

Lot 74 Beddingfield Street, Davenport Structure Plan

LEGEND

- AREA
- FLOODWAY LIMIT
- EXTENT OF 100 YEAR ARI FLOOD
- 18m ABOVE GROUND POWER EASEMENT
- REGIONAL OPEN SPACE
- PRECINCT 1: Development Site Area
- PRECINCT 2: Balance Title - Subject to a further Structure Plan)



Adopted by Resolution of the City of Bunbury
at the Ordinary meeting of the Council
held on the 14 day of April 2009
Mayor [Signature]
CEO [Signature]

FIGURE 3

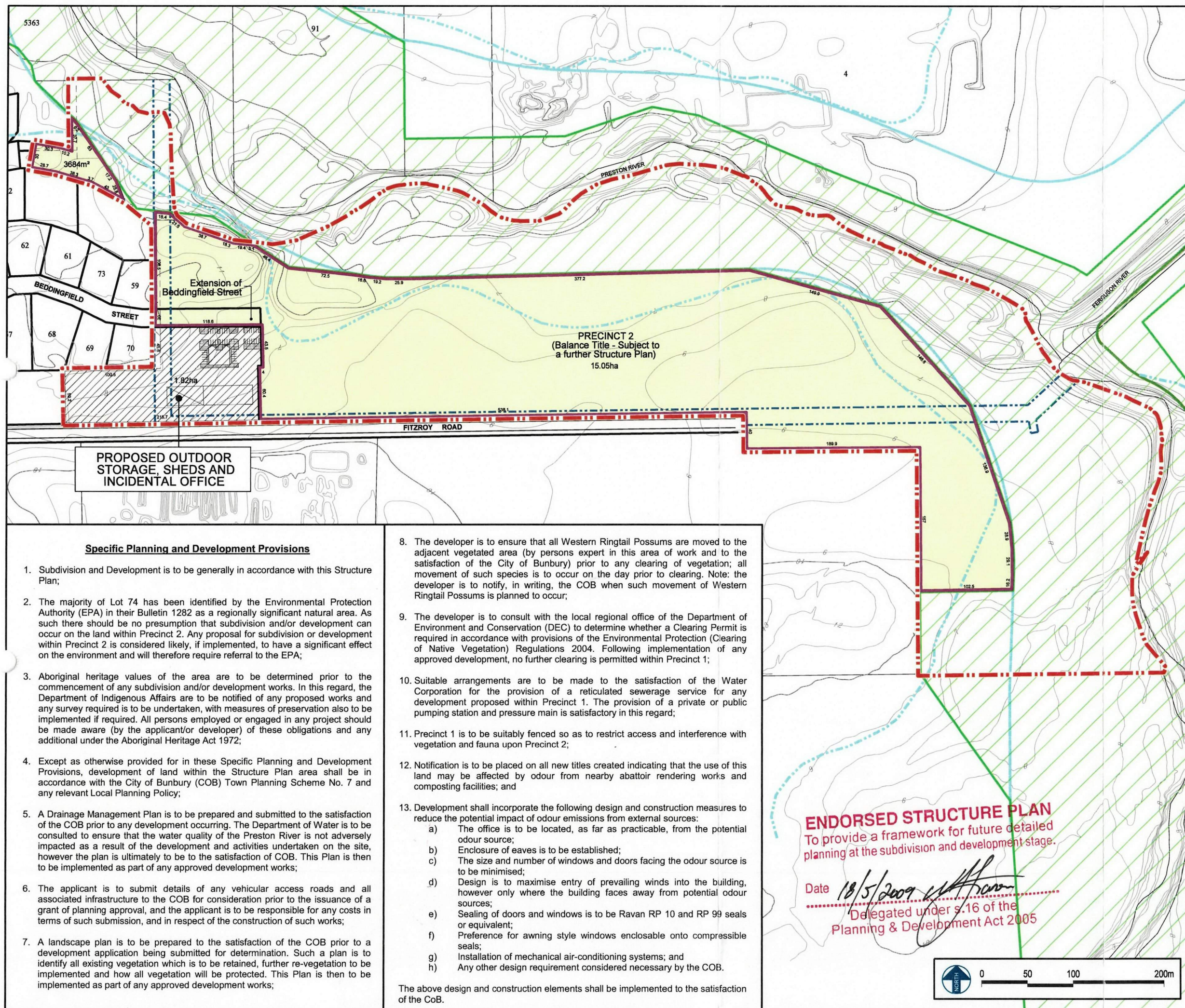
Vardaro
Nominees Pty Ltd : CLIENT
1:4,000@A3 : SCALE
18 March 2009 : DATE
dw-11219-2-002i : PLAN No
i : REVISION
K.K : PLANNER
M.H : DRAWN

Base data supplied by Landgate

Projection MGA Zone 50

Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

The concepts presented in this plan remain the © copyright of RPS Koltasz Smith.
No copies in whole or in part may be made without RPS Koltasz Smith's permission.



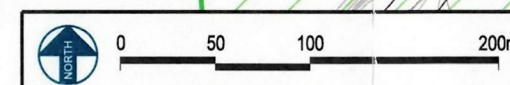
Specific Planning and Development Provisions

1. Subdivision and Development is to be generally in accordance with this Structure Plan;
2. The majority of Lot 74 has been identified by the Environmental Protection Authority (EPA) in their Bulletin 1282 as a regionally significant natural area. As such there should be no presumption that subdivision and/or development can occur on the land within Precinct 2. Any proposal for subdivision or development within Precinct 2 is considered likely, if implemented, to have a significant effect on the environment and will therefore require referral to the EPA;
3. Aboriginal heritage values of the area are to be determined prior to the commencement of any subdivision and/or development works. In this regard, the Department of Indigenous Affairs are to be notified of any proposed works and any survey required is to be undertaken, with measures of preservation also to be implemented if required. All persons employed or engaged in any project should be made aware (by the applicant/or developer) of these obligations and any additional under the Aboriginal Heritage Act 1972;
4. Except as otherwise provided for in these Specific Planning and Development Provisions, development of land within the Structure Plan area shall be in accordance with the City of Bunbury (COB) Town Planning Scheme No. 7 and any relevant Local Planning Policy;
5. A Drainage Management Plan is to be prepared and submitted to the satisfaction of the COB prior to any development occurring. The Department of Water is to be consulted to ensure that the water quality of the Preston River is not adversely impacted as a result of the development and activities undertaken on the site, however the plan is ultimately to be to the satisfaction of COB. This Plan is then to be implemented as part of any approved development works;
6. The applicant is to submit details of any vehicular access roads and all associated infrastructure to the COB for consideration prior to the issuance of a grant of planning approval, and the applicant is to be responsible for any costs in terms of such submission, and in respect of the construction of such works;
7. A landscape plan is to be prepared to the satisfaction of the COB prior to a development application being submitted for determination. Such a plan is to identify all existing vegetation which is to be retained, further re-vegetation to be implemented and how all vegetation will be protected. This Plan is then to be implemented as part of any approved development works;
8. The developer is to ensure that all Western Ringtail Possums are moved to the adjacent vegetated area (by persons expert in this area of work and to the satisfaction of the City of Bunbury) prior to any clearing of vegetation; all movement of such species is to occur on the day prior to clearing. Note: the developer is to notify, in writing, the COB when such movement of Western Ringtail Possums is planned to occur;
9. The developer is to consult with the local regional office of the Department of Environment and Conservation (DEC) to determine whether a Clearing Permit is required in accordance with provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. Following implementation of any approved development, no further clearing is permitted within Precinct 1;
10. Suitable arrangements are to be made to the satisfaction of the Water Corporation for the provision of a reticulated sewerage service for any development proposed within Precinct 1. The provision of a private or public pumping station and pressure main is satisfactory in this regard;
11. Precinct 1 is to be suitably fenced so as to restrict access and interference with vegetation and fauna upon Precinct 2;
12. Notification is to be placed on all new titles created indicating that the use of this land may be affected by odour from nearby abattoir rendering works and composting facilities; and
13. Development shall incorporate the following design and construction measures to reduce the potential impact of odour emissions from external sources:
 - a) The office is to be located, as far as practicable, from the potential odour source;
 - b) Enclosure of eaves is to be established;
 - c) The size and number of windows and doors facing the odour source is to be minimised;
 - d) Design is to maximise entry of prevailing winds into the building, however only where the building faces away from potential odour sources;
 - e) Sealing of doors and windows is to be Ravan RP 10 and RP 99 seals or equivalent;
 - f) Preference for awning style windows enclosable onto compressible seals;
 - g) Installation of mechanical air-conditioning systems; and
 - h) Any other design requirement considered necessary by the COB.

The above design and construction elements shall be implemented to the satisfaction of the CoB.

ENDORSED STRUCTURE PLAN
To provide a framework for future detailed planning at the subdivision and development stage.

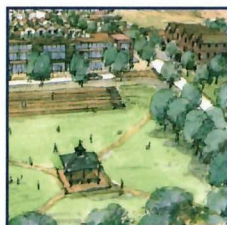
Date 18/5/2009
Delegated under s.16 of the Planning & Development Act 2005



LOCAL STRUCTURE PLAN REPORT

Lot 74 Beddington Street,
DAVENPORT

November 2008



Lot 74 Beddingfield Street
DAVENPORT

Local Structure Plan Report

November 2008

Prepared for

Correct Line Contracting

Prepared by

koltasz smith

Development Consultants,

Town Planners & Project Managers

A.C.N. 009 161 139

141 Burswood Road

BURSWOOD WA 6100

Telephone: (08) 9486 2222

Facsimile: (08) 9486 2233

Email: perth@ksap.com.au

TABLE OF CONTENTS

1.	INTRODUCTION	1
2.	SITE DESCRIPTION	2
2.1	Background.....	2
2.2	Description.....	2
2.3	Existing Landuse	2
3.	PREVIOUS APPLICATIONS	3
3.1	Local Structure Plan.....	3
3.2	Development Application.....	3
4.	PROPOSAL	4
4.1	Local Structure Plan.....	4
5.	STATUTORY AND STRATEGIC CONSIDERATIONS.....	5
5.1	Statutory Considerations	5
5.1.1	City of Bunbury Town Planning Scheme No. 7	5
5.1.2	Greater Bunbury Region Scheme (GBRS)	12
5.2	Preston Industrial Park Structure Plan.....	12
6.	SERVICING REQUIREMENTS	14
6.1	Western Power Infrastructure	14
6.2	Wastewater Infrastructure	14
6.3	Water Supply	14
6.4	Drainage.....	14
6.5	Road Works	14
7.	ENVIRONMENTAL ISSUES	15
7.1	Flora and Threatened Ecological Communities.....	15
7.2	Preston River	15
7.3	Groundwater	16
7.4	Odour	16
8.	SUMMARY	18

Appendix A	Certificate of Title
Appendix B	Original Local Structure Plan March 2007
Appendix C	Precinct 1: Development Application
Appendix D	Wastewater Disposal
Appendix E	GHD Environmental Assessment and EPA Advice
Appendix F	Comments from Dept. for Environment Conservation Regarding Odour

1. INTRODUCTION

RPS Koltasz Smith has been commissioned by Correct Line Contracting to prepare and lodge a Local Structure Plan ("the LSP") for Lot 74 Beddingfield Street, Davenport. The purpose of the LSP is only to facilitate the development of a small portion of the site adjoining the existing Beddingfield Industrial Area for outdoor storage, storage sheds and an incidental office. The balance of the site is intended to be set aside pending resolution of environmental issues recently identified by the Environmental Protection Authority via Section 16e Advice pertaining to the proposed Preston Industrial Park Structure Plan.

The Site is zoned "Industry" and is located to the south of the Preston River and immediately east of the Beddingfield Industrial Area. The Site has been zoned for industry for several decades via successive town planning schemes.

The LSP and accompanying report has been prepared with supporting environmental input from GHD.

2. SITE DESCRIPTION

2.1 Background

The Site is identified as Lot 74 Beddingfield Street, Davenport and is 30.769 ha. It is located approximately 6 kilometres south east of the Bunbury town Site, and falls within the local government area of the City of Bunbury (Refer Figure 1: Location).

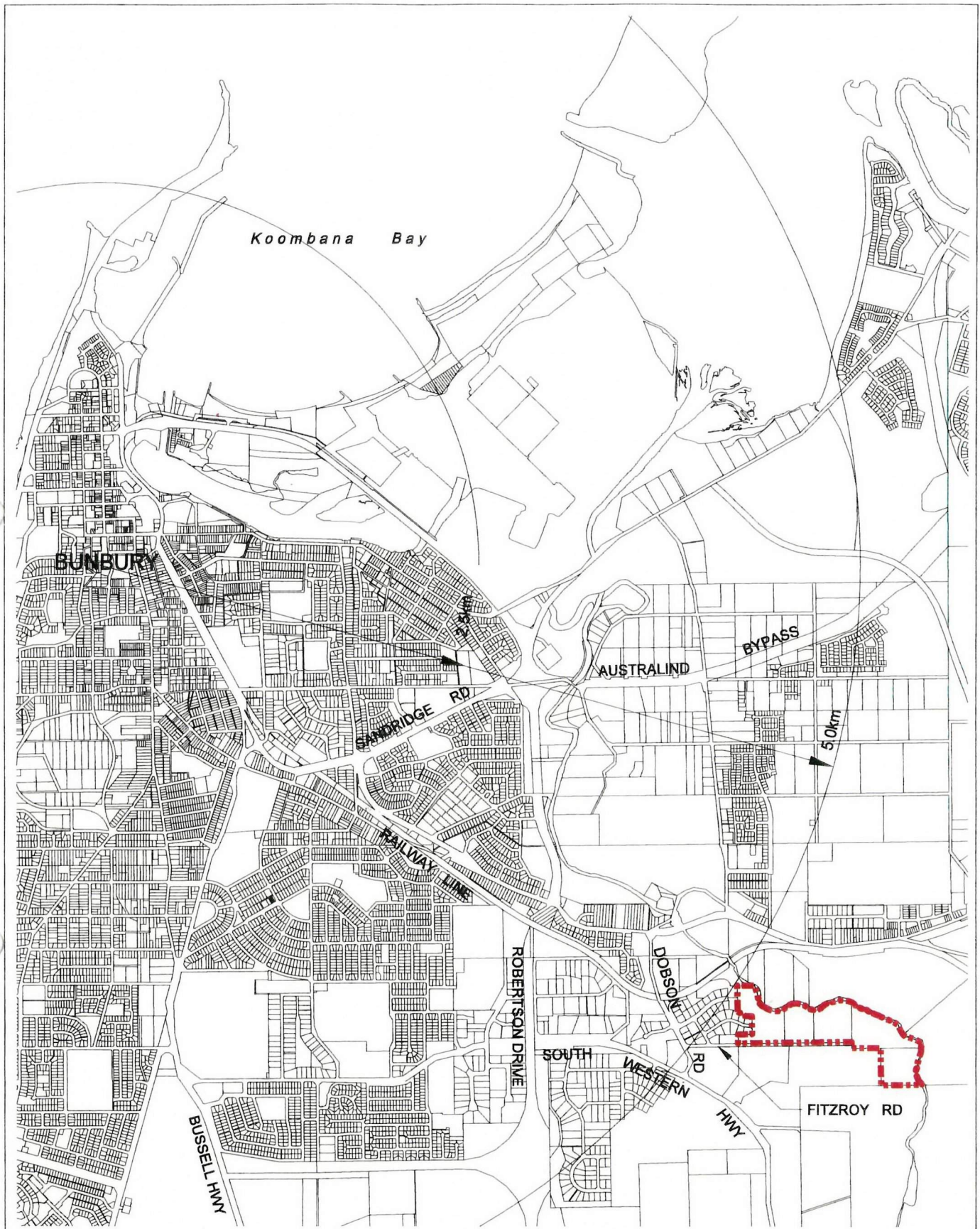
It is intended to only develop a small part of the Site adjoining the Beddingfield Industrial Area. A portion of this area contains remnant vegetation. The intention to clear the vegetation has been subject to a Section 38 (1) application and is discussed in greater detail below.

2.2 Description

The Site is formally described as Lot 74 on Deposited Plan 40593. A copy of the Certificate of Title is attached at Appendix A.

2.3 Existing Landuse

Historically the Site has been used for broadacre agriculture. There are no buildings located on the Site. The land is occasionally used for rural/grazing purposes (Refer Figure 2: Site Plan).



Job No. 11219 October 2006
 Planner : K.K.
 Drawn : B.L.

Subject Land - - - - -

0 700 1,400m
 1:35,000

Source: DJI

LOCATION PLAN

LOT 74 BEDDINGFIELD ST, DAVENPORT

RPS koltasz smith
 TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN DEVELOPMENT CONSULTING
 Unit 1 / 8 Prince Street BUSSELTON WA 6280 Tel. (08) 9754 2898 Fax. (08) 9754 2085
 PO Box 749 BUSSELTON WA 6280 Email busseilton@kasp.com.au

Figure 1

SITE PLAN

Lot 74 Fitzroy Street,
DAVENPORT

LEGEND

— SUBDIVISION APPLICATION
BOUNDARY

— STAGING BOUNDARY

 AREA 19
(EPA Bulletin 1282)

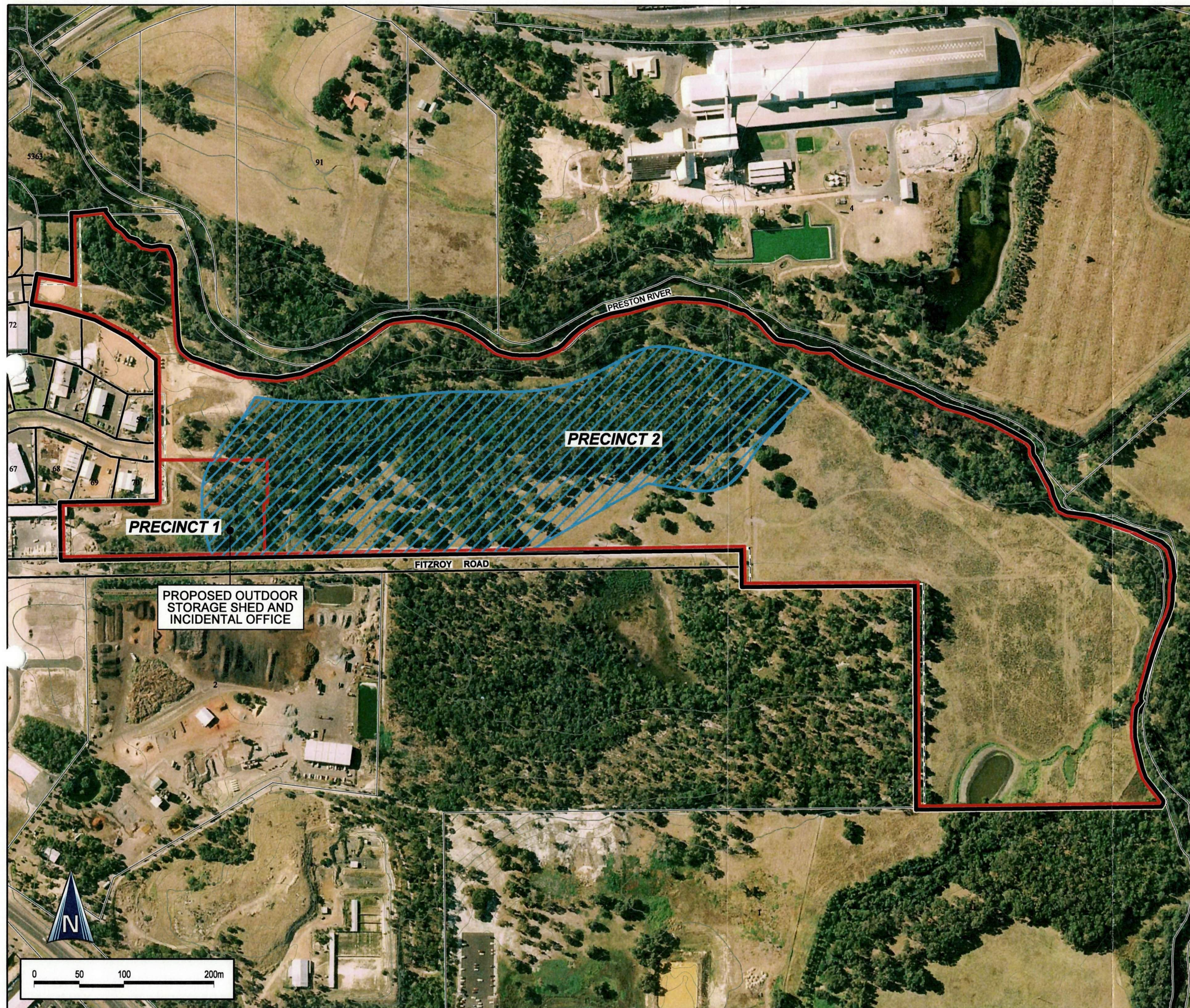


FIGURE 2

VARDARO
NOMINESS PTY LTD : CLIENT
1:4,000@A3 : SCALE
2 September 2008 : DATE
dw-11219-5-007 : PLAN No
- : REVISION
K.K : PLANNER
R.F : DRAWN

Base data supplied by Landgate

Aerial Photography dated January 2007, accuracy +/- 4m, Projection MGA Zone 50

Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

The concepts presented in this plan remain the © copyright of RPS Koltasz Smith.
No copies in whole or in part may be made without RPS Koltasz Smith's permission.

3. PREVIOUS APPLICATIONS

3.1 Local Structure Plan

A LSP was originally lodged with the City in March 2007 with a number of minor modifications to the accompanying structure plan submitted after this date. The LSP proposed the creation of 77 light industry lots. A copy of the plan is attached at Appendix B.

Soon after lodgement of the LSP the EPA released Section 16e Advice regarding the proposed Preston Industrial Park Structure Plan PIPSP (the site is included within the PIPSP area). The Advice recommended that a significant portion of the site be set aside as a future conservation reserve in order to retain remnant vegetation and provide an ecological corridor to adjoining areas containing vegetation.

The LSP has been deferred pending further negotiation with the EPA and other relevant agencies to resolve issues arising from the Section 16e Advice.

3.2 Development Application

In September 2007 application was made for development approval over a small portion of the Site for outdoor storage, storage sheds and an incidental office. The purpose of the application is to accommodate Correctline Contracting's operations which are principally concerned with civil construction.

The application has been subject to rigorous assessment involving both the EPA and the local office of the Department for Planning and Infrastructure DPI on behalf of the Western Australian Planning Commission WAPC. The DPI advised the City of Bunbury, inter alia:

- a) That the application should be refused on the grounds that there is no approved LSP in place over the land; and
- b) Unless the City resolves to refuse the proposal, the WAPC is the responsible determining authority given the land adjoins regional open space.

For reasons explained in Section 5 below, the City and the Western Australian Planning Commission are not able to consider the development proposal without an approved and endorsed structure plan (LSP) being in place. At the time of preparing this report the City had not forwarded the application to the WAPC.

4. PROPOSAL

Notwithstanding the original proposal to create 77 light industry lots, the imperative now is for Correctline to obtain development approval for outdoor storage, sheds and an incidental office as explained in Section 3.

In order to progress the Development Application a revised LSP has been prepared. The revised LSP (Figure 3) addresses all the issues raised by various agencies in considering both the Development Application and earlier LSP.

4.1 Local Structure Plan

The proposed LSP makes provision for a development area of approximately 1.856 hectares to facilitate the development of an outdoor storage area, storage sheds and an incidental office. The purpose of the proposal is to accommodate Correct Line Contracting's operations which are principally concerned with civil construction. The development will provide a large outdoor storage area and sheds for plant and equipment associated with civil construction. The proposal also includes an incidental office for approximately 22 staff. Essentially, the development provides a base for personnel to service off-site civil construction projects throughout the Greater Bunbury Region and South West area, accordingly the majority of staff will only occupy the building on a part time basis. At anyone time it is estimated that only four people will occupy the office permanently during normal office hours.

The Development Application has been lodged separately by Veens Design Drafting Service. A copy of the application site plans are attached at Appendix C.

Lot 74 Beddingfield Street, Davenport Structure Plan

LEGEND

- AREA
- FLOODWAY LIMIT
- EXTENT OF 100 YEAR ARI FLOOD
- 18m ABOVE GROUND POWER EASEMENT
- REGIONAL OPEN SPACE
- PRECINCT 1: Development Site Area
- PRECINCT 2: Balance Title - Subject to a further Structure Plan)



Adopted by Resolution of the City of Bunbury
at the Ordinary meeting of the Council
held on the 14 day of April 2009
Mayor [Signature]
CEO [Signature]

FIGURE 3

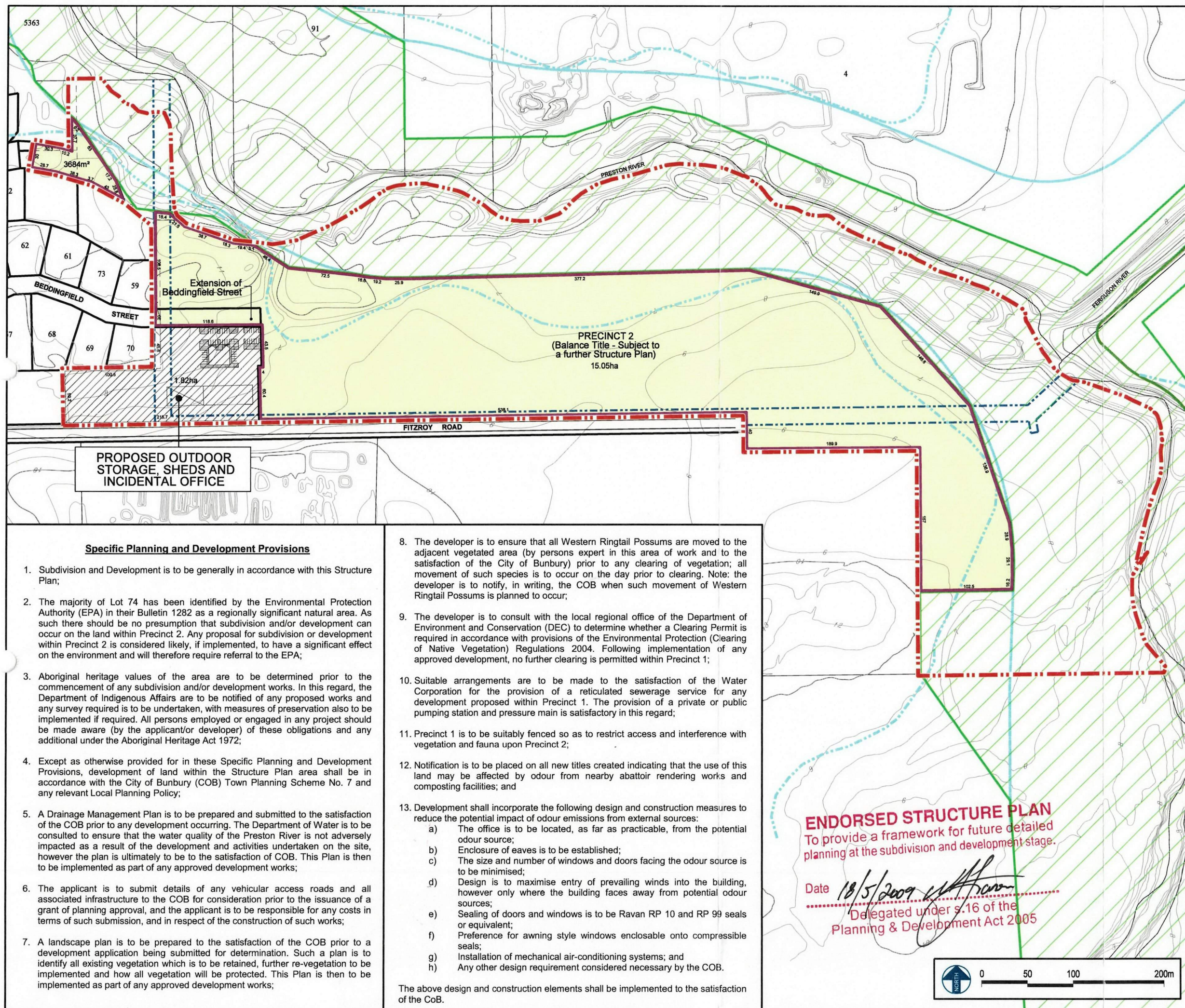
Vardaro
Nominees Pty Ltd : CLIENT
1:4,000@A3 : SCALE
18 March 2009 : DATE
dw-11219-2-002i : PLAN No
i : REVISION
K.K : PLANNER
M.H : DRAWN

Base data supplied by Landgate

Projection MGA Zone 50

Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

The concepts presented in this plan remain the © copyright of RPS Koltasz Smith.
No copies in whole or in part may be made without RPS Koltasz Smith's permission.



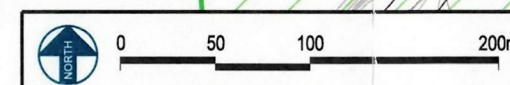
Specific Planning and Development Provisions

1. Subdivision and Development is to be generally in accordance with this Structure Plan;
2. The majority of Lot 74 has been identified by the Environmental Protection Authority (EPA) in their Bulletin 1282 as a regionally significant natural area. As such there should be no presumption that subdivision and/or development can occur on the land within Precinct 2. Any proposal for subdivision or development within Precinct 2 is considered likely, if implemented, to have a significant effect on the environment and will therefore require referral to the EPA;
3. Aboriginal heritage values of the area are to be determined prior to the commencement of any subdivision and/or development works. In this regard, the Department of Indigenous Affairs are to be notified of any proposed works and any survey required is to be undertaken, with measures of preservation also to be implemented if required. All persons employed or engaged in any project should be made aware (by the applicant/or developer) of these obligations and any additional under the Aboriginal Heritage Act 1972;
4. Except as otherwise provided for in these Specific Planning and Development Provisions, development of land within the Structure Plan area shall be in accordance with the City of Bunbury (COB) Town Planning Scheme No. 7 and any relevant Local Planning Policy;
5. A Drainage Management Plan is to be prepared and submitted to the satisfaction of the COB prior to any development occurring. The Department of Water is to be consulted to ensure that the water quality of the Preston River is not adversely impacted as a result of the development and activities undertaken on the site, however the plan is ultimately to be to the satisfaction of COB. This Plan is then to be implemented as part of any approved development works;
6. The applicant is to submit details of any vehicular access roads and all associated infrastructure to the COB for consideration prior to the issuance of a grant of planning approval, and the applicant is to be responsible for any costs in terms of such submission, and in respect of the construction of such works;
7. A landscape plan is to be prepared to the satisfaction of the COB prior to a development application being submitted for determination. Such a plan is to identify all existing vegetation which is to be retained, further re-vegetation to be implemented and how all vegetation will be protected. This Plan is then to be implemented as part of any approved development works;
8. The developer is to ensure that all Western Ringtail Possums are moved to the adjacent vegetated area (by persons expert in this area of work and to the satisfaction of the City of Bunbury) prior to any clearing of vegetation; all movement of such species is to occur on the day prior to clearing. Note: the developer is to notify, in writing, the COB when such movement of Western Ringtail Possums is planned to occur;
9. The developer is to consult with the local regional office of the Department of Environment and Conservation (DEC) to determine whether a Clearing Permit is required in accordance with provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. Following implementation of any approved development, no further clearing is permitted within Precinct 1;
10. Suitable arrangements are to be made to the satisfaction of the Water Corporation for the provision of a reticulated sewerage service for any development proposed within Precinct 1. The provision of a private or public pumping station and pressure main is satisfactory in this regard;
11. Precinct 1 is to be suitably fenced so as to restrict access and interference with vegetation and fauna upon Precinct 2;
12. Notification is to be placed on all new titles created indicating that the use of this land may be affected by odour from nearby abattoir rendering works and composting facilities; and
13. Development shall incorporate the following design and construction measures to reduce the potential impact of odour emissions from external sources:
 - a) The office is to be located, as far as practicable, from the potential odour source;
 - b) Enclosure of eaves is to be established;
 - c) The size and number of windows and doors facing the odour source is to be minimised;
 - d) Design is to maximise entry of prevailing winds into the building, however only where the building faces away from potential odour sources;
 - e) Sealing of doors and windows is to be Ravan RP 10 and RP 99 seals or equivalent;
 - f) Preference for awning style windows enclosable onto compressible seals;
 - g) Installation of mechanical air-conditioning systems; and
 - h) Any other design requirement considered necessary by the COB.

The above design and construction elements shall be implemented to the satisfaction of the CoB.

ENDORSED STRUCTURE PLAN
To provide a framework for future detailed planning at the subdivision and development stage.

Date 18/5/2009
Delegated under s.16 of the Planning & Development Act 2005



5. STATUTORY AND STRATEGIC CONSIDERATIONS

5.1 Statutory Considerations

5.1.1 City of Bunbury Town Planning Scheme No. 7

The portion of the Site adjoining the Preston River is reserved as "Parks and Recreation". The Structure Plan identifies this area as a reserve and accordingly it is not proposed to develop any portion of this land.

The balance of the Site is zoned "Industry" within the City of Bunbury TPS No.7. The objective of the industry zone is as follows:

Industry zone - *To provide for a wide range of general and light industry uses, the storage and distribution of goods and associated uses which, by the nature of their operations, should be separated from residential areas.*

The proposed development is entirely consistent with the zone objective, indeed, the proposed use classes are actually defined as "P" permitted uses. Ordinarily the proposal could be readily approved by the City of Bunbury however the land is subject to a "Development Investigation Policy Area" (DIPA) Special Control Area. The purpose of the DIPA is to facilitate structure planning over Lot 74. The DIPA provisions are outlined as follows:

6.2 *Special Control Area Provisions*

6.2.1 **Development Investigation Policy Areas**

6.2.1.1 *Development Investigation Policy Areas, as depicted on the Scheme Maps, are designated for further strategic planning and investigations in relation to land use options, environmental issues, servicing requirements, transportation infrastructure needs, landscaping and design guidelines.*

6.2.1.2 *Structure Plans or Development Guide Plans*

6.2.1.2.1 *Structure Plans or Development Guide Plans shall be prepared consistent with Clause 5.9 as a framework to guide Planning Consent applications or subdivision proposals or rezoning amendment proposals.*

6.2.1.3 *Development or Subdivision*

6.2.1.3.1 *No development or subdivision is permitted within the Development Investigation Policy Area until the respective structure plan or development guide plan has been adopted by Council and endorsed by the Commission.*

6.2.1.4 *Structure Plans or Development Guide Plans*

- 6.2.1.4.1 *Structure Plans or Development Guide Plans shall be prepared consistent with the State Planning Strategy, State Planning Framework Policy, provisions of Statement of Planning Policy No. 1 and other strategic plans of the Commission.*

Clause 6.2.1.3 *Development or Subdivision* has a significant bearing on Correctline Contractings' objectives to develop the land for outdoor storage, storage sheds and an incidental office. The Department for Planning and Infrastructure has taken the view that such a development proposal cannot be considered by Council without an approved and endorsed structure plan being in place.

Clause 6.2.1.2 requires Structure Plans to be prepared in accordance with Clause 5.9 of the Scheme. Clause 5.9 states:

5.9.13 Structure Plans

5.9.13.1 *The local government may from time to time designate one or more parts of the Scheme Area as a structure plan area including areas incorporated within a 'Development Investigation Area' and prepare, or cause to be prepared, a structure plan for that area for the purposes of -*

- (a) *describing in appropriate detail the local government's intentions regarding the types and design of development and/or land uses which the local government wishes to establish or facilitate within the structure plan area; and*
- (b) *describing in appropriate detail any legal, financial, physical or other means by which it is proposed to establish or facilitate the desired development and/or land uses within the structure plan area;*

and subsequently adopt the structure plan area and structure plan.

5.9.13.2 *A person may, on their own initiative or at the request of the local government, submit a structure plan for an area in which that person has a proprietary interest and request adoption of the structure plan by the local government.*

5.9.13.3 *A structure plan submitted in accordance with clause 5.9.13.1 is to, for the purposes of its consideration by the local government, be dealt with in the same manner as an Application for Planning Approval and the provisions of clauses 10.1, 10.2 and 9.4 are to apply.*

5.9.13.4 *The local government may enter into formal agreements with any person, organisation or public authority for the purposes of implementing or facilitating an adopted structure plan, and any such agreements are to be considered as part of the structure plan.*

5.9.13.5 *Where an Industry zone or a Development zone intended for future industrial development abuts or is in proximity to a Residential Zone, or a Development zone intended for residential development; any structure plan for the existing or future industrial area shall ensure that suitable land use buffer areas are provided to protect the environment of the existing or future residential area.*

5.9.13.6 *Where a Residential zone or Development zone intended for future residential development abuts or is in proximity to an Industrial zone or Development zone intended for industrial development or major transport corridor; any structure plan for the existing or future residential area shall provide suitable land use buffer areas to ensure that reasonable amenity standards are provided.*

- 5.9.13.7 Prior to the local government adopting any structure plan, the structure plan is to be forwarded to the Commission for its endorsement and the local government is not to adopt a structure plan unless it has first been endorsed by the Commission. The local government is to forward its recommendations together with public submissions to the Commission in seeking endorsement from the Commission.*
- 5.9.13.8 The consideration and adoption by the local government of a structure plan is not in any way to diminish the further requirement under clause 8.1 for an applicant to obtain planning approval for any development or subdivision subsequently proposed within the area covered by the structure plan.*
- 5.9.13.9 An adopted structure plan area and structure plan may be amended or rescinded in accordance with this Part as if such amendment or rescission was itself a structure plan, provided that any such amendment or rescission shall not have effect unless it has first been endorsed by the Commission.*
- 5.9.13.10 In relation to a structure plan prepared in accordance with this Part, the elapsed period after which a refusal is deemed to have occurred under clause 10.9.1 is to be ninety (90) days.*
- 5.9.13.11 Should the local government not adopt a structure plan prepared in accordance with the provisions of this Scheme, then an aggrieved applicant may submit the structure plan to the Commission for its determination.*
- 5.9.13.12 Should an applicant be aggrieved by a determination of the Commission made under clause 5.9.13.10 the applicant may appeal in accordance with the provisions of clause 10.11.*
- 5.9.13.13 An applicant shall not lodge an appeal under clause 10.11 in relation to the local government's failure to adopt a structure plan unless the applicant has first obtained a determination of the Commission in accordance with clause 5.9.13.11.*
- 5.9.13.14 When determining applications for planning approval within a designated structure plan area, the local government is to, when exercising any discretion available to it under the relevant zone provisions, have regard to any adopted structure plan for that area.*
- 5.9.13.15 In the event of any conflict occurring between the Scheme and a specific intention or provision of an adopted structure plan, the intention and provision of the Scheme shall prevail.*

Matters for Council to Consider When Assessing Structure Plans

Clause 5.9.13.3 directs Council to consider the matters outlined in 10.2 in assessing proposed LSP's. These matters are discussed within the context of the LSP being formulated to enable the development of outdoor storage areas, storage sheds and an incidental office only.

- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area;*

Broadly the aims of the Scheme seek to promote orderly and proper planning within the Scheme area. As detailed in this report, the proposed LSP will address all environmental, land use and servicing issues relevant

to the site. Furthermore, the development envisaged is compliant with the relevant development standards of the Scheme.

- (b) *the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*

The proposed LSP will address all environmental, land use and servicing issues relevant to the site. There are currently no scheme amendments applicable to the land. The relevance of the Greater Bunbury Region Scheme is explained below.

- (d) *any approved environmental protection policy under the Environmental Protection Act 1986;*

As explained in Section 7, the development has been subject to full environmental assessment pursuant to Clause 38(1) of the Environmental Protection Act 1986. The environmental submission was prepared by GHD and is attached at Appendix E. The EPA resolved to “not assess” the proposal. The EPA also provided advice with respect to odour, wastewater disposal and drainage management. All these matters have been addressed in Section 7 of the report.

- (e) *any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;*

The Western Australian Planning Commission is in the process of preparing the “Preston Industrial Park Structure Plan”. At the time of preparing this submission no information was publicly available. Nevertheless the Environmental Protection Authority had provided Section 16e Advice on the PIPSP. The Advice as it relates to the Site is discussed in Section 7.

- (f) *any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;*

The Site does not contain heritage buildings and is not part of a designated heritage place.

- (g) *in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;*

The development is over zoned land as opposed to reserved land. The development has no impact upon the nearby Regional Open Space reserve.

- (h) *the conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;*

The Site does not contain heritage buildings and is not part of a designated heritage place.

- (i) *the compatibility of a use or development with its setting;*

As explained in Section 7 Department for Environment and Conservation has provided advice regarding potential odour emissions from nearby uses. As explained below the proposal is not an odour sensitive use as defined by the EPA's Guidance Statement Number 3.

- (j) *any social issues that have an effect on the amenity of the locality;*

Not relevant

- (k) *the cultural significance of any place or area affected by the development;*

Not relevant.

- (l) *the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;*

As explained in Section 7, the development has been subject to full environmental assessment pursuant to Clause 38(1) of the Environmental Protection Act 1986. The environmental submission was prepared by GHD and is attached at Appendix E. The EPA resolved to "not assess" the proposal. The EPA also provided advice with respect to odour, wastewater disposal and drainage management. All these matters have been addressed in Section 7 of the report.

- (m) *whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;*

As explained in Section the land is not at risk from flooding or tidal inundation. The development will comply with the requirements of the BCA regarding fire risk.

- (n) *the preservation of the amenity of the locality;*

- (o) *the relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*

The related Development Application submitted by Veens Design Drafting demonstrates that that the land can be developed, as proposed, in accordance with the Scheme. The design of the building is consistent with the appearance of contemporary industrial buildings in the area.

- (p) *whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;*

The proposed parking, access and turn around areas have been designed in accordance Australian Standards and the City's requirements.

- (q) *the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*

Access to and from the development will be via Sylvan Way. Sylvan Way has been constructed to a suitable standard to accommodate the minor additional traffic flows arising from the development.

- (r) *whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;*

Not relevant

- (s) *whether public utility services are available and adequate for the proposal;*

The land is capable of being supplied with all the necessary services as outlined in Section 6 "Servicing Requirements", including connection to deep sewerage as required by the EPA and DEC.

- (t) *whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*

Not relevant

- (u) *whether adequate provision has been made for access by disabled persons;*

The related development application complies with the requirements of the Building Code of Australia.

- (v) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*

The related development application complies with the landscaping requirements of the Scheme.

- (w) *whether the proposal is likely to cause soil erosion or land degradation;*

As explained in Section 7, the development envisaged has been subject to full environmental assessment pursuant to Clause 38(1) of the Environmental Protection Act 1986. The EPA resolved to not assess the proposal and all other relevant issues raised relating to wastewater disposal, odour & stormwater management which are addressed in Section 7 of this report.

- (x) *the potential loss of any community service or benefit resulting from the planning approval;*

Not relevant

- (y) *any relevant submissions received on the application;*

The current proposal responds to all issues raised in the advertising of the earlier LSP and the related Development Application.

- (z) *the comments or submissions received from any authority consulted under clause 10.1.1;*

As above.

- (za) *any other planning consideration the local government considers relevant.*

The LSP and accompanying report are prepared and submitted in accordance with the requirements of Clause 6.2.1 and 5.9 of the Scheme. Whilst Clause 5.9 does not prescribe the matters to be considered in formulating Structure Plans, the LSP report comprehensively addresses environmental issues and servicing requirements pertinent to the development proposal envisaged as part of this LSP.

The proposed LSP area includes Lot 74 only and does not include other lots within the relevant DIPA as outlined in the Scheme. It is argued that the Staged LSP can be prepared for Lot 74 independently of adjoining lots for the following reasons:

- a) The LSP will enable a simple extension to the existing Beddingfield Industrial area only;

- b) The Site can be readily serviced independently from other landholders within the DIPPA area;
- c) Equally, development within the LSP area does not prejudice the interests of any other adjoining owner;
- d) Some adjoining lots are already developed to their full potential and would not benefit from being included within a structure plan area or process; and
- e) The LSP is sufficiently flexible to allow adjoining land, particularly to the south to development if and when necessary.

5.1.2 Greater Bunbury Region Scheme (GBRS)

The Site lies within the draft Greater Bunbury Region Scheme area. The GBRS designates the northern portion of the Site as "Regional Open Space" and the southern portion of the Site as "Industrial". The LSP proposes development within the area zoned industrial only and on this basis it is entirely consistent with the draft GBRS.

Greater Bunbury Region Scheme Environmental Review

The preparation of the GBRS included the preparation of an Environmental Review. Among other things the review examined the environmental values of the region including significant wetlands and remnant vegetation. The Review also acknowledged the environmental values of the adjoining Preston River to the north.

The development envisaged by the LSP is completely separate from the Preston River. Furthermore, the small portion of remnant vegetation intended to be cleared has been formally assessed by Environmental Protection Authority through a Section 38 (1) assessment process - the details of which are discussed below.

5.2 Preston Industrial Park Structure Plan

The Western Australian Commission is coordinating the preparation of the "Preston Industrial Park Structure Plan". The intent of the PIPSP is to:

- a) Comprehensively examine access and land use issues in the South West Highway (Boyanup Road) – Bunbury Airport area;
- b) Thoroughly investigate the disposal of liquid wastes;
- c) To undertake environmental modelling to demonstrate that the area can accommodate the appropriate buffer requirements for noise, air quality and risk;
- d) Examine water and drainage management issues;
- e) Undertake detailed vegetation assessment; and

- f) Prepare detailed analysis of wetlands within the structure plan area.

At the time of preparing this submission no details of the structure plan were publicly available.

The Environmental Protection Authority recently provided Advice in relation to the proposed PIPSP. The details of the Advice are addressed below.

6. SERVICING REQUIREMENTS

6.1 Western Power Infrastructure

The development envisaged by the LSP will be connected to a reticulated power supply.

6.2 Wastewater Infrastructure

Correctline Contracting agree to install a private pumping station to convey disposal of wastewater to the deep sewerage system. On this basis there can be no environmental issues associated with the disposal of wastewater. Correct Line's assessment of wastewater disposal options and undertaking to install a private pumping station is attached at Appendix D.

6.3 Water Supply

The proposed development will be connected to a reticulated water supply. The Water Corporation has confirmed the availability of sufficient supply to service the development.

6.4 Drainage

Drainage infrastructure will be designed so as to ensure minimal impact upon the Preston River environment including associated groundwater systems. The drainage system will be designed in accordance with the requirements of the City of Bunbury and Department of Water prior to construction.

6.5 Road Works

No additional road works are required to service the development envisaged by the LSP. Access to the development will be provided via the construction of a driveway off Sylvan Way.

7. ENVIRONMENTAL ISSUES

7.1 Flora and Threatened Ecological Communities

Recently the Environmental Protection Authority issued Advice in relation to the proposed Preston Industrial Park Structure Plan. The Advice identified a portion of Lot 74 containing remnant vegetation to be reserved in order to conserve vegetation and form a broader ecological link between the Preston River and adjoining lands that contain vegetation (Refer Figure 2: Site Plan). As such, the Advice is a recommendation only and will be subject to further research and investigation to verify the actual conservation value of the area.

As part of the original Development Application, Correctline Contracting engaged GHD to lodge a Section 38 (1) application to formally assess the actual conservation values of the land relative to development proposed. The Environmental Protection Authority resolved to "Not Assess" the proposal. A copy of the application submission (including specialist environmental reports) and EPA decision letter are attached at Appendix E

7.2 Preston River

The development envisaged by the LSP will not compromise the environmental values of the River for the following reasons:

- a) Development is well setback from Preston River. A significant portion of the land between the development area and the river is Regional Open Space in the Greater Bunbury Region Scheme and subject to further environment assessment;
- b) Development will be connected to the local reticulated sewerage system and is not reliant upon any form of onsite effluent disposal;
- c) Drainage will be designed to limit discharge of pollutants into the river and associated groundwater systems; and
- d) The area is located well outside the nominal 50 metre buffer for the portion of Preston River nominated as a Conservation Category Wetland on the Department for Environment and Conservation's data base.

Stage 1 is also located outside the projected 1: 100 year flood event as predicted by the Department of Water (Refer Figure 3: Modified LSP).

7.3 Groundwater

Again, the proposal will have no impact upon groundwater for the following reasons:

- a) Development will be connected to the local reticulated sewerage system and is not reliant upon any form of onsite effluent disposal;
- b) Drainage will be designed to limit discharge of pollutants into the river and associated groundwater systems;
- c) Proposed fill levels will elevate the development well above underlying groundwater systems; and
- d) The proposed development is inert and does not involve activity that is likely to pose a pollution risk to groundwater.

Correct Line is currently liaising with the local office of the Department of Water to prepare Stormwater management plan.

7.4 Odour

The local office of the Department of Environment and Conservation has identified two potential odour sources located nearby (refer Appendix F). The property to the south contains a composting facility and a rendering works is located approximately 650 metres to the east. Guidance Statement Number 3 prescribes separation distances between odour emitting industry and sensitive land uses. The advice of the DEC is premised upon the proposal being considered a "sensitive use". There is a need to provide further explanation of the proposed use in light of the DEC advice.

An odour sensitive land use is described as follows:

2.3 Types of sensitive land uses

Land uses considered to be potentially sensitive to emissions from industry and infrastructure include residential developments², hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, child care facilities, shopping centres, playgrounds, and some public buildings. Some commercial, institutional and industrial land uses which require high levels of amenity or are sensitive to particular emissions may also be considered "sensitive land uses". Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing facilities.

Whilst the definition makes reference to some types of "storage" and "office" facilities the actual development proposal is clearly not an odour sensitive use like that contemplated in the above definition. In relation to the storage component we note the following:

- a) The primary purpose of the development is to create a large outdoor storage or "depot" facility for plant and equipment used in the civil construction industry;
- b) Related to above, the operation is a base for personnel to pick up and drop off equipment used in various civil construction sites throughout the south west;
- c) Given a) & b) the operation intrinsically does not require the full time presence of onsite personnel, thereby reducing the risk of complaints.

The proposal makes provision for a small incidental office for administrative and executive staff. The proposed office is incidental to the primary outdoor storage use. The office will accommodate up-to 22 staff, the majority of whom will occupy the building on a part-time basis. The nature of the business is such that supervisory and executive personnel are actually off-site the majority of the time as opposed to in the office. In relation to odour issues we also wish to point out:

- a) The proposal is located within an industrial area and adjoins existing industrial operations. Workers and visitors alike can have no justifiable expectation to a "residential" standard of amenity in the area;
- b) "Storage" is a "P" permitted use; and
- c) If odour is an issue with adjoining premises, then this should be addressed by the relevant agencies and should have no bearing on the assessment of our application.

The proposal is not an odour sensitive development. The proposal is entirely compatible with surrounding land use.

8. SUMMARY

RPS Koltasz Smith has been commissioned by Correctline Contracting to prepare and lodge a Local Structure Plan ("the LSP") for Lot 74 Beddingfield Street, Davenport. The purpose of the LSP is only to facilitate the development of a small portion of the site adjoining the existing Beddingfield Industrial Area for outdoor storage, storage sheds and an incidental office. As such the proposal represents a minor, albeit, logical extension to the adjoining industrial area.

The LSP has been prepared in response to issues raised in the earlier LSP and related Development Application. The EPA has confirmed that the revised LSP is acceptable in terms of the Advice and issues pertaining to vegetation and the proposed ecological corridor. In regard to odour the development is not an odour sensitive land use.

The proposed LSP is consistent with orderly and proper planning. Approval is requested as soon as possible.

rp11219 Structure Plan Report 011108

APPENDIX A

Certificate of Title

WESTERN



AUSTRALIA

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

REGISTER NUMBER
74/DP40593

DUPLICATE
EDITION
1

DATE DUPLICATE ISSUED
24/6/2004

VOLUME
2567

FOLIO
219

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 74 ON DEPOSITED PLAN 40593

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

VARDARO NOMINEES PTY LTD OF UNIT 1, 30 WELLINGTON STREET, BUNBURY
(T J636914) REGISTERED 27 FEBRUARY 2006

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

1. T4332/1927 EASEMENT BENEFIT SEE DEPOSITED PLAN 40593 REGISTERED 1.1.1927.
2. H909118 EASEMENT TO WESTERN POWER CORPORATION. SEE DEPOSITED PLAN 40593 AS
CREATED ON DEPOSITED PLAN 28075 REGISTERED 26.10.2001.
3. *K062688 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 19.1.2007.

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:

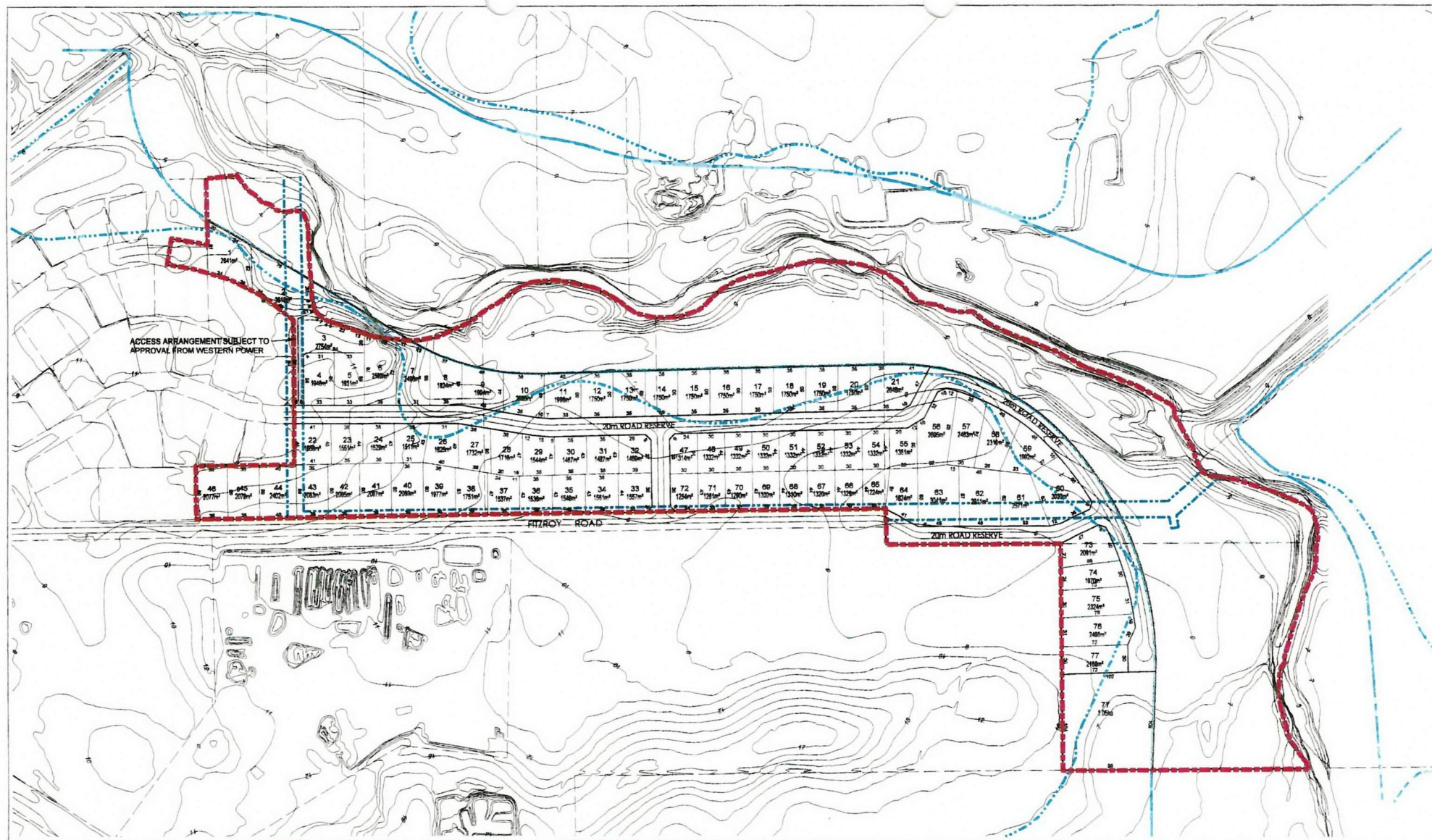
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP40593 [SHEET 1,2].
PREVIOUS TITLE: 2528-876.
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AREA: CITY OF BUNBURY.

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING
J636915

APPENDIX B

ORIGINAL LOCAL STRUCTURE PLAN MARCH 2007



Revision	Date	By
A	18/10/2004	INITIAL ISSUE

LEGEND

SUBDIVISION APPLICATION BOUNDARY
FLOODWAY LIMIT
EXTENT OF 100 YEAR ARI FLOOD
18m ABOVE GROUND POWER EASEMENT

0 80 160m
1:4,000

NOTES

Base data supplied by Department of Land Administration
Aerial Photography dated November 2002, accuracy +/- 4m. Projection MGA80.
Areas and dimensions shown are subject to final survey calculations.
All contingencies are shown for illustrative purposes only and are subject to detailed engineering design.



Member of the Australian Association
of Planning Consultants
Western Australia Division

RICHARD DENBY : CLIENT
1:4,000 @ A3 : SCALE
15 FEBRUARY 2007 : DATE
11219-2-002 : PLAN No
A : REVISION
K.K. : PLANNER
B.L. : DRAWN

STRUCTURE PLAN

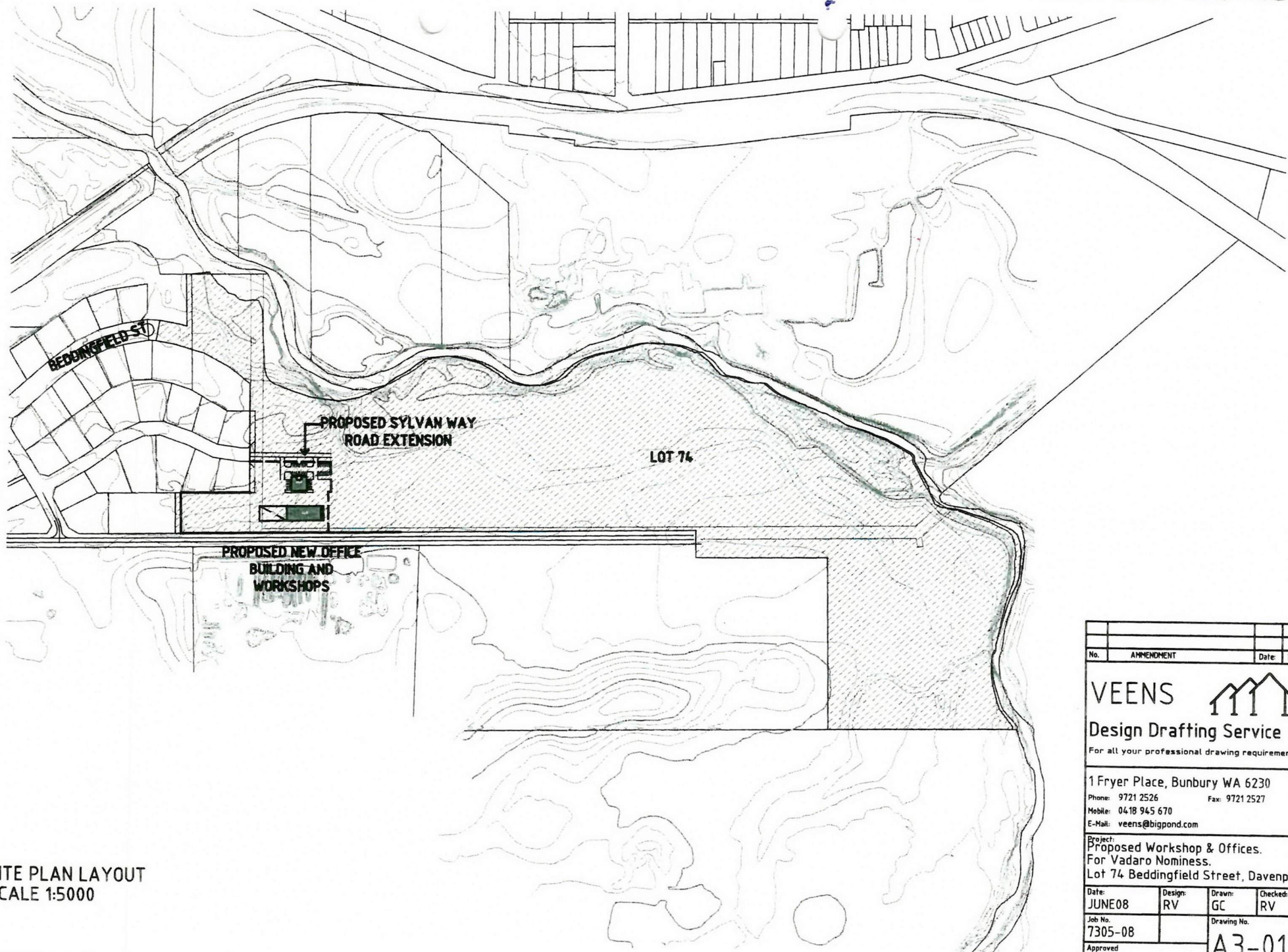
LOT 74 FITZROY STREET, DAVENPORT

koltas smith
TOWN PLANNING - PROJECT MANAGEMENT
URBAN DESIGN - DEVELOPMENT CONSULTING


RUSSELTON
1/18 Prince Street RUSSELTON Tel. (08) 9754 2091
P.O. Box 749 RUSSELTON Fax. (08) 9754 2091
Western Australia 6280
Email: russelton@koltas.com.au

APPENDIX C

PRECINCT 1: DEVELOPMENT PROPOSAL



SITE PLAN LAYOUT
SCALE 1:5000

No.	AMENDMENT	Date	INT.
VEENS  Design Drafting Service For all your professional drawing requirements			
1 Fryer Place, Bunbury WA 6230 Phone: 9721 2526 Fax: 9721 2527 Mobile: 0418 945 670 E-Mail: veens@bigpond.com			
Project: Proposed Workshop & Offices. For Vadaro Nominess. Lot 74 Beddingfield Street, Davenport			
Date:	Design:	Drawn:	Checked:
JUNE08	RV	GC	RV
Job No.	Drawing No.		
7305-08	A3-01		
Approved			

APPENDIX D

WASTEWATER DISPOSAL

CORRECT LINE CONTRACTING

City of Bunbury
Manager of Environment and Health
PO Box 21
Bunbury WA 6231

Att: Tim Hunter

Dear Tim

1 August 2008

**Re: LOT 74 FITZROY ST – DEVELOPMENT APPLICATION
ADVISE ON WASTE WATER DISPOSAL**

Further to our recent submission of a development application for the above site to construct an office and sheds, your request for clarification on ability to service the site with gravity sewerage and EPA advise letter we provide the following confirmation.

A number of alternatives have been considered to suitably treat and or dispose waste water generated from the proposed activities pertaining to the development, ranging from:

- Extension of the existing Ministers gravity sewer;
- Construction of a temporary type 10 Water Corporation pumping station;
- Construction of a permanent type 40 pumping station;
- Construction of a private pumping station for the DA only; and
- Installation of suitable septic treatment units;

Extension of existing gravity sewer

We have investigated the existing gravity sewer locations, located on the corner of Smokebush and Major Street with an invert of 6.69 AHD (Option 1), and the gravity at the end of Smokebush drive at an invert of 7.74 AHD (Option 2).

Option 1 required the sewer to be extended down Major Street, along Fitzroy Road terminating at the above development which is 325m from the existing sewer. In completing the calculations the sewer would daylight near the intersection of Major St and Fitzroy St therefore dismissing this as an option given there is no opportunity to adjust ground levels to obtain cover.

Similarly Option 2 of extending the existing sewer down the boundary of lot 314 Smokebush Dr would also daylight in the existing road reserve of Fitzroy St with little opportunity to adjust levels given the infrastructure already in place around this area such as roads services and structures.

After consultation with Water Corporation and the above calculations we conclude extending the existing gravity to service the development area is not possible from a design perspective.

Construction of Temporary type 10 Pumping station

Whilst Water Corporation would reluctantly support a temporary pumping station, it is not economically viable at an estimated cost of \$600,000.00 for such temporary works which would become redundant in the future therefore this option has not been considered further.

Construction of Permanent type 40 Pumping station

In discussing planning with John Mighall from Water Corporation Bunbury, the area relating to the development application is proposed to be picked up by a future type 40 pumping station with the pressure main to discharge toward the railway line on Dodson Rd. It's likely this pumping station will be some years away from being constructed by Water Corporation or others.

The cost to construct such a pumping station would cost a minimum of 1,000,000.00 and although it's likely some of this cost would be funded by Water Corporation, timing and cost for us to build such infrastructure is not viable.

Construction of Private Pumping station

The Water Corporation are supportive of a private pumping station being constructed on lot 74 with the pressure main constructed in the road reserve of Fitzroy Rd and Major St, terminating at the existing 225 gravity sewer on the intersection of Smokebush Dr and Major St.

The cost of this option is estimated to be \$50,000.00 therefore would be considered a viable option both from a cost perspective and an environmental point of view.

It is our preference to construct a private package pumping station and would support such a condition on the development application approval.

Septic Units

There are a number of alternatives in this area which tick the boxes from an environmental perspective and all government conditions pertaining to waste water capture and treatment.

For this site it would be considered appropriate to have an Aerobic treatment unit (ATU) which has the capacity to treat phosphorus. It's likely there will be a requirement to treat between 24 and 48 office and permanent staff, with other staff working off site.

Biomax treatment units that would meet this requirement are Models C10 , C20 or C30 with a cost ranging from \$14,000 to \$39,000.

These particular units would be suited to the ground conditions on site considered to be Guilford formation, being deep sand over lying clay. The sand in this area is over 2m deep with the water table well below the depth of the above treatment units.

Therefore we conclude Biomax C20 would be an acceptable alternative to a Private Pumping station.

We trust this answers your queries regarding treatment of waste water on this site and the development application will proceed to the scheduled Council meeting on the 12 August 08 with a favourable recommendation.

Should you require clarification on any of the above please don't hesitate to call.

Yours faithfully

Kevin Pears
Project Manager
Correct Line Contracting
0427 910 843

APPENDIX E

GHD – Environmental Assessment & EPA ADVICE

Correctline Contracting

Report for Stage 1 Development

74 Fitzroy Street, Davenport

Environmental Investigation

April 2008

Contents

1.	Introduction	1
1.1	Method	1
1.2	Vegetation Assessment	1
1.2.1	Study Area	2
1.2.2	Native Vegetation Cover	2
1.2.3	Vegetation Description	2
1.2.4	Vegetation Condition	3
2.	Concluding Comments	6
3.	References	7

Table Index

Table 1	Vegetation Condition Ratings	4
Table 2	Vegetation Descriptions and condition Ratings for the Study Area	5

Appendices

- A Vegetation Map – April 2008
- B Site Photos – April 2008

1. Introduction

GHD was contracted by Correctline Contracting to review the implications of the Environmental Protection Authority's Bulletin 1282, in respect to 74 Fitzroy St, Davenport. This location is situated within the Preston Industrial Park. Bulletin 1282 has advised that approximately 980 ha of the Preston Industrial Park, or 33 per cent of the total area of this Park, is regionally significant and should be retained. Lot 74 Fitzroy St is directly impacted by this advice in that the majority of this location is within one of the identified investigation areas, specifically Investigation Area 19.

Correctline Contracting is a civil works construction company currently operating out of leased premises. The company that owns Lot 74 Fitzroy St was aiming to relocate its operations to a location on the western edge of Lot 74. This aim is now under some question due to this specific location being situated within one of the areas recommended in Bulletin 1282 to be retained for conservation purposes. The clients acknowledge the intentions of environmental protection conveyed in this Bulletin, and it is on this basis, that they have asked GHD to re-assess a small section of Lot 74 Fitzroy St, known as Stage 1, with the view that this portion of the location may be reconsidered to be suitable for development under advice from the Environmental Protection Authority's Services Unit.

This report provides advice for this consideration including a description of the vegetation types, vegetation condition and a map that further refines the existing vegetation mapping provided in Bulletin 1282.

1.1 Method

GHD received relevant documentation from both the client and EPA. This documentation included EPA Bulletin 1282, March 2008, Vegetation mapping and report on Lot 74 Fitzroy Rd (ATA Environmental) April 2007, a report on Wetland Buffer Investigations for Lot 74 Fitzroy St (ATA Environmental), April 2007 and a proposed structure plan (Koltasz-Smith) March 2008.

GHD met on-site with Correctline Drainage on 04 April 2008, to clarify the intent of the work and method undertaken. GHD then proceeded to undertake the work required to compile this report.

1.2 Vegetation Assessment

GHD carried out a vegetation field assessment on 10 April 2008 over the proposed Stage 1 Development area at Lot 74 Fitzroy Street, Davenport. A previous flora and vegetation survey over the greater lot area was conducted in spring 2006 by ATA Environmental. The results of that survey did not identify any Declared Rare Flora (DRF), Priority Flora or Threatened Ecological Communities (TECs).

The purpose of this vegetation assessment was to describe the existing vegetation, map the area of native vegetation cover across the proposed Stage 1 development area and assess its condition. Vegetation boundaries within the development study area were recorded using non-differential GPS (WGS 84 datum). The results are detailed below and mapped in Appendix A. Site photos taken in April 2008 are included in Appendix B.

1.2.1 Study Area

Koltasz Smith Consulting provided GHD with a series of coordinates to identify the limits of the study area. In clockwise order commencing from the northernmost/west corner they are:

Point 1 - 377401.36, 6308409.12

Point 2 - 377520.52, 6308408.91

Point 3 - 377518.09, 6308305.79

Point 4 - 377294.74, 6308302.36

Point 5 - 377293.77, 6308361.48

Point 6 - 377401.73, 6308363.31

MGA Zone 50 (GDA94)

1.2.2 Native Vegetation Cover

The total area assessed was approximately 2.0 ha of which approximately 73 per cent is currently cleared of native vegetation. The study area has undergone significant disturbance, particularly in its west and northwest where a range of spoil and construction materials has been stockpiled (Plate 1 to Plate 4 in Appendix B).

Three areas where native vegetation is present have been mapped equating to approximately 0.55ha (27 per cent) of Stage 1 (Appendix A). These vegetated areas are located in the southern and eastern parts of the study area and are described below.

1.2.3 Vegetation Description

The vegetation within the survey area is primarily open forest with an understorey that has largely been replaced by exotic weeds. A small degraded wetland also enters the southern development area boundary (approximately 0.05ha) (Plate 5 and Plate 6, Appendix B). It is clear that the hydraulic nature and ecological value of this original wetland has been highly modified due to development on its southern and western boundary. The combined impacts of excavation and filling of this area has meant the area is now infested with weeds that have largely displaced the original native vegetation with only fragmented parts remaining. Indeed, a more appropriate landuse for this small land area may be to scalp the land bordering the now established drain and fill the remaining hole with weed burden such that the majority

of weeds are buried thereby minimising weed creep into the nearby, more valuable vegetation areas.

The remaining site vegetation located within Stage 1 can be classed into three broad categories:

- ▶ *Eucalyptus rudis* subsp. *cratyantha* Open Forest with *Agonis flexuosa* over an area infested with exotic grasses (Plate 7, Appendix B);
- ▶ *Agonis flexuosa* / *Corymbia calophylla* Woodland with widely scattered *Banksia illicifolia* and *Macrozamia reidleyi* over a closed grassland of exotic species (Plate 8, Appendix B);
- ▶ *Melaleuca raphiophylla* over a closed sedgeland with numerous exotic species abundant (Plate 5, Appendix B); and

Note – that *E. rudis* subsp. *cratyantha* is a Priority 4 species¹.

1.2.4 Vegetation Condition

Developed for *Bush Forever*, the Vegetation Condition Rating (Government of WA, 2000) scale recognises a level of intactness of vegetation, which is defined by the following:

- ▶ Completeness of structural levels;
- ▶ Extent of weed invasion;
- ▶ Historical disturbance from tracks and other clearing or dumping; and
- ▶ The potential for natural or assisted regeneration.

The scale consists of six rating levels as described in Table 1.

¹ Taxa which are considered to have been adequately surveyed and which, whilst being in Australia, are not currently threatened by any identifiable factors. These taxa require monitoring every 5 -10 years.

recorded in April

Table 1 Vegetation Condition Ratings Scale

Rating	Description	
1	Pristine	Pristine or nearly so.
2	Excellent	Vegetation structure intact, disturbance affecting individual species, and weed are non-aggressive species.
3	Very Good	Vegetation structure altered, obvious signs of disturbance.
4	Good	Vegetation structure significantly altered by very obvious signs of multiple disturbance, retains basic vegetation structure or ability to regenerate it.
5	Degraded	Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management.
6	Completely Degraded	The structure of the vegetation is no longer intact and the area is completely or almost without native species.

(Government of Western Australia, 2000)

Given the extent of disturbance at this site coupled with the extensive weed invasion that has largely replaced the native understorey, the vegetation condition ratings were all low. This is a similar result to ATA Environmental (2007) who also rated parts as *Degraded* to *Good* condition. ATA Environmental recorded a total of 45 flora species of which 20 were introduced species. The abundance and diversity of exotic weeds present has clearly impacted negatively on the quality of vegetation in the study area. Over time, this is likely to continue in the absence of significant weed control measures. At the time of GHD's April assessment, it appeared that some target herbicide applications on *Watsonia* sp. had successfully been undertaken in areas towards the Preston River Environmentally Sensitive Area (outside and north/northeast of Stage 1).

Study Area

anthra Open
over an area

aphiophylla,
and garden
s fenced off

or a closed
otic species

ed Plant, was
y. Under the
ed Plants the
control codes
is mapped in

sh are:

station.

de measures
as to prevent
inding native

2. Concluding Comments

This report concludes that overall environmental value of the proposed area for development of Stage 1 of Lot 74 Fitzroy Rd is degraded with more than 70 per cent of this specific area already cleared with little or no native vegetation. The condition of the vegetation in the remainder of the proposed Stage 1 of this location is degraded, with virtually no evidence of a functional vegetation system. The structural levels are no longer in tact and the understorey is dominated by exotic weed species.

GHD recommends to Correctline Contracting to present the findings of this study to the Environmental Protection Authority's Services Unit for further discussion. It is reasonable to conclude that a revised structure plan for Stage 1 will have little or no impact on the quality of native vegetation across the majority of the site. Indeed, there is an opportunity to make a positive contribution by managing the rapidly growing weed population across this site and create a buffer effect to improve the quality and complexity of the neighbouring vegetation.

This report does not extend its comments to the areas outside the designated area, known as Stage 1.

3. References

ATA Environmental (2007). *Flora and Vegetation Survey Lot 74, Fitzroy Street, Bunbury*. Version 2, April 2007, Report No: 2006/271.

Department of Agriculture and Food Western Australia (2008). *Declared Plants Search*. [Online], available: http://agspsrv95.agric.wa.gov.au/dps/version02/01_plantsearch.asp, accessed 10th March, 2008.

Government of Western Australia (2000). *Bush Forever Volume 1. Policies, Principles, Processes*. Department of Environmental Protection, Perth, Western Australia.

Appendix A

Vegetation Map – April 2008

Appendix B

Site Photos – April 2008



Plate 1

Central cleared area with stockpiled materials and rubbish.



Plate 2

Cleared land, western perimeter.



Plate 3

Cleared land, north western perimeter



Plate 4

Cleared land, entrance to Lot 74 Fitzroy Rd



Plate 5

View east into small modified drainage site of *Melaleuca raphiophylla* over closed sedges with numerous exotic species abundant



Plate 6

Degraded vegetation leading to sumpland in south western corner of the block.



Plate 7

Eucalyptus rudis subsp. *cratyantha* Open Forest with *Agonis flexuosa* over an area infested with exotic grasses.



Plate 8

Agonis flexuosa / *Corymbia calophylla* woodland with widely scattered *Banksia illicifolia* and *Macrozamia reidleyi* over a closed grassland. An open 3m wide track enters the study area from adjacent cleared land.

GHD

1st Floor 10 Victoria Street





Bunbury WA 6230

T: 08 9721 0700 F: 08 9721 0777 E: bunmail@ghd.com.au

© GHD 2008

This document is and shall remain the property of GHD. The document may only be used for the purpose of assessing our offer of services and for inclusion in documentation for the engagement of GHD. Unauthorised use of this document in any form whatsoever is prohibited.

Document Status

Rev No.	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
Draft	B Rikli F Hannon	B Rikli		N MCCARTHY		17/1/08
1	F Hannon	B Rikli		N McCarthy		21/4/08



Vegetation Types - GHD - 20080411

- Eucalyptus rudis* Open Forest with *Agonis flexuosa* over an area infested with exotic grasses
- Agonis flexuosa/ Corymbia calophylla* woodland with widely scattered *Banksia illicifolia* and *Macrozamia reidiei* over a closed grassland of exotic species
- Melaleuca rhaphiophylla* over crosses sedgeland with numerous exotic species abundant
- Cleared

1:2,500 at A3
0 7.5 15 30 45 60
Metres
Map Projection: Transverse Mercator
Horizontal Datum: Geocentric Datum of Australia 1994
Grid: Map Grid of Australia, Zone 80



LEGEND

Vegetation Condition - GHD - 20080411

1. Pristine or nearly so
2. Excellent
3. Very Good
4. Good
5. Degraded
6. Completely degraded

(Government of WA, 2000)

- Cleared Track (3m Wide) - GHD - 20080411
- EPA Boundary - GHD - 20080424



Correctline Drainage

Correctline Drainage
Lot 74 Fitzroy Street - Environmental
Services

Job Number	6122322
Revision	1
Date	24 April 2008

**Native Vegetation Types, Cover
and Condition - April 2008**

Figure 1

Q:\6122322\GIS\6122322-G1_rev1

© 2008 While GHD has taken care to ensure the accuracy of this product, GHD and DATA SUPPLIER(S) make no representations or warranties about its accuracy, completeness or suitability for any particular purpose. GHD and DATA SUPPLIER(S) cannot accept liability of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred as a result of the product being inaccurate, incomplete or unsuitable in any way and for any reason. Dataset names include published date where available. 2006 Banbury Mosaic sourced from Landgate using SLP services. Created by: W Davis

239 Adelaide Terrace Perth WA 6004 T 61 8 6222 8222 F 61 8 6222 8555 E permail@ghd.com.au W www.ghd.com.au



Environmental Protection Authority

The Atrium,
Level 8, 168 St Georges Terrace,
Perth, Western Australia 6000.
Telephone: (08) 6364 6500.
Facsimile: (08) 6467 5557.

Postal Address: Locked Bag 33,
Cloisters Square, Perth, Western Australia 6850.
Website: www.epa.wa.gov.au

11219

Correctline Contracting
C/O Mr Kris Kennedy
Senior Planner
Koltasz Smith
PO Box 127
BURSWOOD WA 6100

Your Ref: 11219 Busselton Office
Our Ref: CRN221560
Enquires: Kathryn Schell

Dear Mr Kennedy

PUBLIC ADVICE

PROPOSAL: STORAGE SHEDS, OUTDOOR STORAGE AREAS & OFFICE
LOCATION: LOT 74, FITZROY STREET
LOCALITY: DAVENPORT
PROPONENT: CORRECTLINE CONTRACTING
ASSESSMENT: NOT ASSESSED – PUBLIC ADVICE GIVEN & MANAGED UNDER PART V OF THE EP ACT (CLEARING)

Further to the Environmental Protection Authority (EPA) letter of 26 May 2008 with regard to the above proposal, the EPA Service Unit (EPASU) advises that no appeals were received against the EPA's determination that your proposal should be treated as *Not Assessed-Public Advice Given and Managed under Part V (Clearing)*.

Accordingly, EPASU provides the following advice:

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- a. Native Vegetation
- b. Stormwater and Wastewater Management

2. Advice and Recommendations regarding Environmental Issues

- a. Clearing of native vegetation

The EPA notes that the proposed development marginally impacts upon an area identified in Bulletin 1282 as a regionally significant natural area (Area 19). After careful consideration and a site visit undertaken by the EPA Service Unit it has been determined that the proposal can be implemented without compromising the EPA's recommendations and the regional values of the vegetation on the remainder of the site. Clearing must be contained to the small area referred to in your development application.

The EPA notes that the proposal will result in the clearing of *Eucalyptus rudis*, a Priority 4 species, and expects that, wherever possible, these trees will be retained on site.

Whilst no evidence of Western Ringtail Possums was observed during the site visit, the EPA expects that the vegetation will be checked to ensure that any possums are moved to the adjacent vegetated area. This should be undertaken on the day prior to clearing to ensure that the animals are not in the area when clearing commences.

The proponent is expected to consult with the local regional office of the Department of Environment and Conservation to determine whether a Clearing Permit is required in accordance with the provisions of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and the procedures in relation to applying for a Clearing Permit. The Department of Environment and Conservation will make a decision to grant or refuse a permit. The decision of the EPA to not assess your proposal carries no presumption about the outcome of an application for a Clearing Permit.

It should be noted that clearing cannot be undertaken until the clearing permit application process is concluded.

b. Stormwater and Wastewater Management

The proposed development is located on land that is adjacent to the Preston River. The EPA expects that a Stormwater Management Plan will be prepared and implemented to ensure that the Water Quantity and Quality of the Preston River is not negatively impacted as a result of the development and activities undertaken on the site.

The EPA expects that the development will be connected to reticulated sewerage.

3. Other Advice

Noting that the EPA has now provided its strategic advice (Bulletin 1282), there should be no presumption that further development in this area will be supported.

The EPA expects the relevant decision-making authorities to consider and implement this advice through the approvals process. If you have any enquiries, please contact the person cited above.

Yours sincerely



C J Murray
Director
Environmental Impact Assessment

24 June 2008

cc. City of Bunbury
Dept of Environment & Conservation, Bunbury
Dept of Environment & Conservation – Native Vegetation & Wetlands Branch – att: S. McEvoy

APPENDIX F

COMMENTS FROM DEPT. FOR ENVIRONMENT CONSERVATION REGARDING ODOUR



Department of
Environment and Conservation

Your ref: P13341
Our ref: 2007/003384
Enquiries: A Ennis
Phone: 08 9725 4300
Fax: 08 9725 4351
Email: aminya.ennis@dec.wa.gov.au

Chief Executive Officer
City of Bunbury
PO Box 21
BUNBURY WA 6231

COPY

SW 25117

Attention: Tesh Tadesse

kk 11219

**PROPOSED WORKSHOP, OPEN STORAGE AND OFFICE (INCIDENTAL USE) – LOT 74
BEDDINGFIELD STREET, DAVENPORT**

I refer to your letter of 30 June 2008 forwarding a development application for the above property for the Department of Environment and Conservation's (DEC) comment.

Separation Distances from Sensitive Land Uses

The site proposed for development is within close proximity to existing odorous industries, these being a composting facility (Malatesta) and an abattoir that includes rendering works (V & V Walsh).

The EPA's *Guidance Statement No. 3 Separation Distances between Industrial and Sensitive Land Uses* (June 2005) identifies separation distances for different types of industry to protect sensitive land uses from emissions such as noise, gases, dust and odour. Land uses considered to be potentially sensitive from emissions include residential development or dwellings, shopping centres, some public buildings, retail outlets, offices and training centres and some types of storage and manufacturing facilities.

Appendix 1 of EPA Guidance Statement No. 3 identifies for outdoor uncovered composting facilities a minimum generic separation of 1000 metres for manures, mixed food and vegetable food waste, 500 metres for biosolids and 150 metres for green waste between sensitive land uses and the composting facility. Appendix 1 also identifies a minimum generic separation of 1000-1500 metres between sensitive land uses and rendering works.

The proposed workshop, storage and office is located significantly closer to these existing industries, with the composting facility being approximately 60 metres from the site and the rendering works being approximately 650 metres from the site.

Within the last 12 months DEC has received approximately 23 complaints from premises surrounding these odorous industries in relation to odour issues. This number does not include similar complaints that would have been received by the City of Bunbury.

Given that the buffer distances from these existing industries and the proposed development is less than the recommended separation and the levels of complaints from other

surrounding premises, it is highly likely that the proposed development on Lot 74 will be impacted by odour emissions from the existing surrounding industries.

Native Vegetation


The Environmental Protection Authority provided advice to the proponent on the proposed development on 24 June 2008, a copy of which was also sent to the City of Bunbury. The EPA's advice states that:

- Clearing must be contained to the small area referred to in the development application;
- Wherever possible, Priority 4 species *Eucalyptus rudis* should be retained on the site; and
- Vegetation to be cleared to be checked for Western Ringtail Possums on the day prior to clearing to ensure that there are no animals in the area when clearing commences.

Clearing of native vegetation is prohibited, unless the clearing is authorised by a clearing permit obtained from the Department of Environment and Conservation, or is a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of Native Vegetation Regulations) under the *Environmental Protection Act 1986*. Exemptions under Regulation 5 do not apply in Environmentally Sensitive Areas.

Stormwater and Wastewater Management

The EPA also advised that a Stormwater Management Plan is to be prepared and implemented to ensure that the water quality and quantity is not negatively impacted by the development. Any further advice or comments required on this matter should be directed to the Department of Water.



For Regional Manager
29 July 2008

cc. Wellington District Manager, DEC Collie

PERTH

T: +61 (0)8 9486 2222
F: +61 (0)8 9486 2233
perth@rpsgroup.com.au



BUSSELTON

T: +61 (0)8 9754 2898
F: +61 (0)8 9754 2085
busselton@rpsgroup.com.au



BRIDGETOWN

T: +61 (0)8 9761 4925
F: +61 (0)8 9761 4952
richmondg@rpsgroup.com.au

