



LG Ref: DA/2023/26/1
DAP Ref: DAP/23/02463
Enquiries: (08) 6551 9919

Mr Nik Hidding
Hidding Urban Planning
PO Box 920 Subiaco WA 6904

Dear Mr Hidding,

REGIONAL JDAP - CITY OF BUNBURY - DAP APPLICATION - DA/2023/26/1 - DETERMINATION

Property Location:	5 (Lot 89) & 6 (Lot 5) Barnard Street, Davenport
Application Details:	Proposed Motor Vehicle Sales and Motor Vehicle Repair

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Bunbury on 21 March 2023 for the above-mentioned development.

This application was considered by the Regional JDAP at its meeting held on 27 October 2023, where in accordance with the provisions of the City of Bunbury Local Planning Scheme No.8, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also 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 conditions of approval, please contact Ms Alice Baldock on behalf of the City of Bunbury on 08 9792 7061.

Yours sincerely,

DAP Secretariat

6 November 2023

Encl. DAP Determination Notice
Approved Plans

Cc: Ms Alice Baldock
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: 5 (Lot 89) & 6 (Lot 5) Barnard Street, Davenport

Application Details: Proposed Motor Vehicle Sales and Motor Vehicle Repair

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 27 October 2023, subject to the following:

1. **Accept** that the DAP Application reference DAP/23/02463 is appropriate for consideration as a 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' land use and compatible with the objectives of the zoning table in accordance with Clause 16 of the City of Bunbury Local Planning Scheme No. 8.
2. **Approve** DAP Application reference DAP/23/02463 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 the City of Bunbury Local Planning Scheme No. 8, subject to the following conditions:

Conditions

General

1. This decision constitutes development approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. All development shall be in accordance with the approved development plans (attached) which form part of this development approval.
3. All works required to satisfy a condition of this approval are required to be installed / constructed and maintained in accordance with the approved plans and conditions of approval for the life of the development.
4. Prior to occupation, the subject land parcels must be amalgamated into the one certificate of title and the new title issued, and a copy of the new title provided, to the satisfaction of the City of Bunbury.

5. A Construction Management Plan shall be submitted to and approved by the City prior to issuing a building permit. The management plan shall include details regarding mitigation measures to address impacts associated with construction works and shall be prepared to the specification and satisfaction of the City. The construction works shall be undertaken in accordance with the approved Construction Management Plan.

Design and Landscaping

6. The building shall incorporate solar panels to the satisfaction of the City of Bunbury.
7. Prior to issuing a building permit, a landscaping plan must be submitted for the approval of the City of Bunbury. The landscape plan is to include water sensitive urban design planting and water management methods; and must address the following:
 - A site plan showing the location, species, size and number of the proposed vegetation.
 - A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.
 - Mulching or similar treatments of garden beds including edges.
 - Details of reticulation of landscaped areas including the source of the water supply and proposed responsibility for maintenance.
 - Treatment of paved areas (parking and pedestrian areas).
 - Shade trees to be provided at a rate of 1 shade tree, with foliage or canopy with a clean trunk to 2 metres with non-invasive roots to avoid pavement breakage, is required for every 8 car bays.

Before the development is occupied, the landscaped areas must be planted, established, and reticulated in accordance with the endorsed landscape plan. These areas must be maintained as landscaped areas at all times and to the satisfaction of the City of Bunbury.

Luminance and Lighting Requirements

8. Prior to the submission of a building permit, an amended signage location plan shall be submitted to the City of Bunbury for approval. The pylon signs shall be limited to a maximum height of 7.2m above natural ground level.
9. The maximum luminance level of the electronic graphic display screen sign is not to exceed 500 candelas per metre square (cd/m²).
10. Signage is not to flash or pulsate and shall be of an illumination level that is suitable to off-street ambient lighting.
11. The sign shall be professionally made and kept clean and maintained free of dilapidation at all times.

Access and Parking

12. Prior to issuing a building permit, detailed design plans shall be prepared in accordance with relevant Australian Standards, Austroads Guidelines, and City of Bunbury requirements, for all access, carparking and pedestrian movement requirements, to the satisfaction of the City of Bunbury. Once plans are approved construction is to be in accordance with the approved plans and be completed before the development is occupied.
13. Before the development is occupied, line marking and parking signage must be installed in accordance with the approved plans.
14. Prior to issuing a building permit, a damage bond to the value of \$5,000 must be paid to the City of Bunbury.

Stormwater Drainage/ Wastewater

15. A minimum of 1 m³ of storm water storage for each 65 m² of impervious area must be provided on site' in-accordance with the City of Bunbury's Information Guide – Stormwater Disposal from Private, Commercial and Industrial Properties.

Detailed design plans of the proposed stormwater management must be submitted for approval prior to issuing a building permit and be implemented in accordance with the approved plan prior to the development being occupied.

16. Prior to commencing development, an application to construct or install an apparatus for the treatment of sewage and the disposal of effluent and liquid wastes must be submitted for the approval of the City of Bunbury's Environmental Health Services, in accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.
17. All septic sewer systems including all tanks and pipes and associated drainage systems (soak wells or leach drains) and any stormwater disposal systems are to be decommissioned, in accordance with the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*, removed, filled with clean sand and compacted. Proof of decommissioning is to be provided in the form of either certification from a licensed plumber or a statutory declaration from the landowner/applicant, confirming that the site has been inspected and all septic tanks, soak wells, leach drains and any associated pipework have been removed.
18. Prior to issuing a building license, detailed design plans and specifications for the wash down area must be submitted for approval of the City of Bunbury.

Bushfire

19. A notification, pursuant to Section 165 of the *Planning and Development Act 2005*, is to be placed on the certificate of title of the subject lot, advising of the existence of a bushfire hazard. Notice of this notification is to be included on the diagram or plan of survey (deposited plan).

The notification is to state as follows:

"This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan."

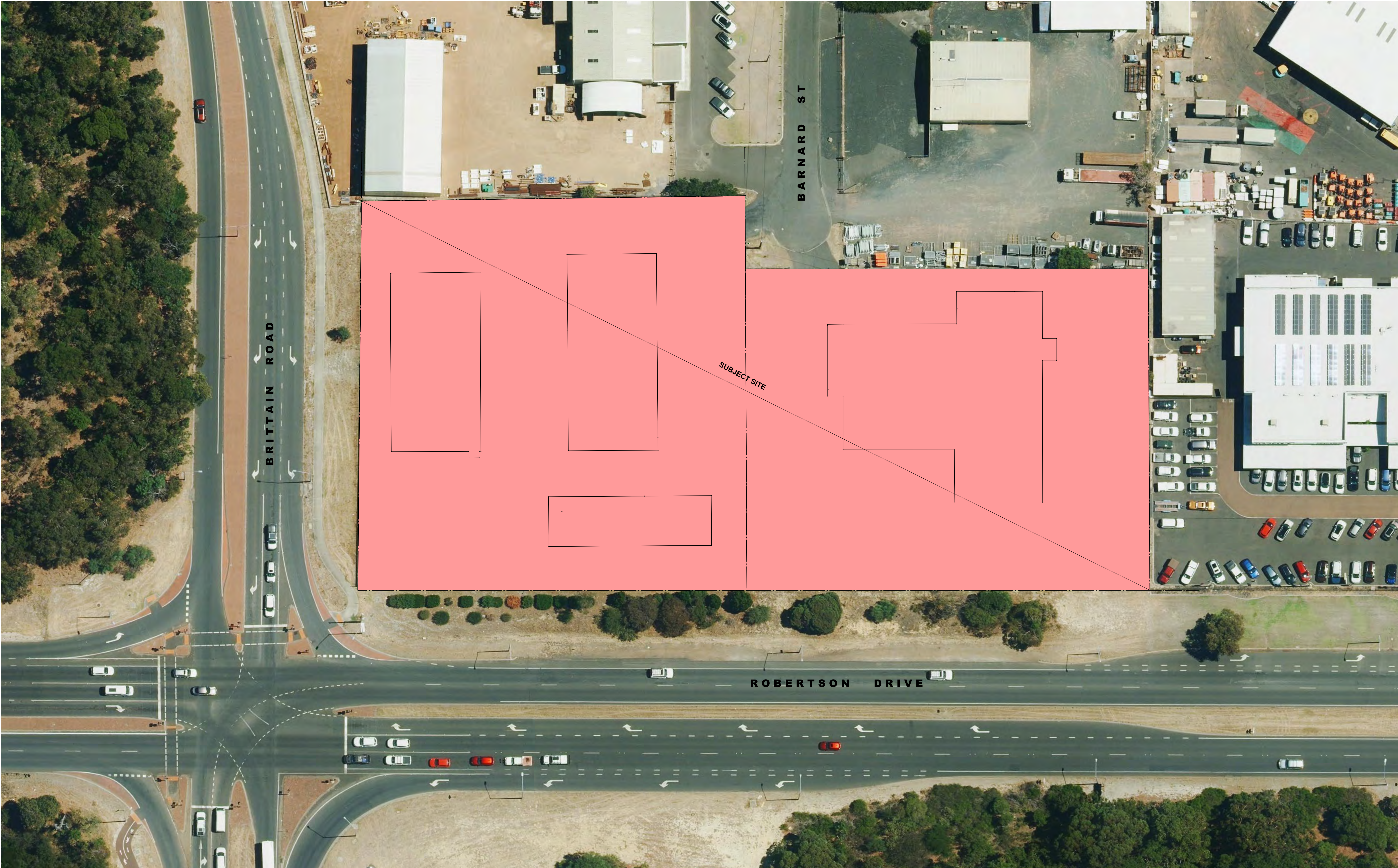
20. The development must comply with the approved Bushfire Management Plan (dated 2 March 2023) at all times.

Advice Notes

1. This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license requirements that may relate to the development.
2. The development is subject to the Building Act 2011, Building Regulations 2012 and Building Code of Australia. A separate building permit must be granted before the development commences, where offences occur statutory penalties apply. The applicant/owner is advised to liaise further with the City of Bunbury on (08) 9792 7000.
3. Prior to works commencing, the applicant is required to obtain a works and thoroughfare permit for any works within Council land other than a crossover. A permit application form can be obtained on the City's website www.bunbury.wa.gov.au
4. The City of Bunbury advises that the development the subject of this development approval must comply with the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997 in relation to noise emissions and the Environmental Protection (Unauthorised Discharge) Regulations 2004 in relation to discharges into the environment. Further information can be obtained from the City of Bunbury on (08) 9792 7100 or (08) 9792 7000.
5. The applicant is advised that due to wastewater volumes exceeding 540l/day, applications to Construct or Install an Apparatus for the Treatment of Sewage will be assessed by the Department of Health. It is recommended the application is made via the City of Bunbury so a Local Government report may be provided.
6. With regards to the condition requiring an amended signage location plan, the amended signage locations shall be in accordance with Main Road Western Australia's Policy and Application Guidelines for Advertising Signs within and beyond State Roads Reserves and not be located within the device restriction area.

7. The applicant is advised that prior to the installation of any signage, a separate application for the installation of signage is to be submitted to Main Roads for approval in accordance with Main Roads' 'Policy and Application Guidelines for Advertising Signs within and beyond State Roads Reserves'.
8. Wastewater from washdown areas such as Car wash is required to have separate treatment and disposal areas to that of proposed ATU's. A separate application to Construct or Install Apparatus Treatment of Sewage is required to be submitted to the City of Bunbury.
9. The applicant has indicated the development will utilise ATU combined with leach drains for wastewater disposal. The required land application area for wastewater disposal is still to be determined. The applicant is encouraged to investigate options of:
 - Connecting to sewer
 - Utilising sub-surface drip irrigation with appropriate setbacks in landscaped areas (permissible with certain ATU's).

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) or local government approval under regulation 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

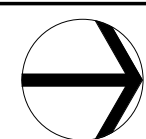


EXISTING AERIAL DIAGRAM

SCALE:1 : 300

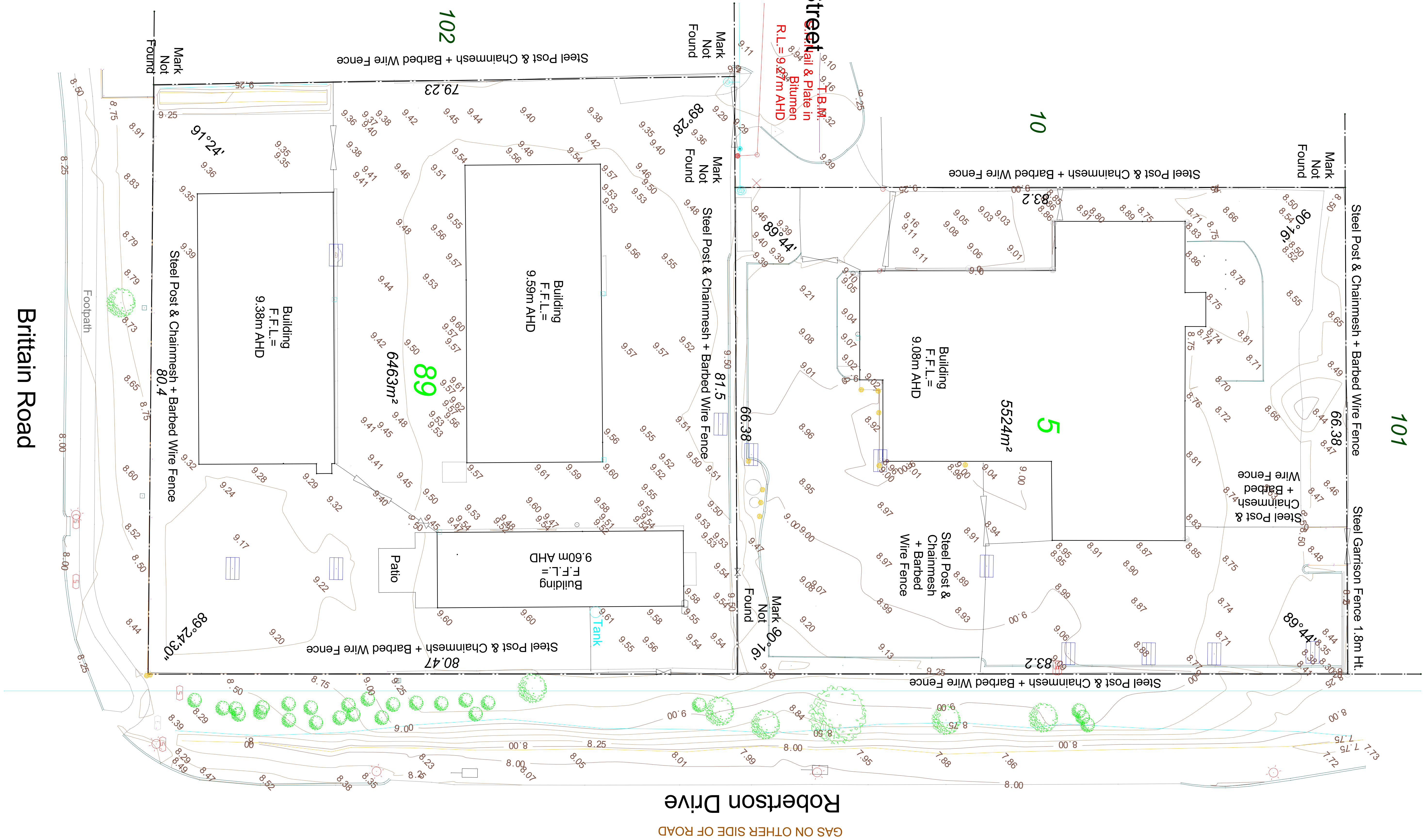
DEVELOPMENT
ASSESSMENT PANEL

APPROVED
27-Sep-2023

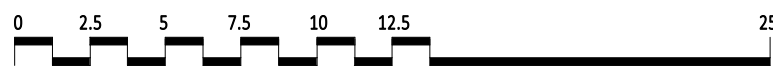
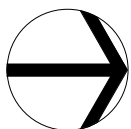


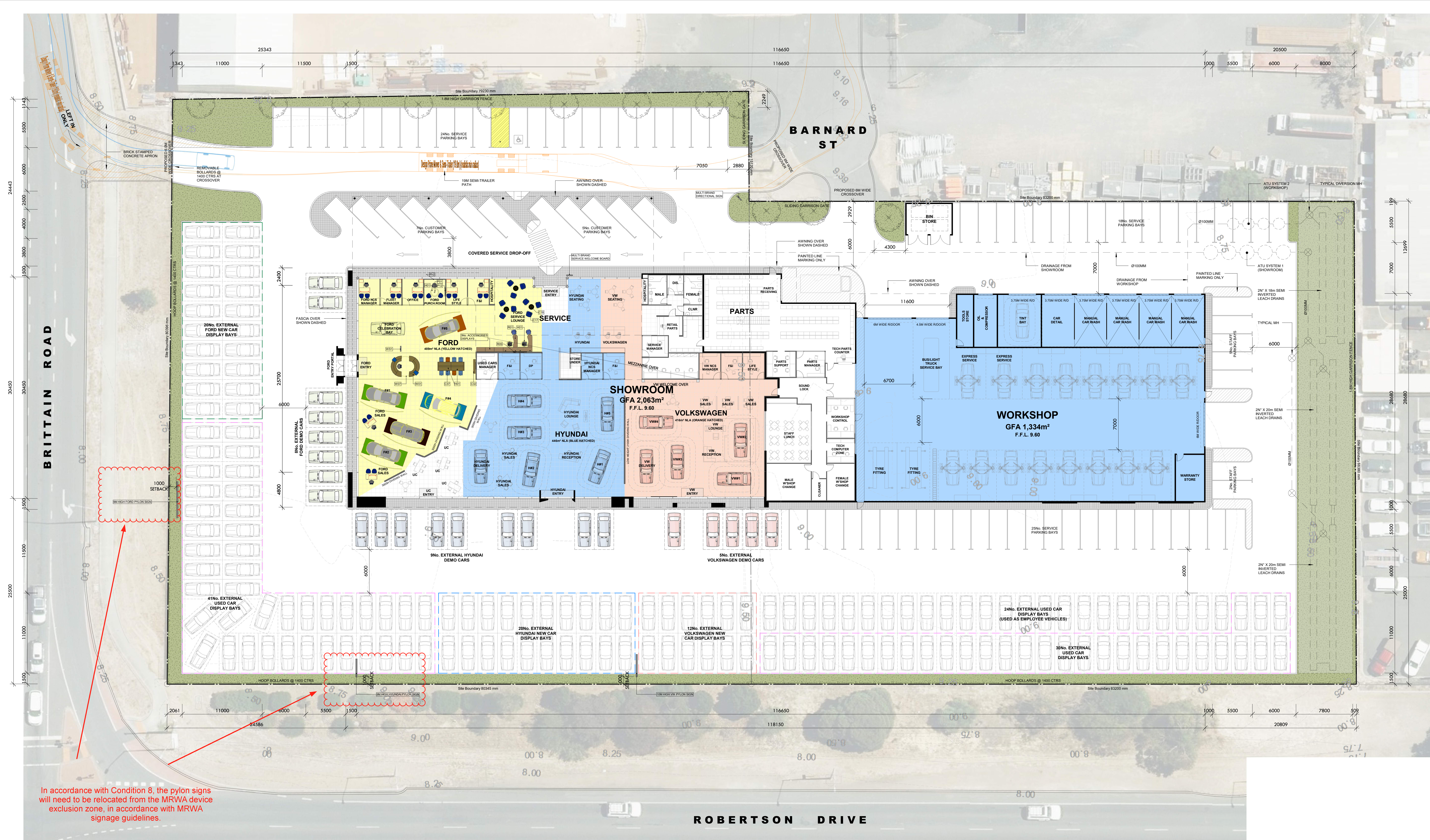
PROPOSED NEW CAR SALES DEVELOPMENT

LOCATION : No. 5 & 6, BARNARD STREET, DAVENPORT WA
FOR : REGENT MOTORS PTY LTD

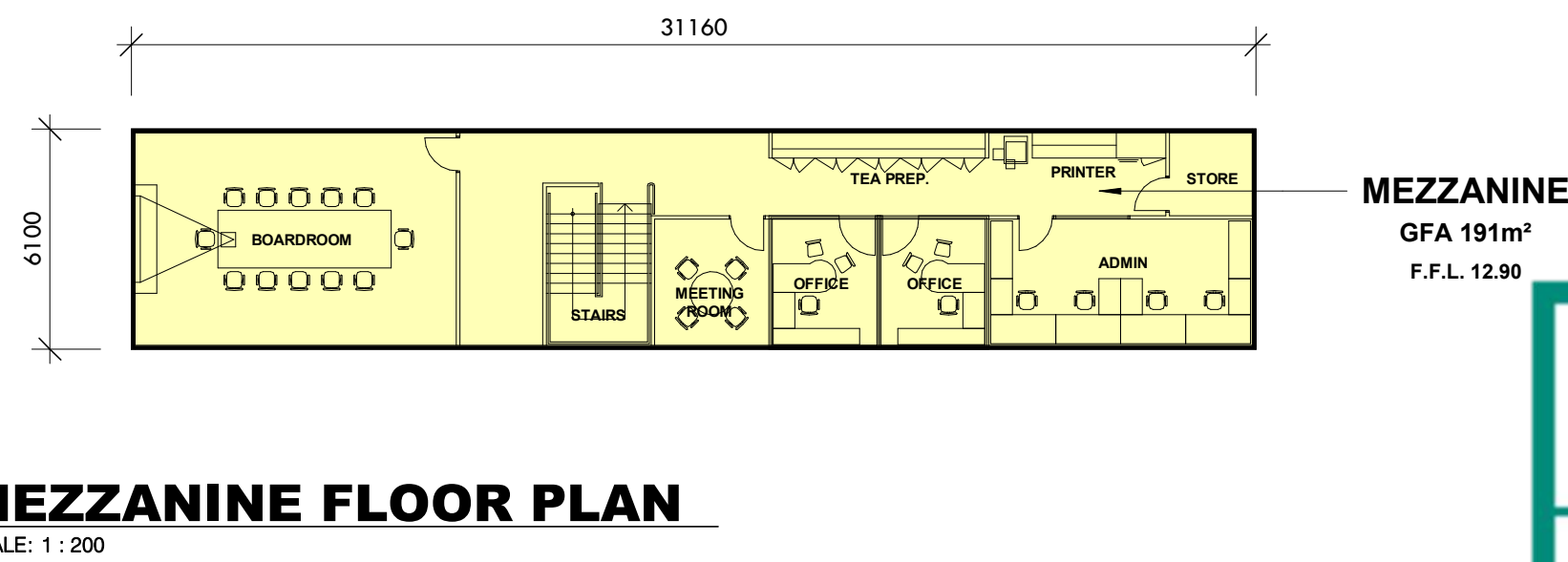


EXISTING SITE SURVEY
SCALE: 1 : 250





SITE & GROUND FLOOR PLAN
SCALE: 1 : 200



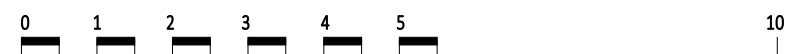
**DEVELOPMENT
ASSESSMENT PANEL**

APPROVED
27-Oct-2023

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.
B. Unless otherwise noted as Net Floor Area.
C. Definition of Gross Floor Area is defined as:
i. 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.
ii. 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.



DATE: AUG 2023
REVISION: SK015
SHEET: 2000
SCALE: As indicated @ B1

PROJECT NUMBER
P22-8985

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27-Oct-2023