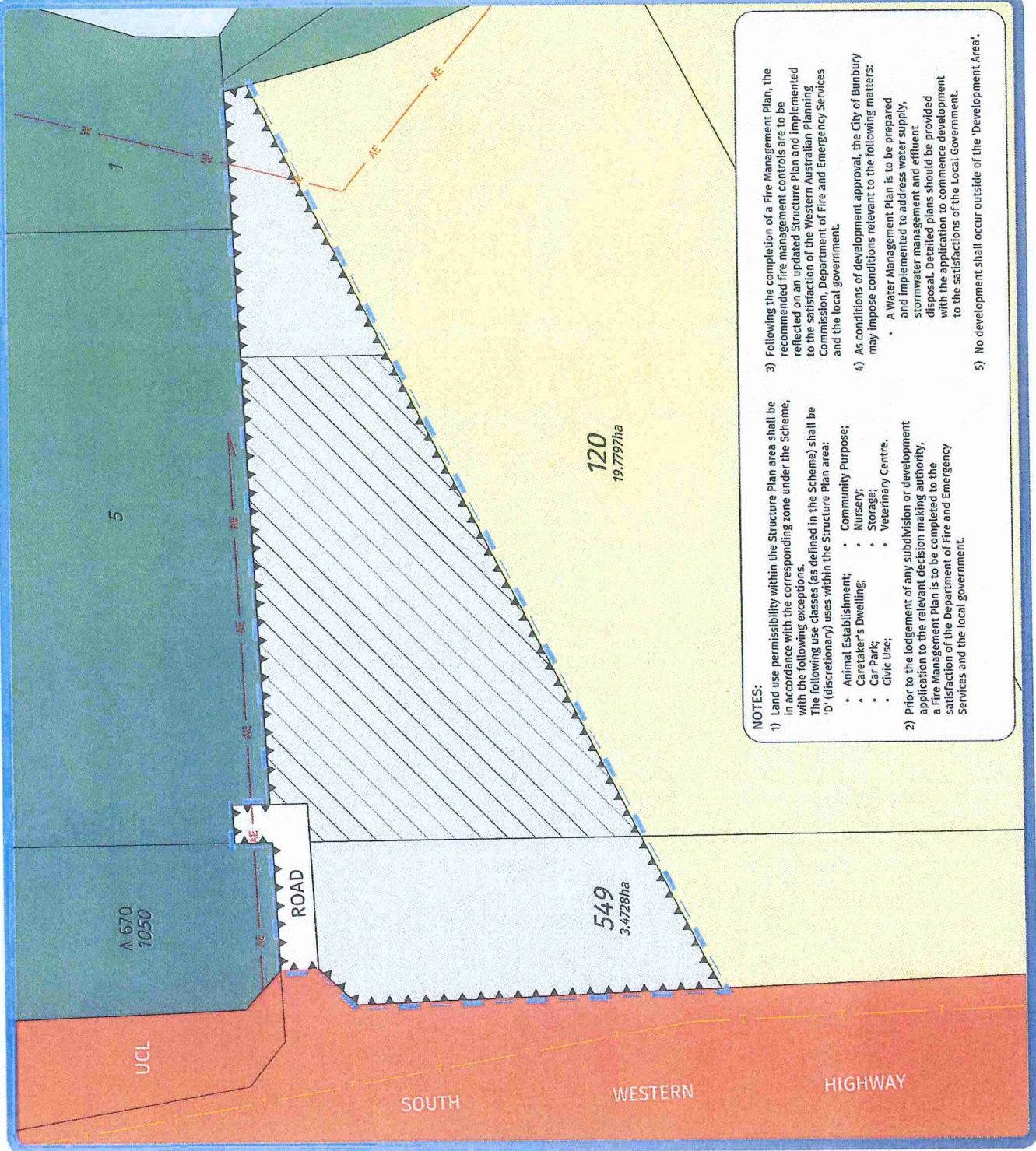
The document may only be used for the purpose for which it was commissioned and in

accordance with the terms of engagement for the commission. Unauthorised use of this

document is strictly prohibited and is a breach of the contract.

NOTE: This plan has been prepared for planning purposes. Areas, Contours and Dimensions

shown are subject to survey.



NOTES:

- 1) Land use permissibility within the Structure Plan area shall be in accordance with the corresponding zone under the Scheme, with the following exceptions.
The following use classes (as defined in the Scheme) shall be 'p' (discretionary) uses within the Structure Plan area:
 - Animal Establishment;
 - Caretaker's Dwelling;
 - Car Park;
 - Civic Use;
 - Community Purpose;
 - Nursery;
 - Storage;
 - Veterinary Centre.
- 2) Prior to the lodgement of any subdivision or development application to the relevant decision making authority, a Fire Management Plan is to be completed to the satisfaction of the Department of Fire and Emergency Services and the local government.
- 3) Following the completion of a Fire Management Plan, the recommended fire management controls are to be reflected on an updated Structure Plan and implemented to the satisfaction of the Western Australian Planning Commission, Department of Fire and Emergency Services and the local government.
- 4) As conditions of development approval, the City of Bunbury may impose conditions relevant to the following matters:
 - A Water Management Plan is to be prepared and implemented to address water supply, stormwater management and effluent disposal. Detailed plans should be provided with the application to commence development to the satisfactions of the Local Government.
- 5) No development shall occur outside of the 'Development Area'.

APPENDIX B – CERTIFICATES OF TITLE

WESTERN



AUSTRALIA

REGISTER NUMBER
120/DP71852DUPLICATE
EDITION
N/ADATE DUPLICATE ISSUED
N/A**RECORD OF CERTIFICATE OF TITLE**
UNDER THE TRANSFER OF LAND ACT 1893VOLUME
2784FOLIO
505

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 120 ON DEPOSITED PLAN 71852

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

CITY OF BUNBURY OF STEPHEN STREET, BUNBURY

(AF L809348) REGISTERED 14 DECEMBER 2011

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

1. *C763578 EASEMENT TO THE STATE ENERGY COMMISSION OF WESTERN AUSTRALIA. SEE
PLAN 14045 AND INSTRUMENT C763578. REGISTERED 4.5.1984.
*H510366 NOTIFICATION. THE GRANTEES OF EASEMENT C763578 ARE NOW ALINTAGAS
NETWORKS PTY. LTD. PURSUANT TO SECTION 16 OF THE GAS CORPORATION
(BUSINESS DISPOSAL) ACT 1999. REGISTERED 25.7.2000.

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: DP71852.
PREVIOUS TITLE: 1631-37.
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AREA: CITY OF BUNBURY.

NOTE 1: L809348 THIS LOT/TITLE CREATED AFTER PORTION OF THE LAND TAKEN FROM THE
FORMER LOT WITHOUT PRODUCTION OF THE DUPLICATE TITLE BY TAKING
ORDER L809348. CURRENT DUPLICATE FOR THE WITHIN LAND IS STILL VOLUME
1631 FOLIO 37

WESTERN



AUSTRALIA

REGISTER NUMBER
549/DP213069DUPLICATE
EDITION
N/ADATE DUPLICATE ISSUED
N/A**RECORD OF CERTIFICATE OF TITLE**
UNDER THE TRANSFER OF LAND ACT 1893VOLUME
1631FOLIO
38

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 549 ON DEPOSITED PLAN 213069

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

CITY OF BUNBURY OF STEPHEN STREET, BUNBURY

(A C444706) REGISTERED 15 OCTOBER 1982

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

1. THE LAND THE SUBJECT OF THIS CERTIFICATE OF TITLE EXCLUDES ALL PORTIONS OF THE LOT DESCRIBED ABOVE EXCEPT THAT PORTION SHOWN IN THE SKETCH OF THE SUPERSEDED PAPER VERSION OF THIS TITLE.
2. TITLE EXCLUDES THE LAND SHOWN ON PLAN 21798.

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: 1631-38 (549/DP213069).
PREVIOUS TITLE: 1369-451.
PROPERTY STREET ADDRESS: LOT 549 SOUTH WESTERN HWY, DAVENPORT.
LOCAL GOVERNMENT AREA: CITY OF BUNBURY.

NOTE 1: A000001A LAND PARCEL IDENTIFIER OF BUNBURY TOWN LOT/LOT 549 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 549 ON DEPOSITED PLAN 213069 ON 31-JUL-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.

APPENDIX C – CORRESPONDENCE FROM THE DEPARTMENT OF WATER

Lindsay Bergsma

From: KELLY Brendan <Brendan.KELLY@water.wa.gov.au>
Sent: Tuesday, 5 August 2014 11:25 AM
To: Lindsay Bergsma
Subject: Proposed Structure Plan 'Animal Shelter'
Attachments: Waste Management for Kennels.pdf; Kennel Guidelines, SA.pdf; WQPN No. 70 Wastewater domestic systems.pdf; ATT00001.txt; ATT00002.htm

5th August 2014

Our Reference: WRD 251315, SRS 36890

To: Harley Dykstra

From: Department of Water

Attention: Lindsay Bergsma

RE: Proposed Structure Plan 'Animal Shelter' - Lot 120 on Deposited Plan 71852 and Lot 549 on Deposited Plan 213069, Bunbury

Dear Lindsay,

Further to our telephone conversation yesterday, vis-à-vis the proposed Structure Plan for the above lots.

Firstly, the lots are located within the Bunbury Groundwater subarea, as proclaimed under the *'Rights in Water and Irrigation Act 1914'*. Any groundwater abstraction in this proclaimed area is subject to licensing by the Department of Water (DoW), other than supply from the shallow watertable (superficial) aquifer for domestic and non-intensive stock watering purposes.

In addition, the proposed development on Lot 120 is approximately 400 metres from the Preston River and falls within a declared 'Waterways Management Area' under the *'Waterways Conservation Act 1976'*. This area is declared for the specific purpose of protecting the Leschenault Estuary and its associated waterways because of their vulnerability to degradation. It is important that the use of effective pollution prevention and risk management measures during any design, construction, operation or rehabilitation works should minimise the risk of waterways contamination.

As noted, the subject lots do not appear to be sewerred, or to have a reticulated water supply, which will require resolution. Any development on the site will need to consider both groundwater and surface water protection issues. A sufficient potable water supply is also required.

Given the nature of the proposed development - 'Animal Shelter' - and the potential for future development on Lot 120, DoW recommends that structure plan conditions include the provision of a site **Water Management Plan**. The plan should be developed to fit within any proposed *'Operating Procedures for Animal Shelters'*, which would contain water supply particulars and protocols for the management of site run-off and the disposal of waste water. Detailed plans for water supply, stormwater management and effluent disposal should subsequently be provided with the application to commence development, to the satisfaction of the Local Government.

The principles of water sensitive urban design as outlined in *'Better Urban Water Management (WAPC 2008)'* should be applied in accordance with the *'Decision process of stormwater management in Western Australia (DoW 2009)'* using drainage infrastructure as outlined in the *'Stormwater management manual for Western Australia (DoW 2007 - 2009)'*. In general terms, stormwater from roofs and hardstands should be kept separate from animal shelter runoff and effluent systems. Rain falling outside the animal shelter area should be directed away from the shelter's yard areas and effluent system.

A matter that requires particular attention is the disposal of waste water, which may be derived from the washdown of animal compounds, the removal of solid and liquid animal wastes, such as faeces and urine, and the washing and disinfecting of litter trays, or the like. Groundwater and/or surface water contamination can potentially occur through the disposal of veterinary and cleaning/pet care products, food additives, disinfectants and other chemicals.

Attached for your information is DoW Water Quality Protection Guideline No. 25 *'Waste management of kennel operations within the Jandakot UWPCA, 1998'*. Although the guideline is specific to the Jandakot area, there is general advice that may be applied to minimise the risk of groundwater contamination from animal shelter operations. Also attached is a South Australian publication *'Dog Keeping/Dog Kennels, EPA, 2007'*, which may also be useful for generic advice.

With respect to effluent disposal, in the absence of a reticulated sewerage system, DoW's preference is for the installation of ATU's, in lieu of conventional septic tank and leach drains systems. Consistent with the DoW's Water Quality Protection Note 70 *'Wastewater treatment and disposal: domestic systems, 2010'* (attached), onsite wastewater treatment and effluent disposal systems shall achieve appropriate vertical separation, measured from the base of the facilities to the top of the maximum (end of winter) water table. Please also note that I am awaiting flood advice for the lots, which I will forward by separate email.

In summary, the structure plan should be drafted with a view to the proponent needing to specifically address:

- potable water supply
- stormwater drainage
- waste water / effluent disposal.

In addition I understand that the site has previously been reported as a contaminated site. Although that report was unsubstantiated, it is worth bearing in mind as decisions are made about land use planning and development approvals. The local government will be aware of requirements of the *'Contaminated Sites Act 2003'*.

Finally, the subject lots are in an area mapped as having a moderate to low risk of acid sulphate soils (ASS) occurring within 3 m of natural soil surface. Disturbance during land development activities, particularly if dewatering is necessary, may require special management.

DoW looks forward to referral of the Structure Plan for comment in due course.

Brendan Kelly
Senior Natural Resource Management Officer
Department of Water, South West Region

T: 08 97264194 | (m) 0407219515 | www.water.wa.gov.au



Government of Western Australia
Department of Water

Lindsay Bergsma

From: South West Land Use Planning <southwest.landuse@water.wa.gov.au>
Sent: Tuesday, 12 August 2014 11:02 AM
To: Lindsay Bergsma
Subject: Proposed Structure Plan 'Animal Shelter' - Flood Advice
Attachments: FPM Preston Lot 120 on Plan 71852 Lot 549 South Western Hwy DAVENPORT enq.pdf; ATT00001.txt; ATT00002.htm

12th August 2014

Our Reference: WRD 251315, SRS 36890

To: Harley Dykstra

From: Department of Water

Attention: Lindsay Bergsma

RE: Proposed Structure Plan 'Animal Shelter' - Lot 120 on Deposited Plan 71852 and Lot 549 on Deposited Plan 213069, Bunbury

Dear Lindsay,

Further to our telephone conversation this morning and previous advice with regard to awaiting flood information.

The Preston River Flood Study shows that the 100 year ARI flood level at this location is estimated to be ~11.8 m AHD (see attached plan).

The approximate "development area" (shown in green on the attached plan) is located outside of the floodway.

Consequently, based on our floodplain management strategy for the area, proposed development (i.e. filling, building, etc) in the "development area" is considered acceptable with respect to major flooding.

However, a minimum habitable floor level of 12.3 m AHD is recommended to ensure adequate flood protection.

Based on the available contour information, the natural surface level at the location of the proposed animal welfare centre (animal shelter, office and cattery, located in the north-west corner of the "development area") is greater than 12.5 m AHD.

Consequently the proposed animal welfare centre is considered acceptable with respect to major flooding.

Please note that this advice is related to major flooding only and other planning issues may also need to be addressed.

Regards

Brendan Kelly

Senior Natural Resource Management Officer
Department of Water, South West Region

T: 08 97264194 | (m) 0407219515 | www.water.wa.gov.au



Government of Western Australia
Department of Water

APPENDIX D – CORRESPONDENCE FROM THE DEPARTMENT OF ABORIGINAL AFFAIRS



Government of Western Australia
Department of Aboriginal Affairs

ENQUIRIES: Lyndall Ford (08) 6551 8110

OUR REF: 14/0008-03

YOUR REF:

Mr Lindsay Bergsma
Planning Consultant
Harley Dykstra
PO Box 778
BUNBURY WA 6231

Dear Mr Bergsma

RE: ABORIGINAL HERITAGE SITE SEARCH – Proposed Structure Plan- Pt Lot 120 and Pt 549 SW Hwy, Davenport.

Thank you for your correspondence dated 29 July 2014 regarding the above mentioned site. I have reviewed the relevant information and I can confirm that there are Aboriginal sites registered with the Department of Aboriginal Affairs (DAA) within the area you have outlined.

DAA has released Cultural Heritage Due Diligence Guidelines (Guidelines) to assist you in your planning for future works. A copy of the Guidelines is attached. You can also find the Guidelines on the DAA website at:

http://www.daa.wa.gov.au/Documents/HeritageCulture/Heritage%20management/AHA_Due_Diligence_Guidelines.pdf

A key component of the guidelines is the Heritage Risk Assessment Matrix which you can use to determine whether your proposed activity may have an impact on Aboriginal heritage sites. Risk levels are ranked as low, medium or high and advice on how to proceed according to each category is given in the guidelines.

If it is likely a proposal may impact on Aboriginal heritage you may wish to consider altering your development plans to avoid damaging or altering any Aboriginal heritage sites. At this stage it is also recommended that you contact the DAA.

If it is determined that heritage surveys are required, it is recommended that suitably qualified consultants be engaged to conduct ethnographic and archaeological surveys of the area. If you are unfamiliar with the process, it is recommended that you discuss this with the DAA first. Such a survey would involve archival research, consultations with the appropriate Aboriginal people and on the ground inspections. The DAA is not able to recommend individual consultants, however contact details of the professional associations whose members do conduct surveys are enclosed.

If it is determined that a Section 18 Application must be submitted you can find more information regarding the lodgement process at:


<http://www.daa.wa.gov.au/en/Section-18-Applications>

Please be aware that all persons employed or engaged in the project should be made aware of their obligations under the AHA. Should cultural material or new sites be discovered either while undertaking the project or through any heritage surveys you may carry out, there is an obligation under Section 15 of the AHA to record and lodge site information with the DAA so that we can update our information and place these sites on the register. Further information about site recording and the AHA generally can be found on the DAA website at:

<http://www.daa.wa.gov.au/en/Heritage-and-Culture>

If you have any questions, please do not hesitate to contact me on (08) 6551 8110 or Lyndall.Ford@daa.wa.gov.au.

Yours sincerely


Lyndall Ford
Heritage Information Officer
4 August 2014



Search Criteria

2 Registered Aboriginal Sites in Coordinates search area (4): 377662.00mE, 6306335.00mN (zone 50) : 378252.00mE, 6306649.00mN (zone 50) : 378134.00mE, 6306831.00mN (zone 50) : 377754.00mE, 6306817.00mN (zone 50) : 377755.00mE, 6306830.00mN (zone 50) : 377732.00mE, 6306829.00mN (zone 50) : 377735.00mE, 6306813.00mN (zone 50) : 377668.00mE, 6306805.00mN (zone 50) : 377668.00mE, 6306789.00mN (zone 50) : 377647.00mE, 6306764.00mN (zone 50)

Disclaimer

The *Aboriginal Heritage Act 1972* preserves all Aboriginal sites in Western Australia whether or not they are registered. Aboriginal sites exist that are not recorded on the Register of Aboriginal Sites, and some registered sites may no longer exist.

The information provided is made available in good faith and is predominately based on the information provided to the Department of Aboriginal Affairs by third parties. The information is provided solely on the basis that readers will be responsible for making their own assessment as to the accuracy of the information. If you find any errors or omissions in our records, including our maps, it would be appreciated if you email the details to the Department at HeritageEnquiries@daa.wa.gov.au and we will make every effort to rectify it as soon as possible.

Copyright

Copyright in the information contained herein is and shall remain the property of the State of Western Australia. All rights reserved.

Coordinate Accuracy

Accuracy is shown as a code in brackets following the coordinates.



Aboriginal Heritage Inquiry System

Aboriginal Sites Database

Terminology (NB that some terminology has varied over the life of the legislation)

Place ID/ Site ID: This is a unique ID assigned by the Department of Aboriginal Affairs to the place

Status:

- o Registered Site: The place has been assessed as meeting Section 5 of the *Aboriginal Heritage Act 1972*
- o Other Heritage Place which includes:
 - Stored Data / Not a Site: The place has been assessed as not meeting Section 5 of the *Aboriginal Heritage Act 1972*
 - Lodged: Information has been received in relation to the place, but an assessment has not been completed at this stage to determine if it meets Section 5 of the *Aboriginal Heritage Act 1972*

Access and Restrictions:

- o File Restricted = No: Availability of information (other than boundary) that the Department of Aboriginal Affairs holds in relation to the place is not restricted in any way.
- o File Restricted = Yes: Some of the information that the Department of Aboriginal Affairs holds in relation to the place is restricted if it is considered culturally sensitive. This information will only be made available if the Department of Aboriginal Affairs receives written approval from the informants who provided the information. Download the [Request to Access Restricted Information](#) letter and form.
- o Boundary Restricted = No: place location is shown as accurately as the information lodged with the Registrar allows.
- o Boundary Restricted = Yes: To preserve confidentiality the exact location and extent of the place is not displayed on the map. However, the shaded region (generally with an area of at least 4km²) provides a general indication of where the place is located. If you are a landowner and wish to find out more about the exact location of the place, please contact DAA.
- o Restrictions:
 - No Restrictions: Anyone can view the information.
 - Male Access Only: Only males can view restricted information.
 - Female Access Only: Only females can view restricted information

Legacy ID: This is the former unique number that the former Department of Aboriginal Sites assigned to the place. This has been replaced by the Place ID / Site ID.



Aboriginal Heritage Inquiry System

Aboriginal Sites Database

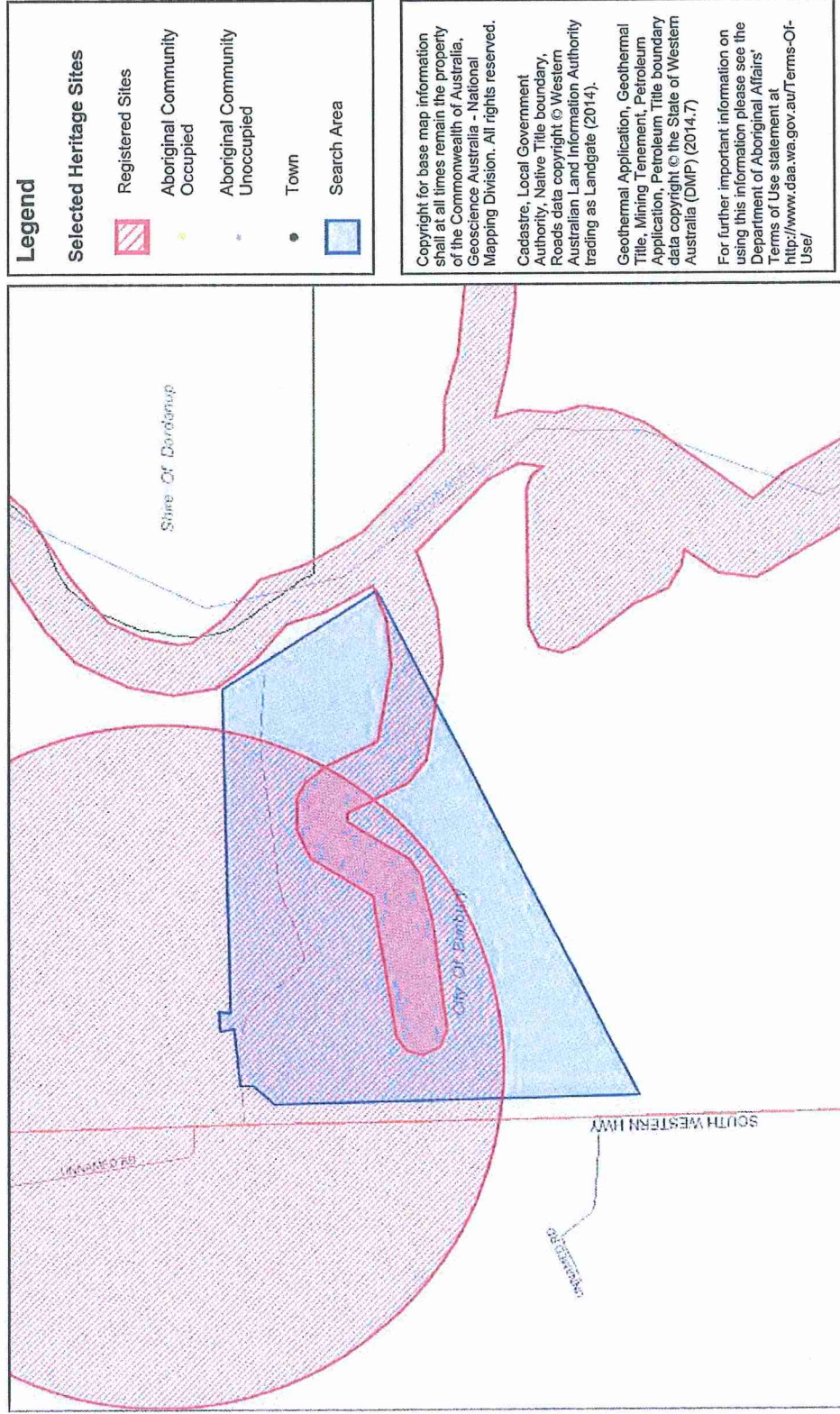
List of Registered Aboriginal Sites with Map

Site ID	Site Name	File Restricted	Boundary Restricted	Restrictions	Status	Site Type	Knowledge Holders	Coordinates	Legacy ID
4873	BUNBURY 23	No	No	No Gender Restrictions	Registered Site	Artefacts / Scatter	*Registered Knowledge Holder names available from DAA	377689mE 6306898mN Zone 50 [Unreliable]	S01756
19795	Preston River	No	No	No Gender Restrictions	Registered Site	Mythological	*Registered Knowledge Holder names available from DAA	400159mE 6290621mN Zone 50 [Reliable]	



Aboriginal Heritage Inquiry System

Aboriginal Sites Database





Search Criteria

0 Other Heritage Places in Coordinates search area (3): 377662.00mE, 6306335.00mN (zone 50) : 378252.00mE, 6306649.00mN (zone 50) : 378134.00mE, 6306831.00mN (zone 50) : 377754.00mE, 6306817.00mN (zone 50) : 377755.00mE, 6306830.00mN (zone 50) : 377732.00mE, 6306829.00mN (zone 50) : 377735.00mE, 6306813.00mN (zone 50) : 377668.00mE, 6306805.00mN (zone 50) : 377668.00mE, 6306789.00mN (zone 50) : 377647.00mE, 6306764.00mN (zone 50)

Disclaimer

The *Aboriginal Heritage Act 1972* preserves all Aboriginal sites in Western Australia whether or not they are registered. Aboriginal sites exist that are not recorded on the Register of Aboriginal Sites, and some registered sites may no longer exist.

The information provided is made available in good faith and is predominately based on the information provided to the Department of Aboriginal Affairs by third parties. The information is provided solely on the basis that readers will be responsible for making their own assessment as to the accuracy of the information. If you find any errors or omissions in our records, including our maps, it would be appreciated if you email the details to the Department at HeritageEnquiries@daa.wa.gov.au and we will make every effort to rectify it as soon as possible.

Copyright

Copyright in the information contained herein is and shall remain the property of the State of Western Australia. All rights reserved.

Coordinate Accuracy

Accuracy is shown as a code in brackets following the coordinates.



Aboriginal Heritage Inquiry System

Aboriginal Sites Database

Terminology (NB that some terminology has varied over the life of the legislation)

Place ID/Site ID: This is a unique ID assigned by the Department of Aboriginal Affairs to the place

Status:

- o **Registered Site:** The place has been assessed as meeting Section 5 of the *Aboriginal Heritage Act 1972*
- o **Other Heritage Place which includes:**
 - **Stored Data / Not a Site:** The place has been assessed as not meeting Section 5 of the *Aboriginal Heritage Act 1972*
 - **Lodged:** Information has been received in relation to the place, but an assessment has not been completed at this stage to determine if it meets Section 5 of the *Aboriginal Heritage Act 1972*

Access and Restrictions:

- o **File Restricted = No:** Availability of information (other than boundary) that the Department of Aboriginal Affairs holds in relation to the place is not restricted in any way.
- o **File Restricted = Yes:** Some of the information that the Department of Aboriginal Affairs holds in relation to the place is restricted if it is considered culturally sensitive. This information will only be made available if the Department of Aboriginal Affairs receives written approval from the informants who provided the information. Download the Request to Access Restricted Information letter and form.
- o **Boundary Restricted = No:** place location is shown as accurately as the information lodged with the Registrar allows.
- o **Boundary Restricted = Yes:** To preserve confidentiality the exact location and extent of the place is not displayed on the map. However, the shaded region (generally with an area of at least 4km²) provides a general indication of where the place is located. If you are a landowner and wish to find out more about the exact location of the place, please contact DAA.
- o **Restrictions:**
 - **No Restrictions:** Anyone can view the information.
 - **Male Access Only:** Only males can view restricted information.
 - **Female Access Only:** Only females can view restricted information

Legacy ID: This is the former unique number that the former Department of Aboriginal Sites assigned to the place. This has been replaced by the Place ID / Site ID.



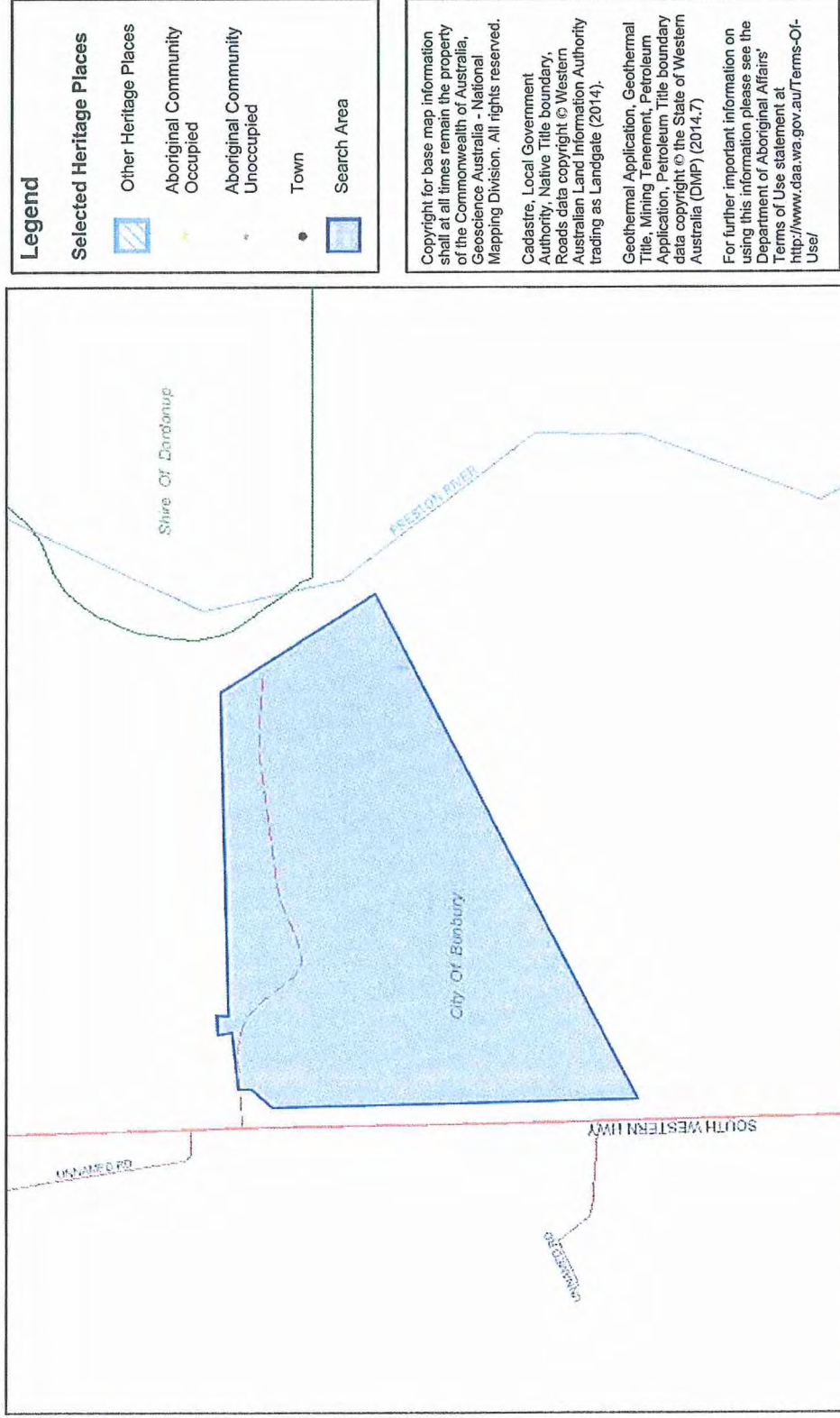
List of Other Heritage Places with Map

No Results



Aboriginal Heritage Inquiry System

Aboriginal Sites Database



APPENDIX E – CORRESPONDENCE FROM THE DEPARTMENT OF ENVIRONMENT REGULATION

Lindsay Bergsma

From: Rose, Tom <Tom.Rose@DER.wa.gov.au>
Sent: Wednesday, 24 September 2014 4:16 PM
To: Lindsay Bergsma
Cc: Sands, Alan; Popoff-Asotoff, Peter; Welsh, Neville; Hartnup, Daniel
Subject: Pt Lot 120 and 549 SW Highway Davenport - Proposed Structure Plan - DER comments

Importance: High

Lindsay

Hi. As discussed last week the following points are made with respect to this application seeking Department of Environment (DER) comments on the proposed Structure Plan.

1. There is no information provided with regards to noise levels. A technical acoustic report would be needed to provide information on the suitability of any future or proposed development/land use in that regard. There is also little differentiation between the structure plan proposal and proposed development land use. While not strictly relevant to the environmental issues of noise, contamination and vegetation clearing, there may be implications for planning and management that may affect DER's consideration of this referral.
2. Based on DER's understanding of the location, major noise sources are likely to be from airplanes as the location is in, near or possibly underneath the flight path of planes utilising the local airport (reference to Australian Standards AS2021 may help in this regard). Another source may be its proximity to the highway. Lastly, the proposed animal shelter/refuge/cattery is likely to generate or emit noise that may affect nearby sensitive receptors or homes within the area. Reference to the Environmental Protection Agency's *Guidance for the Assessment of Environmental Factors No3* (2005) may help clarify this. However, it is noted that sensitive receptors are likely to be outside of recommended noise buffers. Should a residence or caretaker home be built adjacent to the refuge than noise may be an issue for those residents. Again reference to the *Environmental Protection (Noise) Regulations 1997* may help.
3. With regards to contamination, acid sulphate soils or clearing of vegetation, there appear to be no issues.
4. Since noise (in particular airplane noise) may be an issue if residents/caretakers decide to live near or by the wildlife refuge, it is suggested the City of Bunbury have their Environmental Health Officers assess the proposal and determine any relevant conditions or those needing to be acknowledged by any caretakers or residents staying at the refuge be made before approval.
5. Based on the information provided, the proposed development does not constitute any necessity to apply for a future works approval nor is it likely to be a prescribed premises as defined under Part V of the *Environmental Protection Action 1986* or *Environmental Protection Regulations 1987*. However, DER is responsible for regulating and controlling unauthorised discharges that can harm the environment under the *Environmental Protection (Unauthorised Discharges) Regulations 2004* (UDRs). Given the regions sensitivity to nutrient enrichment, contaminant pollution, and the financial penalties for UDRs as well as any local government controls or regulations, DER emphasises the need to ensure accountability and contingency capacity for any future development in that locality.

In summary noise is the main consideration. The referral in its current shape does not indicate any existing contamination or clearing issues but indicates noise as a possible issue. It is suggested that if the caretakers or residents provide explicit acknowledgement of this to the satisfaction of the local government, this issue may be managed at that level. If the City is seeking more specific information and feedback on noise issues than a technical acoustic report is required.

This advice does not constitute an approval until a formal works approval application – assessment process has been provided to and undertaken by DER. Since this does not appear to be necessary, this advice is provided to help ensure a satisfactory environmental outcome is achieved.

Thank you for your consideration and if you have any further questions please do not hesitate to contact me on 6467-5287 or the DER Bunbury Office on 9725-4300.

Regards

Tom Rose

Advice Coordinator and Land Use Planning Advice Coordinator

Advice.Coordinator@DER.wa.gov.au

LUP.Advice@der.wa.gov.au

Department of Environment Regulation

Licensing and Approvals - Executive

Atrium - 7th Floor

168 St Georges Terrace, Perth WA 6000

Phone - 6467-5287

Tom.rose@der.wa.gov.au

APPENDIX F – PRELIMINARY/CONCEPT DEVELOPMENT PLAN OF ANIMAL WELFARE SHELTER



LOCATION OF PROPOSED
ANIMAL SHELTER AND OFFICE
LOCATION OF PROPOSED
CATTERY.



LOT 120
19.779ha

SOUTHWESTERN HIGHWAY



2

LOCATION DIAGRAM

1 : 6000

GENERAL NOTES

BUILDER MUST CHECK AND CONFIRM EXISTING LEVELS ON SITE PRIOR TO COMMENCING ANY WORKS. REPORT ANY DISCREPANCIES TO THE SUPERINTENDENT AND SEEK INSTRUCTION PRIOR TO PROCEEDING.

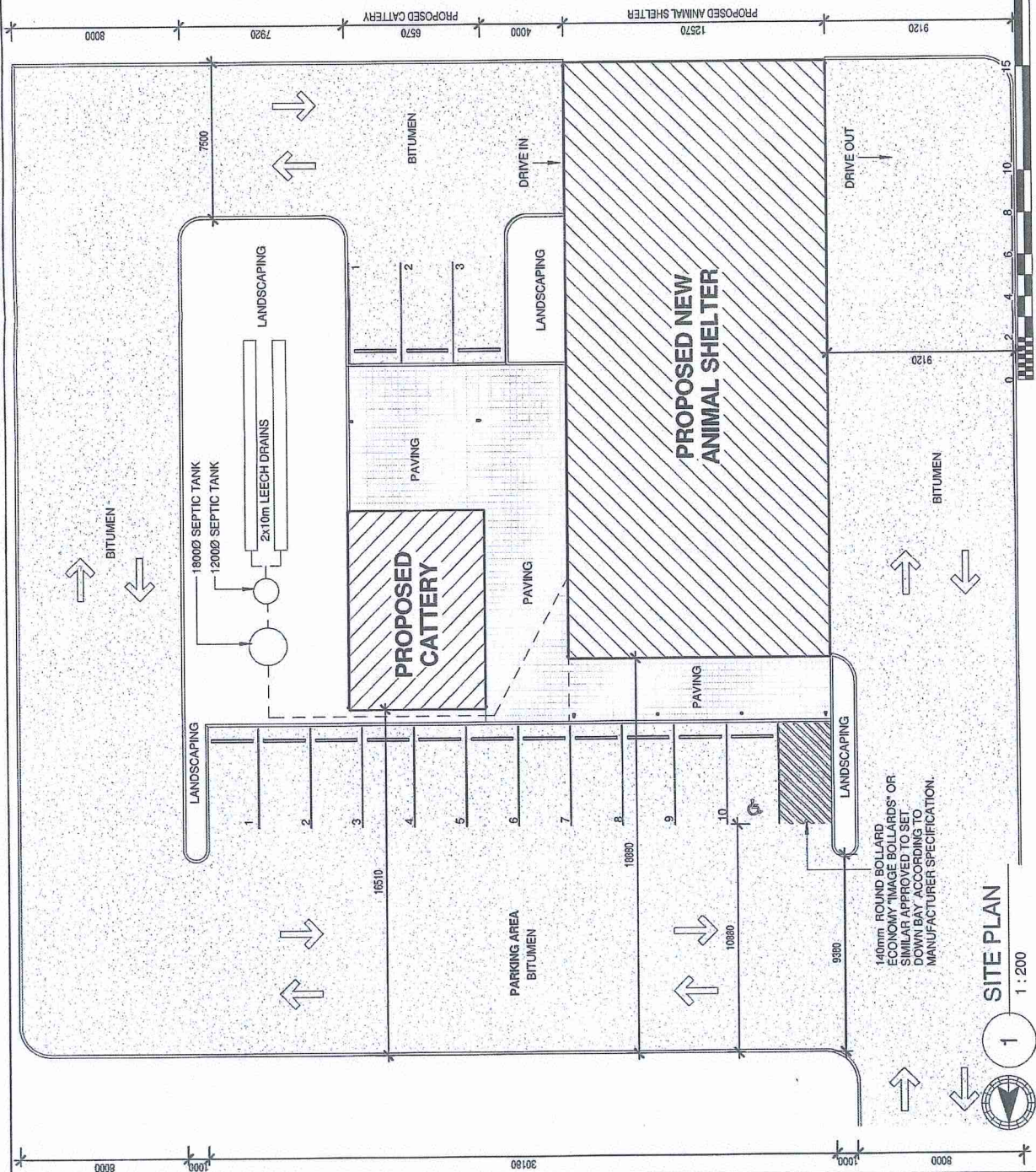
BUILDER MUST VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK OR THE PRODUCTION OF ANY SHOP DRAWINGS. REPORT ANY DISCREPANCIES TO THE SUPERINTENDENT AND SEEK INSTRUCTION PRIOR TO PROCEEDING.

ALL WORKMANSHIP AND MATERIALS TO BE IN ACCORDANCE WITH THE MOST CURRENT BUILDING REGULATIONS AND RELEVANT S.A.A CODES AND AUSTRALIAN STANDARDS INCLUDING AMENDMENTS.

THE AUTHORIZED REQUIREMENTS OF LOCAL AUTHORITIES AND OTHER STATUTORY AUTHORITIES ARE TO BE COMPLIED WITH.

DO NOT SCALE DRAWINGS.

30 THIS DESIGN IS COPYRIGHT AND SHALL NOT BE REPRODUCED WITH OUT THE WRITTEN PERMISSION OF VEENS DESIGN DRAFTING.



SITE PLAN

1 : 200



NORTH

Project Name

ANIMAL WELFARE SHELTER
LOT 120 SOUTHWESTERN HWY
FOR THE CITY OF BUNBURY

SITE PLAN

Date

Description

No.

VEEN'S
Design Drafting Service
For all your professional design requirements

PHONE: 9721 2525 FAX: 9721 2527
Email: admin@veensdesigndrafting.com.au
SUITE 1 - 25 CAREY STREET, BUNBURY, 6230
www.veensdesigndrafting.com.au

Project number 8012-12
Date APRIL 2014
Drawn by AR
Checked by RV
Scale As indicated
ON A3 SHEET

A3-A001

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET

Scale

AR

RV

ON A3 SHEET