



LG Ref: 5/2022/274/1  
DAP Ref: DAP/22/02403  
Enquiries: (08) 6551 9919

Mr Steven DePiazzi  
Urbanista Town Planning  
Level 1, 231 Bulwer Street, Perth, WA, 6000

Dear Mr DePiazzi

**REGIONAL JDAP - CITY OF BUNBURY - DAP APPLICATION - 5/2022/274/1 - DETERMINATION**

Property Location:	No.6 (Lot 10) Mossop Street and No.83 (Lot 40) Mangles Street, South Bunbury
Application Details:	Proposed Child Care Premises

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Bunbury on 15 December 2022 for the above-mentioned development.

This application was considered by the Regional JDAP at its meeting held on 23 March 2023, where in accordance with the provisions of the City of Bunbury Local Planning Scheme No.8, it was resolved to **refuse** the application as per the attached notice of determination.

Please be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the reasons for refusal, please contact Ms Matilda Hodge on behalf of the City of Bunbury on 08 9792 7015.

Yours sincerely,

**DAP Secretariat**

29 March 2023

Encl. DAP Determination Notice  
Refused Plans

Cc: Ms Matilda Hodge  
City of Bunbury

***Planning and Development Act 2005***

**City of Bunbury Local Planning Scheme No.8**

**Regional Joint Development Assessment Panel**

**Determination on Development Assessment Panel  
Application for Planning Approval**

**Property Location:** No.6 (Lot 10) Mossop Street and No.83 (Lot 40) Mangles Street, South Bunbury

**Application Details:** Child Care Premises

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **refused** on 23 March 2023, subject to the following:

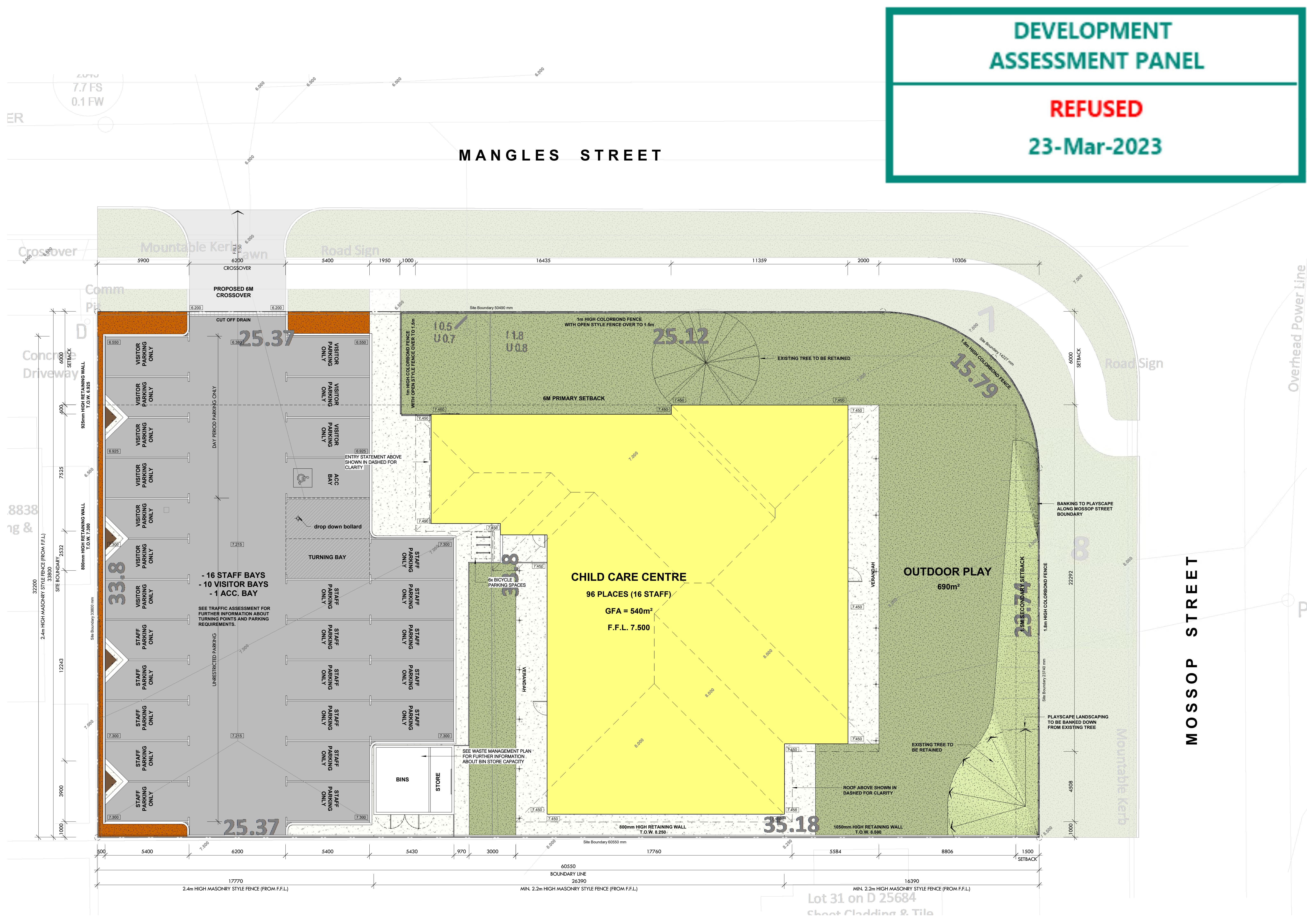
**Refuse** DAP Application reference RJDAP/22/2403 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Bunbury Local Planning Scheme No. 8, for the following reasons:

**Reasons**

1. The proposed Child Care Premises is inconsistent with the City of Bunbury Local Planning Scheme No. 8 with respect to:
  - a. A Child Care Premises is an 'A' use within Table 3 Zoning Table. It is considered that the proposal will have a detrimental impact on the amenity of the residents in the locality by way of increased noise and traffic. The scale of the commercial land use is not considered compatible with the existing residential area.
  - b. Clause 16 – Objectives of the Residential Zone which includes:
    - i. *'to facilitate high quality design, built form and streetscape'* It is considered the proposed solid fencing and car parking within the front setback area has a negative impact on the streetscape and is not in keeping with the residential character of the area;
    - ii. *'to provide for a range of non-residential uses, which are compatible with and complimentary to residential development'* It is considered the scale of the commercial land use is not complimentary to residential development in respect to the degree of noise and traffic that will be generated by the development; and
    - iii. *'to preserve and enhance residential amenity'*. It is considered the scale of the proposal is not in an appropriate location and would result in the creep of a commercial land use into the residential zone.

2. The proposed Child Care Premises does not comply with the objective of the City of Bunbury Local Planning Policy 5.4 – Non-Residential Development Adjoining Residential Development ‘to ensure the provision of an acceptable level of physical separation and suitable interface treatment between non-residential and residential land uses and development’. It is considered that the 1.5m southern setback in lieu of the 3m required (CI 5.2.2) does not provide for a sufficient physical separation.
3. The proposed Child Care Premises does not meet CI 67 (2) (m) and (n) of the Planning and Development (Local Planning Schemes) Regulations 2015. The accumulated impacts associated with noise, traffic, car parking and impacts on the streetscape in conjunction with the scale of the proposal for 96 children, is not considered compatible with the ‘Residential’ zone and will have a negative impact on amenity.
4. The proposed Child Care Premises does not meet CI 67(c) of the Planning and Development (Local Planning Schemes) Regulations 2015 as it does not align with the relevant objectives of SPP7.
5. In giving due regard to the matters to be considered under clause 67(y), Schedule 2, Part 9 of the Planning and Development (Local Planning Schemes) Regulations the proposed development will have an undue impact on residential amenity.





**SITE PLAN**  
SCALE: 1 : 100

**SITE CRITERIA**

<b>1. Site Area</b> a. Site Area	2024.9m²
<b>2. Landscaping</b> a. Required 10% of Site Area b. Provided Soft Hard	202.5m² 663.6m² (32.7%) 193.8m² 857.4m²
<b>3. Floor Area (GFA)</b> a. Area required b. Area provided	540m² 540m²
<b>4. Carparking</b> i. Cars Required a. 1:1 Staff b. 1:10 Kids Total Car required ii. Cars Provided a. Staff b. Visitors	16 Staff Cars 11 Visitors cars 27 Cars 16 Cars 11 Cars 27 Cars

**CHILD CARE CRITERIA**

<b>1. Centre capacity</b> a. Number of places	96 places
<b>2. Landscaping</b> a. Required 7m² :1 child b. Provided Total m² provided per child	672m² 680m² 7.19 m²
<b>3. Floor Area (GFA)</b> a. Area required b. Area provided	312m² 312.78m²
<b>4. Room distribution</b> a. Room 0-24 m Number of places Staff provided b. Room 24 - 36 m Number of places Staff required c. Room +3y Number of places Staff required d. Room +3y Number of places Staff required	1:4 Staff 4 Staff 1:5 Staff 20 Places 4 Staff 30 Places 1:10 Staff 3 Staff 1:10 Staff 30 Places 1:10 Staff 3 Staff
<b>Total places</b> <b>Total Staff (+2 Staff (Chef, Manager))</b>	96 Places 16 Places

**Landscaping**  
A. Hard Landscaping  
Defined as paved walkways either open or covered.  
B. Soft Landscaping  
Defined as vegetative landscaping.

**Gross Floor Area - GFA**  
A. All Floor Areas on this plan are shown as GROSS FLOOR AREA.  
Unless otherwise noted as Net Floor Area.  
B. Definition of Gross Floor Area is defined as:  
GROSS FLOOR AREA OF TENANCY:  
Gross Floor Area of an individual Tenancy is defined as the area contained between the centre line of common tenancy walls and the outside edge of external walls.  
a. GROSS FLOOR AREA OF A BUILDING:  
Gross Floor Area of a Building is defined as the total area contained between the outside edge of external walls.

**Net Floor Area - NFA**  
A. Net Floor Area of a Tenancy on this plan is defined as the area between external or tenancy dividing walls.  
B. This area is inclusive of toilets if the toilets are exclusive to the Tenancy.

**SITE DESIGN CHECKLIST**

- ☐ 1. SEWER MAINS LOCATION TO BE DETERMINED
- ☐ 2. FIRE MAINS PRESSURE TEST REQUIRED
- ☐ 3. FIRE TANKS OR PUMPS TO BE DETERMINED
- ☐ 4. WESTERN POWER TRANSFORMER LOCATION TO BE DETERMINED
- ☐ 5. CROSSOVER & ACCESS TO STREET TO BE DETERMINED BY LOCAL AUTHORITY
- ☐ 6. FULL FEATURE SITE SURVEY REQUIRED
- ☐ 7. DIAL BEFORE YOU DIG REQUIRED
- ☐ 8. BUSHFIRE ATTACK LEVEL (BAL) TO BE DETERMINED
- ☐ 9. STREET POWER POLES TO BE DETERMINED
- ☐ 10. SITE ZONING & USE TO BE DETERMINED

NOTE: Any of the following items that do not have an 'X' in the provided square require determination.

**LEGEND**

- BUILDING FOOTPRINT - SHOWROOM / WAREHOUSE / FACTORY
- BUILDING FOOTPRINT - OFFICE
- EXTENT OF CONCRETE HARDSTAND
- EXTENT OF ROADBASE HARDSTAND
- EXTENT OF BITUMEN PAVING
- EXTENT OF CERAMIC TILES
- EXTENT OF BRICK PAVING / CONCRETE PAVING
- EXTENT OF LANDSCAPING

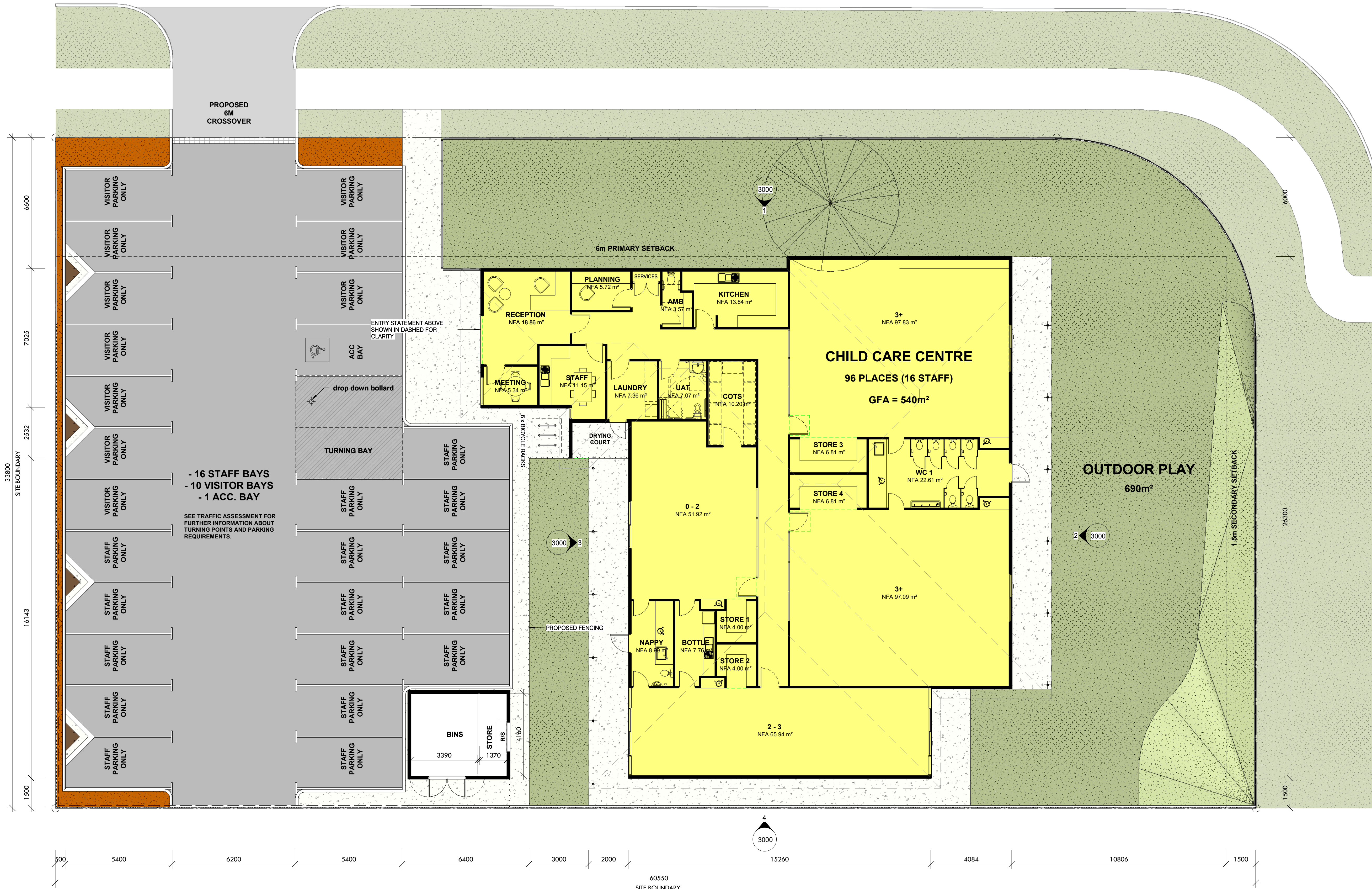


# DEVELOPMENT ASSESSMENT PANEL

**REFUSED**  
**23-Mar-2023**

MANGLES STREET

MOSSOP STREET



**GROUND FLOOR PLAN**  
SCALE: 1 : 100

## SITE CRITERIA

1. Site Area	2024.9m <sup>2</sup>
a. Site Area	
2. Landscaping	202.5m <sup>2</sup>
a. Required 10% of Site Area	
b. Provided	663.6m <sup>2</sup> (32.7%)
Soft	193.8m <sup>2</sup>
Hard	657.4m <sup>2</sup>
Total	
3. Floor Area (GFA)	540m <sup>2</sup>
Total	
4. Carparking	
i. Cars Required	16 Staff Cars
a. 1:1 Staff	11 Visitors cars
b. 1:10 Kids	27 Cars
Total Car required	
ii. Cars Provided	
a. Staff	16 Cars
b. Visitors	11 Cars
Total	27 Cars

## CHILD CARE CRITERIA

1. Centre capacity	96 places
a. Number of places	
2. Landscaping	672m <sup>2</sup>
a. Required 7m <sup>2</sup> :1 child	690m <sup>2</sup>
b. Provided	7.19 m <sup>2</sup>
Total m <sup>2</sup> provided per child	
3. Floor Area (GFA)	312m <sup>2</sup>
a. Area required	312.78m <sup>2</sup>
b. Area provided	
4. Room distribution	
a. Room 0-24 m	
Number of places	16 Places
Staff required	1:4 Staff
Staff provided	4 Staff
b. Room 24 - 36 m	
Number of places	20 Places
Staff required	1:5 Staff
Staff provided	4 Staff
c. Room +3y	
Number of places	30 Places
Staff required	1:10 Staff
Staff provided	3 Staff
d. Room +3y	
Number of places	30 Places
Staff required	1:10 Staff
Staff provided	3 Staff
Total places	96 Places
Total Staff (+2 Staff (Chef, Manager))	16 Places

Landscaping  
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## LEGEND

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	BUILDING FOOTPRINT - OFFICE
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	EXTENT OF ROADBASE HARDSTAND
	EXTENT OF BITUMEN PAVING
	EXTENT OF CERAMIC TILES
	EXTENT OF BRICK PAVING / CONCRETE PAVING
	EXTENT OF LANDSCAPING



## 23-Mar-2023

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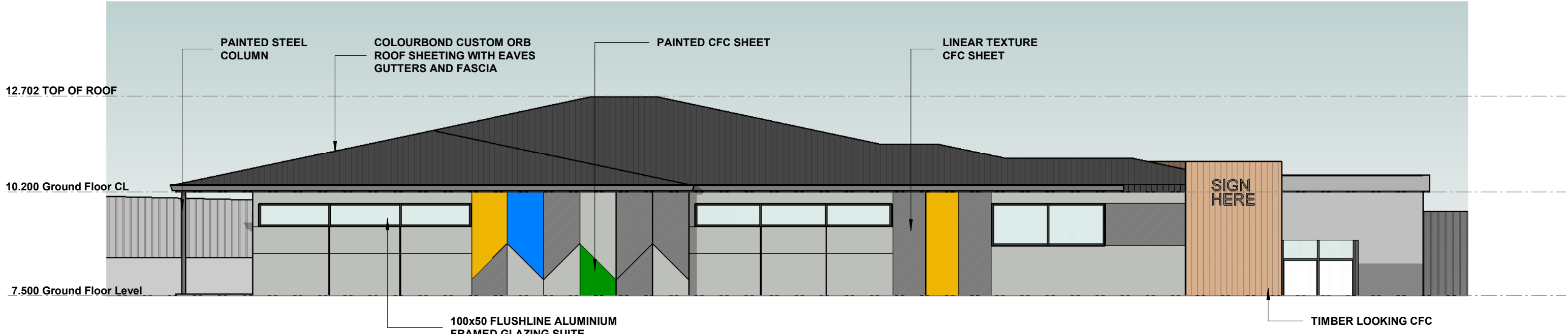
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REVISION: SK004 **22-9094**  
SHEET: 2001 © Meyer Shircore & Associates ACN 115 189 216  
SCALE: 1:100 Suite 2, Ground Floor 437 Roberts Road, Subiaco WA 6008  
PO Box 1284 Subiaco WA 6904  
(08)3831 8511 [info@meyershircore.com.au](mailto:info@meyershircore.com.au)



DEVELOPMENT  
ASSESSMENT PANEL

REFUSED

23-Mar-2023



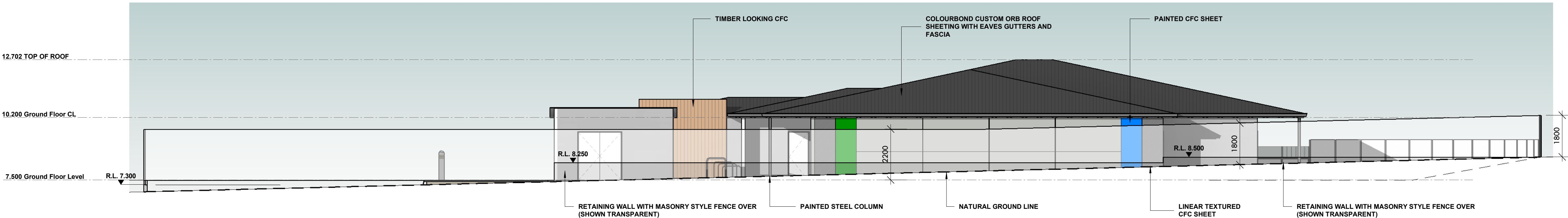
**NORTH ELEVATION**

SCALE: 1 : 100



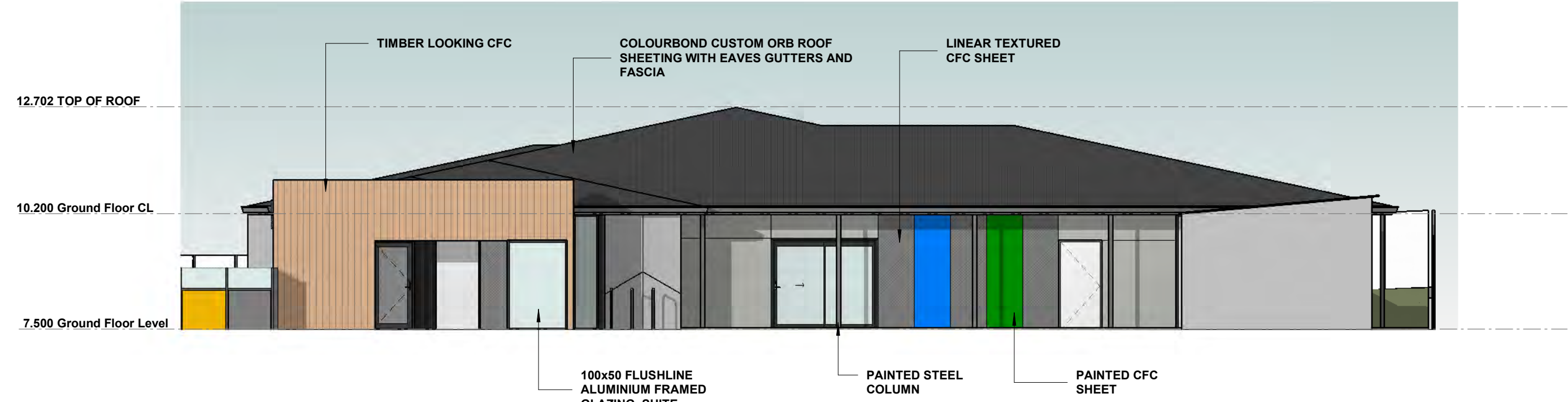
**EAST ELEVATION**

SCALE: 1 : 100



**SOUTH ELEVATION**

SCALE: 1 : 100



**WEST ELEVATION**

SCALE: 1 : 100



DEVELOPMENT  
ASSESSMENT PANEL

REFUSED

23-Mar-2023



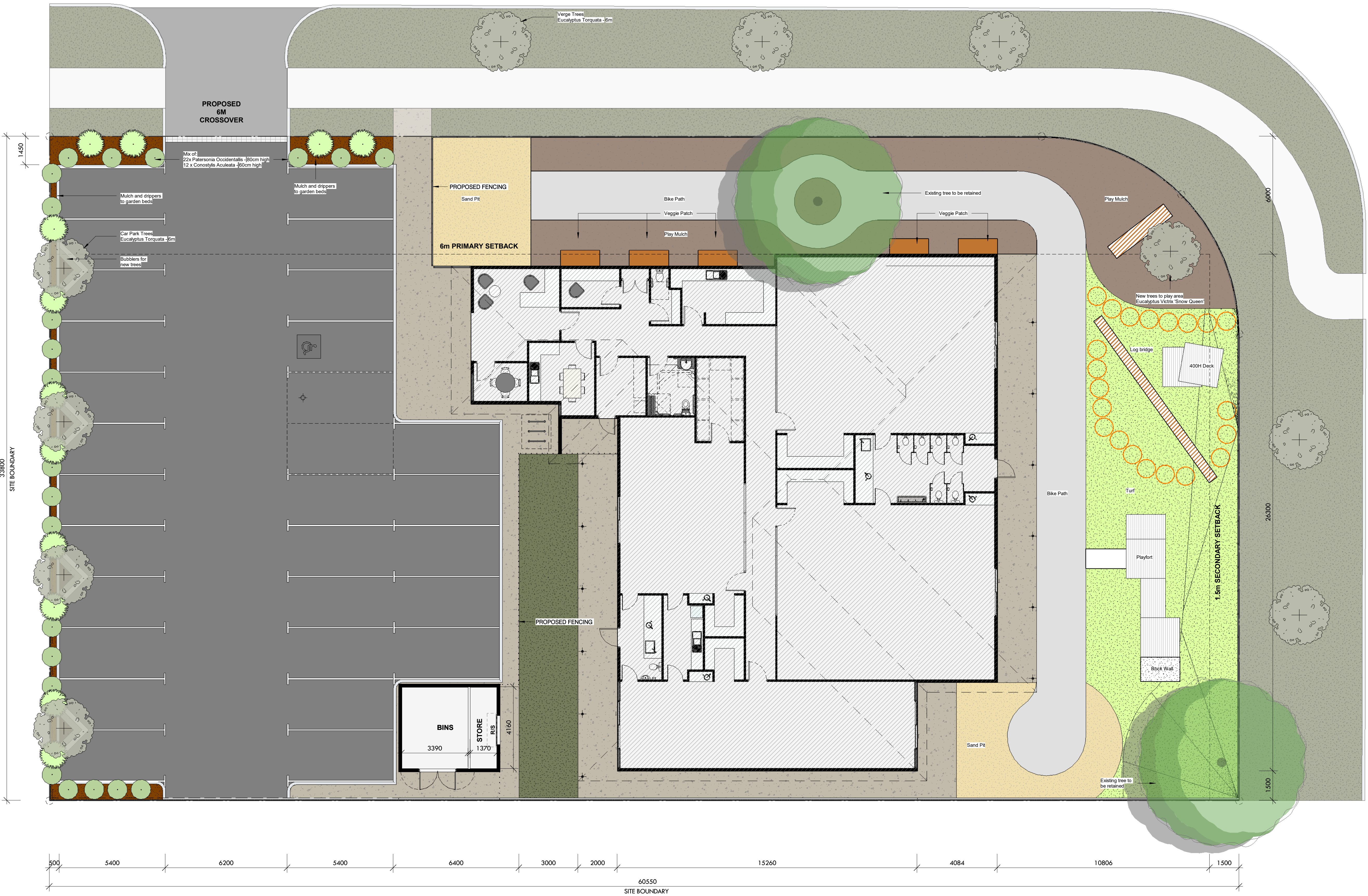


DEVELOPMENT  
ASSESSMENT PANEL

REFUSED

23-Mar-2023

MANGLES STREET



GROUND FLOOR PLAN

SCALE: 1 : 100

