



## City of Bunbury Council Notice of Agenda Briefing

The next Agenda Briefing of the City of Bunbury Council will be held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday, 16 April 2024 at 5.30pm.

Members of the public are advised that no public question time is included in the Agenda Briefing, however, should you wish to deputise to any of the Officer reports on the Agenda, you are welcome to complete a Request for Deputation form (<http://www.bunbury.wa.gov.au>).

### ORDER OF BUSINESS

1. Attendance and apologies
2. Announcements by the Chair/Presiding Member
3. Disclosures of Interest
4. Review of items listed under sections 10 - 15 of the Draft Agenda for the Ordinary Council Meeting of 23 April 2024 (***attached***)
  - 4.1 Questions from Elected Members
5. Closure of Agenda Briefing



**CITY OF BUNBURY**  
4 Stephen Street  
Bunbury WA 6230  
Western Australia  
*Correspondence to:*  
Post Office Box 21  
Bunbury WA 6231



## City of Bunbury Council

### Notice of Meeting and Agenda 23 April 2024



**CITY OF BUNBURY**

4 Stephen Street  
Bunbury WA 6230  
Western Australia

*Correspondence to:*  
Post Office Box 21  
Bunbury WA 6231

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## Acknowledgement of Country

We acknowledge the traditional owners of the land, the Noongar Wardandi people and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.

## Vision

Bunbury: welcoming and full of opportunities.

## Organisational Values

### #WEARECOB

#### **WE ARE COMMUNITY**

We are one team  
We keep each other safe  
We display empathy and respect  
We have fun and celebrate our successes  
We work together to achieve great outcomes

#### **WE ARE OPEN**

We are open to opportunities  
We actively listen and think things through  
We are inclusive and treat everyone equally  
We are honest and open in our communications  
We are open to feedback to improve our performance

#### **WE ARE BRAVE**

We lead the change, we own it  
We trust and empower each other  
We have the difficult conversations early  
We hold ourselves to the highest standard  
We have the courage to improve and simplify

## Nature of Council's Role in Decision Making

- Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive/Strategic:** The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Quasi-Judicial:** When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.
- Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes:** Includes items provided to Council for information purposes only which do not require direction from Council (that is for 'noting').

DRAFT  
For review at the Council  
Briefing Session  
16 April 2024

## City of Bunbury Council Notice of Meeting

The next Ordinary Meeting of the City of Bunbury Council will be held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday, 23 April 2024 at 5.30pm.



Alan Ferris  
Chief Executive Officer  
(Date of Issue: 18 April 2024)

### Agenda

23 April 2024

Note: The recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the meeting.

Council Members:

Mayor Jaysen de San Miguel  
Deputy Mayor Tresslyn Smith  
Councillor Ben Andrew  
Councillor Gabi Ghasseb  
Councillor Parthasarathy Ramesh  
Councillor Michelle Steck  
Councillor Cheryl Kozisek  
Councillor Marina Quain  
Councillor Karen Steele  
Councillor Karen Turner  
Councillor Todd Brown

#### 1. Declaration of Opening / Announcements of Visitors

## 2. Disclaimer

The City of Bunbury accepts no responsibility for any act, omission, statement or intimation that occurs during Council Briefings or Council Meetings. The City refuses liability for any loss caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during Council Briefings or Council Meetings. Any person or legal entity acting or failing to act in reliance upon any statement, act or omission made during a Council Briefing or Council Meeting does so at their own risk.

Please note the recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the meeting.

Any statement or intimation of approval regarding any planning or development application made during a Council Briefing or Council Meeting is not to be taken as notice of approval from the City. The City advises that anyone who has an application lodged with the City must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attached to the decision made by Council regarding the application.

### Copyright

Any plans or documents contained within this Agenda and any associated Appendices are Copyright of the City of Bunbury. The content is protected by Australian and International copyright trademark. Content must not be modified or reproduced without written authorisation of the City of Bunbury.

### Recording and Webstreaming of Meetings

- All Ordinary and Special Council Meetings are electronically recorded except when Council resolves to go behind closed doors
- All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office
- The live stream can be accessed at <http://www.bunbury.wa.gov.au/Pages/Live-Stream.aspx>
- Recordings can be accessed at <http://www.bunbury.wa.gov.au/Pages/Council-Meeting-Videos-2022.aspx>
- Images of the public gallery are not included in the streaming, however the voices of people in attendance may be captured and streamed.
- If you have any issues or concerns regarding the live streaming and recording of meetings, please contact the City's Governance Officer on 9792 7000.

## 3. Announcements from the Presiding Member



**4. Attendance**

**4.1 Apologies**

**4.2 Approved Leave of Absence**

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**For review at the Council**  
**Briefing Session**  
**16 April 2024**

### 4.3 Attendance at Previous Meetings

\*Data begins from 1 July 2023.

Meeting type	Mayor Miguel	Deputy Mayor Smith	Cr Andrew	Cr Brown	Cr Ghasseb	Cr Kozisek	Cr Quain	Cr Ramesh	Cr Steck	Cr Steele	Cr Turner
Ordinary Council Meeting	11/12	12/12	12/12	7.7	12/12	11/12	11/12	6/7	10/12	10/12	12/12
Special Council Meeting	5/5	5/5	5/5	1/1	4/5	5/5	5/5	1/1	4/5	5/5	5/5
Agenda Briefing	10/12	11/12	12/12	6/7	9/12	11/12	11/12	7/7	9/12	10/11	12/12
Audit Committee	2/2	N/A	1/1	N/A	1/1	1/1	1/1	N/A	1/1	N/A	N/A
Bunbury Events Advisory Committee	N/A	N/A	N/A	N/A	N/A	N/A	1/1	N/A	1/1	N/A	1/1
CEO Performance Review Committee	1/1	N/A	N/A	N/A	0/1	1/1	1/1	N/A	0/1	0/1	N/A
Disability Access and Inclusion Committee	N/A	N/A	1/1	N/A	0/1	N/A	N/A	N/A	N/A	N/A	1/1
Heritage Advisory Committee	N/A	1/1	N/A	N/A	N/A	1/1	1/1	N/A	N/A	N/A	N/A
International Relations Committee	N/A	1/1	N/A	1/1	0/1	N/A	N/A	1/1	N/A	N/A	N/A
Policy Review and Development Committee	N/A	2/2	N/A	N/A	1/1	1/2	2/2	N/A	N/A	2/2	N/A
Youth Advisory Council Committee	N/A	N/A	N/A	N/A	N/A	N/A	1/1	N/A	N/A	N/A	N/A

## 5. Declaration of Interest

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A: *“a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.”*

Section 5.60B: *“a person has a **proximity interest** in a matter if the matter concerns –*

- (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or*
- (b) a proposed change to the zoning or use of land that adjoins the person’s land; or*
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”*

Regulation 34C (Impartiality): *“**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.”*

DRAFT  
For review at the Council  
Briefing Session  
16 April 2024



## Declaration of Interest Form

Sections 5.65, 5.66, 5.67 & 5.68 Local Government Act 1995

This form is for use at meetings of the City of Bunbury Council its Advisory Committees and Working Groups.

**Directions:**

1. Complete this form and give it to the Presiding Member or an officer at the meeting before the meeting commences.
2. If required, leave the meeting when the agenda item in which you have an interest is discussed
3. The Presiding Member will call you back into the meeting at the conclusion of the discussion, debate and vote on the item.

Discloser's Name:		.....																															
Discloser's Title:		<input type="checkbox"/> Mayor <input type="checkbox"/> Councillor <input type="checkbox"/> Committee Member (where not an elected councillor or City employee) <input type="checkbox"/> City of Bunbury Employee - please state your position title below: .....																															
Name & Date of Meeting:		Type of Meeting (tick one) <input type="checkbox"/> Council Meeting (this will also apply to any corresponding agenda briefing session) <input type="checkbox"/> Committee of Council: (insert name of Committee below) .....		Date of Ordinary Council Meeting: ...../...../..... Date of Committee Meeting: ...../...../.....																													
Insert the heading (or title) of the agenda report in which you wish to disclose an interest AND state the type of Interest (please tick one of the boxes in Part A or Part B)		<p><b>Part A (Financial Interest/Proximity Interest)</b>                  If you consider your interest (Part A) to be trivial you can request to stay and participate in the discussion and vote on the matter. For your request to be considered, you must complete Part C of this form and disclose the full extent of your interest. You will be required to leave the room while your request is put to the vote, and if the meeting agrees with your request you will be called back in.</p> <p><b>Part B – Impartiality Interest</b>                  Disclosing an Impartiality Interest (Part B) does not prevent you from participating in the discussion and voting on the matter. Your interest will be recorded in the minutes of the meeting. (Clause 22 Local Government (Model Code of Conduct) Regulations 2021 refers)</p> <table border="1"> <thead> <tr> <th rowspan="2">Item No.</th> <th rowspan="2">Agenda Title</th> <th colspan="2">Part A</th> <th>Part B</th> <th>Part C</th> </tr> <tr> <th>Fin</th> <th>Prox</th> <th>Imp</th> <th>Trivial</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				Item No.	Agenda Title	Part A		Part B	Part C	Fin	Prox	Imp	Trivial																		
Item No.	Agenda Title	Part A		Part B	Part C																												
		Fin	Prox	Imp	Trivial																												
State the Nature of Your Interest – if you have ticked Part C above outline why you consider your interest to be trivial/insignificant		Item No.	Nature of Interest/Reason for Interest to be Trivial ..... ..... .....																														
Signature:		.....																															

## **6. Public Question Time**

In accordance with Reg. 7(4)(a) of the Local Government (Administration) Regulations 1996, members of the public in attendance at the meeting may stand, state aloud their name and address, and ask a question in relation to any matter over which the municipality of Bunbury has jurisdiction or involvement.

In accordance with Standing Order 6.7(3)(a) a person wishing to ask a question, must complete a question form which is provided in the trays at the back of the public gallery and on the City's website. The completed form must include your name and address and contain no more than three (3) questions. If your question requires research or cannot be answered at the meeting, it will be taken on notice and you will receive a written response and a summary of your question (and any responses provided) will be printed in the minutes of the meeting.

### **6.1 Public Question Time**

### **6.2 Responses to Public Questions Taken 'On Notice'**

**DRAFT**  
**For review at the Council**  
**Briefing Session**  
**16 April 2024**

## **7. Confirmation of Previous Minutes and other Meetings under Clause 19.1**

### **7.1 Minutes**

#### **7.1.1 Minutes – Ordinary Council Meeting**

The minutes of the Ordinary meeting of the City of Bunbury Council held 2 April 2024 have been circulated.

#### **Recommendation**

The minutes of the Ordinary meeting of the City of Bunbury Council held 2 April 2024 be confirmed as a true and accurate record.

*Voting Requirement: Simple Majority Required*

**DRAFT**  
**For review at the Council**  
**Briefing Session**  
**16 April 2024**

### 7.1.2 Minutes – Council Advisory Committees

<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Various
<b>Executive:</b>	Alan Ferris, Chief Executive Officer
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 7.1.2-A: Disability Access and Inclusion Committee Minutes

#### Summary

The following Advisory Committee Meeting was held, and the minutes are presented for noting:

1. Title: Disability Access and Inclusion Committee Minutes  
Author: Sue Alexander, Community Development Officer - Inclusion  
Appendix: 7.1.2-A

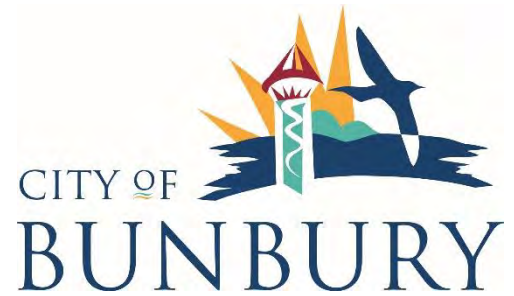
#### Council Committee Recommendation

The following Advisory Committee meeting minutes listed in the report be accepted and noted:

1. Disability Access and Inclusion Committee Minutes – 21 February 2024

*Voting Requirement: Simple Majority*

DRAFT  
For review at the Council  
Briefing Session  
16 April 2024



## Disability Access and Inclusion Committee

### Minutes

21 February 2024

#### Committee Terms of Reference

*The Disability Access and Inclusion Committee has been established:*

- 1. To provide an oversight role in the development and implementation of the statutory requirements of the Disability Access and Inclusion Plan (DAIP);*
- 2. To review progress of the organisation in the achievement of the objectives of the DAIP;*
- 3. To review the Statutory Reports required under the DAIP;*
- 4. To review the progress of the organisation in relation to progress against the objectives of the Community Strategic Plan as it relates to disability, access and inclusion;*
- 5. To review any reports provided by the Co-Design Access Panel;*
- 6. To advise Council on issues relating to disability, access and inclusion within the City of Bunbury.*
- 7. To activate and drive the City's vision of becoming the Most Accessible Regional City in Australia (MARCIA).*



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## Acknowledgement of Country

The City of Bunbury acknowledge the traditional owners of the land, the Noongar Wardandi people and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.

### Vision

Bunbury: welcoming and full of opportunities.

### Organisational Values

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We lead the change, we own it  
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We hold ourselves to the highest standard  
We have the courage to improve and simplify

## Disability Access and Inclusion Committee Notice of Meeting

Dear Committee Members

The next Ordinary Meeting of the Disability Access and Inclusion Committee will be held in the *Ocean Room*, 2-4 Stephen Street, Bunbury, on 21 February at 4:30pm.



**Elizabeth Denniss**  
Manager Community Connection

### Minutes 21 February 2024

Members of the public to note that recommendations made by this committee are not final and will be subject to adoption (or otherwise) at a future meeting of the Bunbury City Council.

#### *Committee Members:*

Member Name	Representing
Cr Karen Turner	Councillor Representative
Cr Ben Andrew	Councillor Representative
Rob Manning	Community Representative
Tania McInnes	Service Provider Representative-Advocacy WA

#### *Support Staff:*

Name	Title
David Russell	Proxy for Alan Ferris Chef Executive Officer Acting Director Sustainable Communities
Elizabeth Denniss	Manager Community Connection
Greg Golinski	Manager Governance

## 1. Declaration of Opening

The Presiding Member declared the meeting open at 4.00 pm.

### Acknowledgement of County

The City of Bunbury acknowledge the traditional owners of the land, the Noongar Wardandi people and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.

### 1.1 Election of the Presiding Member

As this is the first meeting of the Disability Access and Inclusion Committee since the 2023 local government elections, the committee is required to elect a Presiding Member from amongst themselves in accordance with Section 5.12 of the *Local Government Act 1995*.

The CEO will call for nominations for the position of Presiding Member.

In the event that there is more than one nomination for the position of Presiding Member, the Chief Executive Officer will act in the position of Returning Officer to conduct the ballot as required under the *Local Government Act 1995*. The ballot for the position of Presiding Member will be conducted in accordance with clause 5.12 and Schedule 2.3 of the *Local Government Act 1995* as outlined below:

#### **5.12. Presiding members and deputies, election of**

*(1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —*

*(a) to “office” were references to “office of presiding member”; and*

*(b) to “council” were references to “committee”; and*

*(c) to “councillors” were references to “committee members”.*

## **Schedule 2.3, Division 1**

### **4. How mayor or president is elected**

- (1) *The council is to elect a councillor to fill the office.*
- (2) *The election is to be conducted by the CEO in accordance with the procedure prescribed.*
- (3) *Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.*
- (3a) *Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.*
- (4) *If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.*
- (5) *The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.*
- (6) *Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.*
- (7) *As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.*

*[Clause 4 amended: No. 49 of 2004 s. 69(2)-(5); No. 66 of 2006 s. 14.]*

### **5. Votes may be cast a second time**

- (1) *If when the votes cast under clause 4(5) are counted there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and the meeting is to be adjourned for not more than 7 days.*
- (2) *Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes.*

- (3) *When the meeting resumes the councillors are to vote again on the matter by secret ballot as if they were electors voting at an election.*
- (4) *The votes cast under subclause (3) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.*

How to count votes and ascertain the result of an election is covered through the provisions of Division 2 of Schedule 4.1 of the *Local Government Act 1995* as outlined below:

2. *One office election: 2 candidates*

- (1) *If there are only 2 candidates in a one office election —*
  - (a) *the first-preference votes for each candidate must be counted; and*
  - (b) *the candidate who has the greater number of first-preference votes is elected.*
- (2) *If the candidates have the same number of first-preference votes, the returning officer must draw lots in accordance with regulations to determine which candidate is elected.*

3. *One office election: 3 or more candidates*

*Clauses 4 and 5 apply if there are 3 or more candidates in a one office election.*

4. *Count of first-preference votes*

- (1) *The first-preference votes for each candidate must be counted.*
- (2) *A candidate is elected if the number of first-preference votes for the candidate exceeds 50% of the total number of all the first-preference votes for candidates.*

5. *Process if no candidate elected under clause 4*

- (1) *The process in subclause (2) —*
  - (a) *must be followed if no candidate is elected under clause 4;**and*

- (b) as necessary, must be repeated until a candidate is elected under subclause (3)*
- (2) The process is as follows —*
- (a) exclude the candidate (the excluded candidate) with —*
    - (i) if this process is being followed for the first time — the fewest first-preference votes; or*
    - (ii) if this process is being repeated — the fewest votes on the last count under paragraph (d);*
  - (b) set aside as exhausted any ballot paper of the excluded candidate that contains —*
    - (i) no preference votes at all; or*
    - (ii) no preference votes for any continuing candidates;*
  - (c) transfer any remaining ballot papers of the excluded candidate that indicate the next available preference for a particular continuing candidate to that continuing candidate;*
  - (d) count the number of votes for each of the continuing candidates by totalling the following —*
    - (i) the number of first-preference votes for the continuing candidate;*
    - (ii) if this process is being followed for the first time — the total number of ballot papers transferred to the continuing candidate under paragraph (c);*
    - (iii) if this process is being repeated — the total number of ballot papers transferred to the continuing candidate under paragraph (c) on this or a previous occasion.*
- (3) A continuing candidate is elected if, on a count under subclause (2)(d), the number of votes for the continuing candidate exceeds 50% of the total number of all the votes for continuing candidates.*
- (4) Subclause (6) applies if subclause (2)(a) cannot otherwise be applied because, as the case requires —*
- (a) 2 or more candidates have the same number of first-preference votes (no other candidates having fewer first-preference votes); or*

- (b) *2 or more candidates have the same number of votes on the last count under subclause (2)(d) (no other candidates having fewer votes).*
  
- (5) *Subclause (6) also applies if subclause (3) cannot otherwise be applied because —*
  - (a) *there are only 2 continuing candidates in a count under subclause (2)(d); and*
  - (b) *on the count, the continuing candidates have the same number of votes.*
  
- (6) *The returning officer must draw lots in accordance with regulations to determine, as the case requires —*
  - (a) *the candidate to be excluded; or*
  - (b) *the continuing candidate to be elected.*
  
- (7) *For the purposes of the process in subclause (2), a ballot paper is a ballot paper of the excluded candidate if either of the following applies —*
  - (a) *the ballot paper contains a first-preference vote for the excluded candidate;*
  - (b) *the process is being repeated and the ballot paper was transferred to the excluded candidate under subclause (2)(c) on a previous occasion.*
  
- (8) *For the purposes of the process in subclause (2), a continuing candidate is a candidate to whom neither of the following applies —*
  - (a) *the candidate is the excluded candidate;*
  - (b) *the process is being repeated and the candidate was excluded under subclause (2)(a) on a previous occasion.*

The successful nominee will be declared elected to the position of Presiding Member of the Disability Access and Inclusion Committee for a 2 year term.

Elected Member Ben Andrew nominated for position of Presiding Member of the Disability Access and Inclusion Committee.



**Committee Decision**

Endorsement of Elected Member Ben Andrew as Presiding Member of the Disability Access and Inclusion Committee.

CARRIED UNANIMOUSLY

4 votes “for” / Nil votes “against”

**2. Disclaimer**

Not applicable to this committee.

**3. Announcements from the Presiding Member**

The Presiding Member briefly provided an overview of DAIC and more information about himself to all members.

**4. Attendances**

**4.1 Apologies**

*Apologies*

<b>Name</b>	<b>Title</b>
Alan Ferris	Chef Executive Officer
Karin Strachan	Director Strategy & Organisational Performance
Cassie Curulli	Team Leader Community Partnerships Office and Activation
Rebecca Sheperd	Community Member

*Did not attend*

<b>Name</b>	<b>Title</b>
Cr Gabi Ghasseb	Councillor Representative

## 4.2 Approved Leave of Absence

Nil.

## 5. Declaration of Interest

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the Minutes in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member before the meeting commences. After the meeting, the form is to be forwarded to the Administration Services Section for inclusion in the Corporate Financial Disclosures Register.

## 6. Public Question Time

Not applicable.

## 7. Confirmation of Minutes

The Minutes of the meeting of the Disability Access and Inclusion Committee Meeting held 7 June 2023 had been circulated.

### Recommendation

That the Minutes of the Disability Access and Inclusion Committee Meeting held 7 June 2023 be confirmed as a true and correct record.

**Committee Decision**

The recommendation (as printed) was moved by Councillor Karen Turner, seconded by Rob Manning.

CARRIED UNANIMOUSLY  
4 votes “for” / Nil votes “against”

**8. Petitions, Presentations and Deputations**

**8.1 Petitions**

Nil

**8.2 Presentations**

Nil

**8.3 Deputations**

Nil

**9. Method of Dealing with Minutes Business**

Items are dealt with in the order that they appear.



4. *To review the progress of the organisation in relation to progress against the objectives of the Community Strategic Plan as it relates to disability, access and inclusion;*
5. *To review any reports provided by the Co-Design Access Panel;*
6. *To advise Council on issues relating to disability, access and inclusion within the City of Bunbury.*
7. *To activate and drive the City’s vision of becoming the Most Accessible Regional City in Australia (MARCIA).*

*Voting Requirement: Simple Majority*

### **Strategic Relevance**

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.1	Provide strong, accountable leadership and governance

### **Regional Impact Statement**

Regional Impact Statement The desired outcomes of the policy will positively impact our community by connecting the City’s goals to State and Federal government responsibilities. This will ensure that we are collaborating and voicing issues we are facing as a community, to promote better support and needed change.

### **Background**

In establishing its committees post the 2023 City of Bunbury election and making appointments therein, Council requested that all committees review their respective terms of reference and report back to Council by April 2024 (refer Decision 237/23).

## **Council Policy Compliance**

The DAIC operates under the Council's Code of Conduct.

The City's DAIP commitments are outlined in the Access and Inclusion Council Policy

## **Legislative Compliance**

Not applicable.

## **Officer Comments**

A workshop was held on 18 January 2023 with DAIC members to review the revised Terms of Reference to ensure it adequately reflected the intended purpose of the Committee

The current Disability Access and Inclusion Terms of Reference were reviewed at the DAIC meeting held 25 January 2023.

The DAIC reviewed Terms of Reference were tabled at the Ordinary Council Meeting held 21 February 2023 as per below.

*That Council endorse the amendment of the DAIC Terms of Reference as follows:*

*The Disability Access and Inclusion Committee has been established:*

- 1. To provide an oversight role in the development and implementation of the statutory requirements of the Disability Access and Inclusion Plan (DAIP);*
- 2. To review progress of the organisation in the achievement of the objectives of the DAIP;*
- 3. To review the Statutory Reports required under the DAIP;*
- 4. To review the progress of the organisation against the objectives of the Community Strategic Plan as it relates to disability, access and inclusion;*

5. *To review any reports provided by the Co-Design Access Panel; and*
6. *To advise Council on issues relating to disability, access and inclusion within the City of Bunbury.*
7. *To advocate and drive the City’s vision of becoming the Most Accessible Regional City in Australia (MARCIA).*

CARRIED UNANIMOUSLY  
11 votes “for” / nil votes “against”

Decision 019/23 resulted in Council endorsing the current DAIC Terms of Reference.

#### **Analysis of Financial and Budget Implications**

Nil

#### **Community Consultation**

Nil

#### **Councillor/Officer Consultation**

The current Terms of Reference were workshopped by members of the DAIC on 18 January 2023 and the draft Terms of Reference were presented to the DAIC Committee at the meeting held 25 January 2023 for endorsement and Council endorsed the current Terms of Reference at Ordinary Council Meeting held 21 February 2023.

#### **Applicant Consultation**

Not applicable.

#### **Timeline: Council Decision Implementation**

Immediate once Council have endorsed the recommendation.





3. 20 November 2024
4. 19 February 2025
5. 21 May 2025
6. 20 August 2025
7. 19 November 2025

*Voting Requirement: Simple Majority*

### **Strategic Relevance**

Pillar	Our City
Aspiration	Civic leadership, partnerships and sound governance in delivering with and for the community
Outcome 4	A compassionate and inclusive community
Objective 4.3	Trusted leadership and robust decision-making

### **Regional Impact Statement**

Regional Impact Statement The desired outcomes of the policy will positively impact our community by connecting the City's goals to State and Federal government responsibilities. This will ensure that we are collaborating and voicing issues we are facing as a community, to promote better support and needed change.

### **Background**

*The Disability Access and Inclusion Committee has been established:*

1. *To provide an oversight role in the development and implementation of the statutory requirements of the Disability Access and Inclusion Plan (DAIP);*
2. *To review progress of the organisation in the achievement of the objectives of the DAIP;*
3. *To review the Statutory Reports required under the DAIP;*
4. *To review the progress of the organisation in relation to progress against the objectives of the Community Strategic Plan as it relates to disability, access and inclusion;*

5. *To review any reports provided by the Co-Design Access Panel;*
6. *To advise Council on issues relating to disability, access and inclusion within the City of Bunbury.*
7. *To advocate and drive the City's vision of becoming the Most Accessible Regional City in Australia (MARCIA).*

To enable DAIC to undertake actions mentioned in the DAIC Terms of Reference members are asked to confirm Committee meeting dates for the next 2 years up to the 2025 local government election.

### **Council Policy Compliance**

The DAIC operates under the Council's Code of Conduct.

The City's DAIP commitments are outlined in the Access and Inclusion Council Policy.

### **Legislative Compliance**

*Disability Services Act 1993 (amended 2004)*  
*Local Government Act 1995*

### **Officer Comments**

The Disability Access and Inclusion Committee has historically met every 3 months over a 12-month period.

### **Analysis of Financial and Budget Implications**

There are no financial or budgetary implications impacting from the recommendations of this report.

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

Not applicable.

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

Not applicable.

### **Outcome of Meeting held 21 February 2024**

#### **Committee Decision**

The recommendation (as printed) was moved by Tania McInnes, seconded by Councillor Karen Turner.

CARRIED UNANIMOUSLY  
4 votes “for” / Nil votes “against”

DAIC members also proposed and agreed to the implementation of seven (7) additional workshop sessions to be held 6 weeks prior to scheduled DAIC meetings.

Workshop dates are as below:

1. 10 April 2024
2. 10 July 2024
3. 9 October 2024
4. 8 January 2025
5. 9 April 2025
6. 9 July 2025
7. 8 October 2025

Topics discussed in these workshops will be identified by DAIC members and coordination will be supported by the Community Partnerships Officer – Inclusion.

## **11. Applications for Leave of Absence**

Nil.

## **12. Questions from Members**

### **12.1 Response to Previous Questions from Members taken on Notice**

Nil

### **12.2 Questions from Members**

No questions had been received at the time of printing.

#### **Questions received after printing from Tania McInnes:**

1. I would like the Committee to acknowledge the attached SW Times article, specifically the exchange between the Bunbury Car Club, the Bunbury City Council and the Human Rights Commission in relation to the request by Mr Sears to improve access at the Bunbury City Speedway dated Thursday 15 February 2024.

#### **Response from DAIC members:**

All members acknowledged the above-mentioned article.

2. I would like to remind the Committee that this point of discussion was initiated in February last year (2023) by Mr Brendan Kelly, with Committee and Council members on behalf of Mr Sears. However, at the time, despite a request for it to be tabled at a DAIC meeting, the matter was not tabled, nor does it appear that any follow up was provided.

3. The article refers to the BCC offering support to the Bunbury Car Club and I would like to table the following questions.

(a) Can the Committee advise the members what the support referred to in the article, offered constitutes?

The City of Bunbury sent letters to the Clubs (Lessees) to:

- Offer them a non-legally binding accessible a service through Advocacy WA (at no cost),
- Provide them with a Q&A fact sheet and explain the benefits for participation and opportunities for grant funding through state and federal sources for future capital upgrades.
- This was provided to all Clubs (Lessees) who held a ground lease and owned their own building however this was a voluntary audit and there was no requirement for this to occur.
- Advice was sent out 10 July 2023.

(b) Does the Committee consider that it has a responsibility to be proactive in supporting the Bunbury Car Club to meet their accessibility aspirations?

The Committee supports any future actions undertaken by the City to support the accessible aspirations of the Bunbury Car Club.

© If so, what is that support, and how will it progress the actions required to improve accessibility at the Bunbury City Speedway?

The Committee supports any future actions undertaken by the City regarding supporting the improvement of accessibility across all Clubs.

3. Advocacy WA asserts that under the Bunbury City Council commitment to the State Disability Strategy, the BCC holds an inherent and ethical responsibility to support those local organisations that lease their lands and to work collaboratively to improve access, safety and amenity to those facilities.

### **13. Urgent Business**

Nil

### **14. Date of Next Meeting**

The next meeting of the DAIC will be held at 4.00pm on Wednesday 22 May 2025.

### **15. Close of Meeting**

The Presiding Member declared the meeting closed at 5.00pm.

DAIC Minutes

## **8. Petitions, Presentations, Deputations and Delegations**

### **8.1 Petitions**

Pursuant to clause 6.10(2) of the City of Bunbury Standing Orders, upon receiving a petition, the Council is to

- a) Receive the petition and refer to the relevant officer for a report to be submitted within the next two (2) rounds of Council meetings; or
- b) Reject the petition

### **8.2 Presentations**

### **8.3 Deputations**

### **8.4 Council Delegates' Reports**

### **8.5 Conference Delegates' Reports**

## **9. Method of Dealing with Agenda Business**

DRAFT  
For review at the Council  
Briefing Session  
16 April 2024

## **10. Reports**

### **10.1 Recommendations from Advisory Committees**

Nil

**DRAFT**  
**For review at the Council**  
**Briefing Session**  
**16 April 2024**



## 10.2 Chief Executive Officer Reports

### 10.2.1 Appointment to International Relations Committee

<b>File Ref:</b>	COB/386
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Qing Ye, International Relations Officer
<b>Responsible Manager:</b>	Shae Phillips, Manager Communications & Place Activation
<b>Executive:</b>	Alan Ferris, Chief Executive Officer
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Confidential Appendix 10.2.1-A: External Member Appointments – International Relations Committee

#### Summary

This report is presented to Council to endorse the appointment of a community representative member, to fill one (1) vacant position on the International Relations Committee.

#### Executive Recommendation

That Council endorse the appointment of the candidate outlined at Confidential Appendix 10.2.1-A to the International Relations Committee to fill the one (1) vacant community representative position and serve out the remainder of the term, ending in October 2025.

*Voting Requirement: Simple Majority*

#### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance.
Outcome 13	A leading local government.
Objective 13.1	Provide strong, accountable leadership and governance.

#### Regional Impact Statement

The International Relations committee aims to facilitate, support and promote cultural, sporting, education, tourism and economic partnership opportunities between Bunbury and its international partners. Membership on the committee is open to people from the Greater Bunbury region.

#### Background

At the Ordinary Council Meeting held on 12 December 2023, Council appointed eight (8) candidates as members of the International Relations Committee with one (1) vacancy still available. The remaining vacancy received a nomination from the community and is now presented to Council for endorsement.

#### Council Policy Compliance

Nil

### **Legislative Compliance**

Subdivision 2 of Division 2 of Part 5 of the Local Government Act 1995 deals with establishment of committees and their meetings.

### **Officer Comments**

The International Relations Committee provides advice and support in the ongoing development of relationships and strategic opportunities with Setagaya, Japan, Jiaxing, China and Nha Trang, Vietnam.

The International Relations Committee membership comprises of two (2) Elected Members and nine (9) community representatives. Councillors Ramesh and Brown are the Elected Member representatives on the committee.

Eight (8) International Relations Committee members were appointed following the October 2023 Council Elections, with one (1) vacancy still available.

A formal application was received on the 27 February 2024 from an applicant, expressing interest in joining the International Relations committee. The applicant missed the deadline for nominations last September, October and November. The applicant presents solid experience and background, including participating in Launceston's Mayoral Delegation Visit to its sister city Ikeda, and her multiple personal trips to Japan. The City of Bunbury has a close sister city relationship of over 31 years with Setagaya, Japan, and the applicant's passion and experience with delegation exchanges with Japan will be valuable to the committee.

### **Analysis of Financial and Budget Implications**

There are no financial or budget implications arising from the recommendations within this report.

### **Community Consultation**

The vacant positions representing the International Relations Committee, were advertised from 14 September and closed on 11 October 2023, reopened from 17 to 30 November 2023. The advertisement featured on the City of Bunbury's social media platforms, e-newsletter and City Focus editions.

### **Councillor/Officer Consultation**

During the consultation process, the City's International Relations Officer engaged with the Governance team, who approved to incorporate this new application directly into the Council Agenda Item, due to the level of experience and passion the applicant brings to the committee.

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

Appointments to committees will be effective immediately.

**10.2.2 Annual Meeting of Electors Motion: Nuytsia Floribunda**

<b>File Ref:</b>	COB/3605
<b>Applicant/Proponent:</b>	City of Bunbury Electors'
<b>Responsible Officer:</b>	Renae Randall, Team Leader Marketing and Communications
<b>Responsible Manager:</b>	Shae Phillips, Manager Communications and Place Activation
<b>Executive:</b>	Alan Ferris, Chief Executive Officer
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Nil

**Summary**

This report outlines key considerations related to potential endorsement of Nuytsia Floribunda as floral emblem for the City of Bunbury. The report highlights several reputational and financial risks to the City should the Electors' motion be endorsed.

At the 12 March Ordinary Council Meeting, debate on this item, was adjourned until the 23 April 2024 Ordinary Council Meeting and is now presented to Council for deliberation.

During debate and discussion on this matter on 12 March, it was questioned whether Council had previously (in the early 1990's) made a decision to endorse Nuytsia Floribunda as its floral emblem at that time. Officers' have liaised with the original mover of the electors' motion (Mr Buswell) and tried to locate records of such a decision being made, which has proved unsuccessful.

**Executive Recommendation**

Motion currently on the table from 12 March (moved Cr Andrew, seconded Cr Turner):

**That Council:**

- Note the Electors Motion for the Nuytsia Floribunda to be endorsed as the City 's floral emblem.**
- Not support the endorsement of a floral emblem at this time.**

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar	Prosperity
Aspiration	A unique and desirable destination within the South West Region
Outcome	N/A
Objective	N/A

**Regional Impact Statement**

N/A

## **Background**

On 30 January 2024 the following motion was passed by the City's electors at the Annual General Meeting of Electors':

*"That Council investigate and endorse the Nuytsia Floribunda as the City's Floral Emblem."*

The matter was presented to Council on 12 March 2024 in accordance with section 5.33 of the *Local Government Act 1995*, which requires that all decisions made at an electors' meeting be presented to Council as soon as practicable following the motion being passed.

Council adjourned debate on this matter for 2 rounds of meetings, with the original executive recommendation (now a motion) currently on the table having been moved by Cr Andrew and seconded by Cr Turner:

*That Council:*

- 1. Note the Electors Motion for the Nuytsia Floribunda to be endorsed as the City 's floral emblem.*
- 2. Not support the endorsement of a floral emblem at this time.*

During debate and discussion on this matter on 12 March, it was questioned whether Council had previously (in the early 1990's) made a decision to endorse Nuytsia Floribunda as its floral emblem at that time. Officers' have liaised with the original mover of the electors' motion (Mr Buswell) to try and locate records of such a decision being made, which has proved unsuccessful.

As the record of the motion from the 1990s cannot be located and the specifics of the affirmative action required to implement the decision are unknown, it is impossible to understand the context of that decision. Therefore, the Council is recommended to deliberate on the matter raised by the electors in January 2024 separately, without any reference to the previous motion.

Comments specifically relating to the matter of Nuytsia Floribunda as a floral emblem are contained below at Officer Comments.

## **Council Policy Compliance**

N/A

## **Legislative Compliance**

N/A

## **Officer Comments**

The Nuytsia Floribunda is a Western Australian native that produces yellow/orange flowers at Christmas time, resulting in its common name, 'Western Australian Christmas Tree'.

Nuytsia Floribunda grows in sandy soils and is present across the Southwest, although it has a range extending from Kalbarri to Esperance. The species is the largest parasitic plant in the world; it can attach to the roots of other plants and feed off their sap as well as sustaining itself through photosynthesis. It is a member of the mistletoe family.

## 1. Operational Considerations

### 1.1 Adoption of Nuytsia Floribunda as Floral Emblem accessible on community website

Should Nuytsia Floribunda be endorsed by Council as floral emblem, this would need to be made accessible to the community through the City of Bunbury website. This will have a financial implication for the City of approximately \$2,000 (development of floral graphics).

However, the Nuytsia Floribunda emblem is not consistent with the City's existing logo and style guide. This means that practical application beyond the inclusion on the City's website would be limited. Should a decision be made to endorse Nuytsia Floribunda, the City holds risk of this floral emblem having limited perceived relevance.

### 1.2 Use of Nuytsia Floribunda as additional pictorial on City collateral

Whilst it is possible to use a floral emblem as well as the City's current logo on existing City collateral (such as letterheads) this does present very strong risk of brand confusion, potentially reducing the impact of City marketing and message. This holds further potential ongoing financial risks for the City.

### 1.3 Inclusion of Nuytsia Floribunda *within* existing City logo/branding

Should a floral emblem be included within the existing City of Bunbury logo, this will require full brand redevelopment.

Full brand redevelopment has financial implications to the City in excess of \$60 000 *excluding* cost incurred for re-printing/development of associated City products (i.e. stationary, uniforms, badges, branded community and corporate images). These costs are unbudgeted and will be substantial.

## 2. Strategic Considerations

### 2.1 Reputational Risks

#### 2.1.1 Community Perception of characteristics of Nuytsia Floribunda

Nuytsia Floribunda, whilst a native Australian plant, is also a parasitic plant whose roots can travel up to 110 metres in search of nutrients obtained from the roots of other plants.

The City notes that adopting this plant as emblem does carry reputational risk occurring from negative community/media perception of this adaptive strategy, should observers make correlations between the behaviour of the endorsed floral emblem and the City's behaviour.

#### 2.1.2 Community Perception that Nuytsia Floribunda is not uniquely Bunbury and does not align with current City strategic direction/priorities.

Whilst Nuytsia Floribunda is prevalent across the City of Bunbury, this native does grow throughout the South-West (and more broadly across Western Australia). Adopting this species as emblem holds risk of the City being perceived as not representing the uniqueness of Bunbury through branding.

This also creates potential misalignment with the City's existing Strategic Community Plan (SCP) Outcome 12, 'Promoting a 'unique and desirable destination within the Southwest'. In this, there is further risk of perception that a floral emblem lacks benefit and purpose for the City, as this does not align with key priorities identified by the community through the SCP.

#### 2.1.3. Cultural Sensitivity and Community Demand for a Floral Emblem

The selection of Nuytsia Floribunda as a floral emblem holds risk around cultural sensitivity, particularly with Indigenous communities.

Nuytsia Floribunda is a significant species in Western Australian Aboriginal culture. Consequently, its adoption as a floral emblem may not align with the cultural significance and perspectives.

It is essential to consider diverse cultural perspectives and engage with Indigenous communities in the decision-making process regarding floral emblems, and this consultation has not taken place.

More broadly, there has been no community consultation around a floral emblem for the City, and should one be required, which species should be selected.

The City has no known records of community demand for a floral emblem beyond those related to this motion, and does not recommend prioritising resources towards this engagement process given outlined strategic risks.

Given the above, it is requested that Council does not endorse Nuytsia Floribunda as the City's floral emblem.

Should the current motion be defeated, officers offer a better-worded alternate recommendation as detailed below, noting that adopting this floral emblem for the City is still not supported for the reasons above:

*That Council:*

- 1. Note the electors motion to recognise NF as the City's floral emblem.*
- 2. Note the practical considerations of adopting an emblem as detailed within this report (I'm referring to costs of rebranding etc as previously stipulated).*
- 3. Note that Officers have liaised with Mr Buswell in an endeavour to locate previous Council decisions in this regard.*
- 4. For the reasons outlined within this report, not support the adoption of a floral emblem for the City of Bunbury at this time.*

#### **Analysis of Financial and Budget Implications**

Estimated \$2,000 for digital floral graphic.

Estimated \$50,000 - \$100,000 for rebranding, plus implementation expenses.

#### **Community Consultation**

N/A

#### **Councillor/Officer Consultation**

N/A

#### **Applicant Consultation**

N/A

### 10.3 Director Corporate and Community

#### 10.3.1 Evolve Transformation Program Update

<b>File Ref:</b>	DOC/1280472
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Jordan Hunt, Team Leader Integrated Planning
<b>Responsible Manager:</b>	Greg Golinski, Manager Governance
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.3.1-A Evolve Program Update – March 2023

#### Summary

The attached report provides an update on the progress of the City’s Evolve Transformation Program for the past quarter. It details the progress against the schedule, key achievements and intended activities for the next period, proportion of budget spent, benefits achieved, and details of the social responsibility agreement with technology partner Mastek (previously Evolutionary Systems, “Evosys”).

#### Executive Recommendation

That Council receive and note the Evolve Transformation Program Update, as provided at Appendix 10.3.1-A.

*Voting Requirement: Simple Majority*

#### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust performance.
Outcome 13	A leading local government.
Objective 13.2	Adopt innovations to improve business efficiencies and the customer experience.

#### Regional Impact Statement

The Evolve Transformation Program (“Evolve”) will make the City of Bunbury the best local government in regional WA and enable us to build a Better Bunbury now and into the future.

#### Background

The Evolve Transformation Program will significantly enhance the City’s ability to meet our strategic anchors of improved community impact, enhanced reputation and ensuring the sustainability of our services. Changes made through the Evolve Transformation Program will revitalise internal processes, helping us to achieve our organisational purpose of building a better Bunbury through continuous improvements to the way we work.

The Evolve Transformation Program will also build organisational adaptability, enabling a 7% organisational capacity increase equivalent to more than 36,000 hours a year of productivity which can be further invested in offsetting future costs, enhancing service delivery or building further

efficiencies. This will allow for greater innovation, enterprise and ongoing improvement within a rapidly and continuously changing social and economic environment.

The successful implementation of the Evolve Transformation Program will achieve significant benefits to the organisation and its community. The extent of these benefits will be tracked and measured as the project is rolled out.

### **Council Policy Compliance**

Tendering for goods and services is conducted in accordance with:

- Purchasing Council Policy; and
- Access and Inclusion Policy.

### **Legislative Compliance**

All elements of the Evolve Transformation Program are developed and rolled out in line with or exceeding the required Legislation.

### **Officer Comments**

Key achievements for the previous period are detailed in the report for the technology and business streams of the program.

### **Analysis of Financial and Budget Implications**

N/A

### **Community Consultation**

N/A

### **Councillor/Officer Consultation**

Ongoing

### **Applicant Consultation**

N/A

### **Timeline: Council Decision Implementation**

It is anticipated that all elements of the Evolve Transformation Program will be implemented over the next 6 months, with ongoing culture and change management in the 24 months following to ensure the acquired processes and tools are embedded into the organisation.



# EVOLVE



Program Update  
March 2024



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## Glossary

<b>CX</b>	Customer Experience (CRM System).
<b>Evolve Program</b>	Program encompassing Project Shine and all business and process updates.
<b>HRIS</b>	Human Resource Information System (HR System).
<b>Mastek</b>	Technology partner for Project Shine (previously “Evosys”).
<b>PMO</b>	Project Management Office.
<b>Project Shine</b>	Project encompassing all technology streams.
<b>SOW</b>	Statement of Work.
<b>Sponsor</b>	Member of Executive responsible for leading the project.

## Evolve Program

### Technology Stream Projects (Project Shine)

- HRIS (Oracle HCM & Aurion Payroll) ✓
- Customer Experience/CRM (Oracle CX)
- HR Reporting and Analytics (HCM Fusion Analytics) ✓
- Data Centre Migration
- Project Management (Pulse)
- Risk Management (Pulse)
- Contract Management (Oracle Contract Management) ✓
- Elected Member Portal

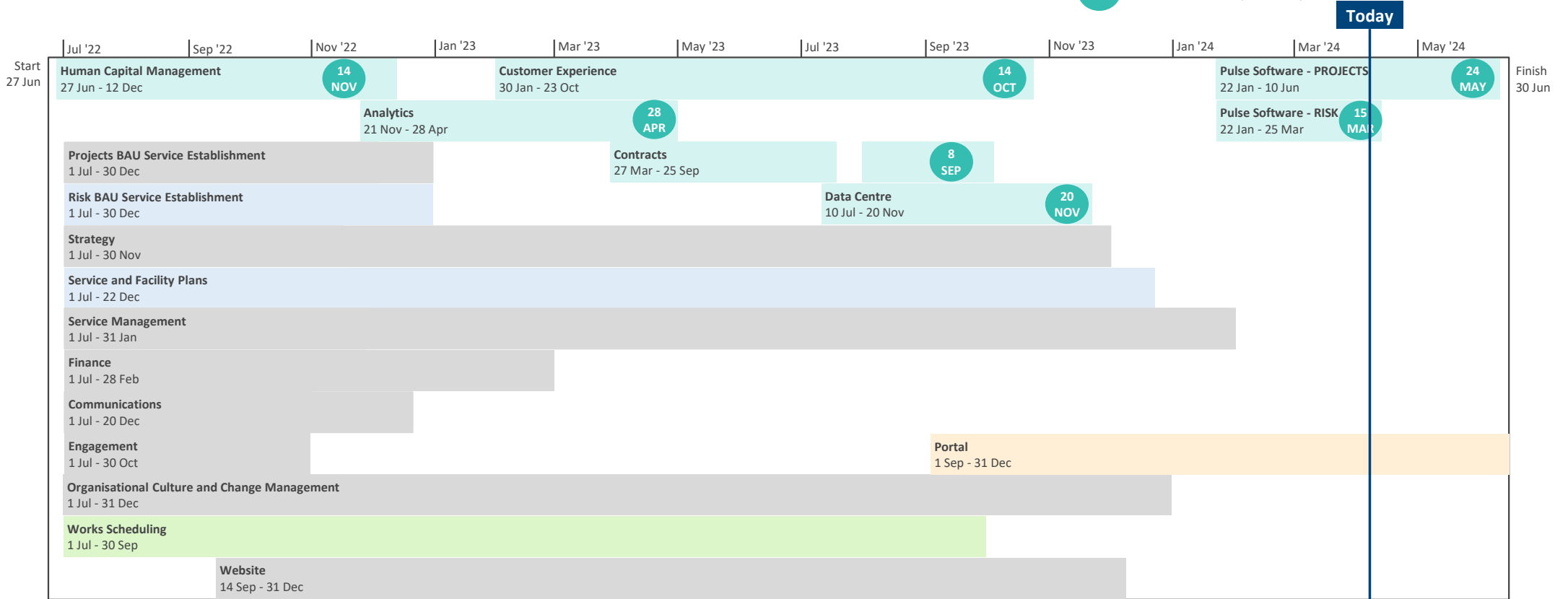
### Business Stream Projects

- Strategy ✓
- Integrated Planning ✓
- Risk
- Projects ✓
- Service Management ✓
- Finance ✓
- Website ✓
- Communication ✓
- Engagement ✓
- Organisational Culture and Change Management ✓



### Evolve Program Schedule

- Complete and ongoing as BAU
- Project Shine
- BAU Project
- Go Live Date *(estimated)*



## Technology Stream

Key Achievements This Period	Activities Next Period
<ul style="list-style-type: none"><li>• All field staff received and trained on new mobile devices to enable them to submit timesheets online.</li><li>• Contracts system rolled out with great improvements to efficiency for staff.</li><li>• User training for CX completed for affected staff and roll-out commenced on 2 April.</li><li>• Kick off for Project Management Pulse module completed.</li><li>• Risk Pulse module currently undertaking user acceptance testing.</li><li>• Hardware ordered for data centre solution.</li></ul>	<ul style="list-style-type: none"><li>• Completion of user acceptance testing and rollout of Risk module with Pulse.</li><li>• Solution design and user acceptance testing for Project Management Pulse module.</li><li>• Ongoing roll-out of the CX module to internal staff during April.</li><li>• Portal launch to the community end April/early May (which will include the external launch of CX to the community).</li><li>• Develop delivery schedule for data centre.</li><li>• Develop automated auditing of the contracts registers.</li><li>• Ongoing tracking of the benefits of the Evolve Program (in terms of efficiencies, and hours and \$'s saved).</li></ul>

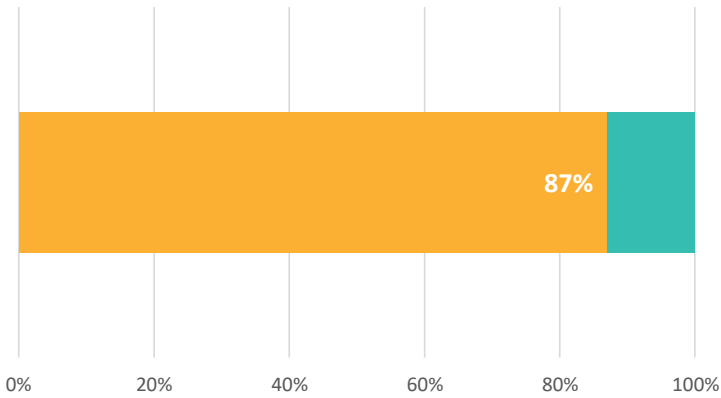
## Business Stream

Key Achievements This Period	Activities Next Period
<ul style="list-style-type: none"><li>• First quarterly Risk Board meeting held successfully with relevant staff. Outcomes will feed into the Audit Committee meeting.</li><li>• Second iteration of the Service and Facilities Planning (SFP) process rolled out and handed over to Finance for development of the relevant strategic documents.</li><li>• Enterprise risk framework updated and simplified.</li></ul>	<ul style="list-style-type: none"><li>• Continue establishing a relationship with Oracle for long term service support and integration enhancements.</li><li>• Ongoing roll out of the Risk Management Framework with a focus on ease of understanding and application. Update the operational risk register in consultation with risk owners.</li><li>• Ongoing optimisation of service review and the community engagement processes.</li><li>• Develop project plan for the Role Clarity and Performance project.</li><li>• Change management framework to be reviewed and simplified before rollout.</li></ul>

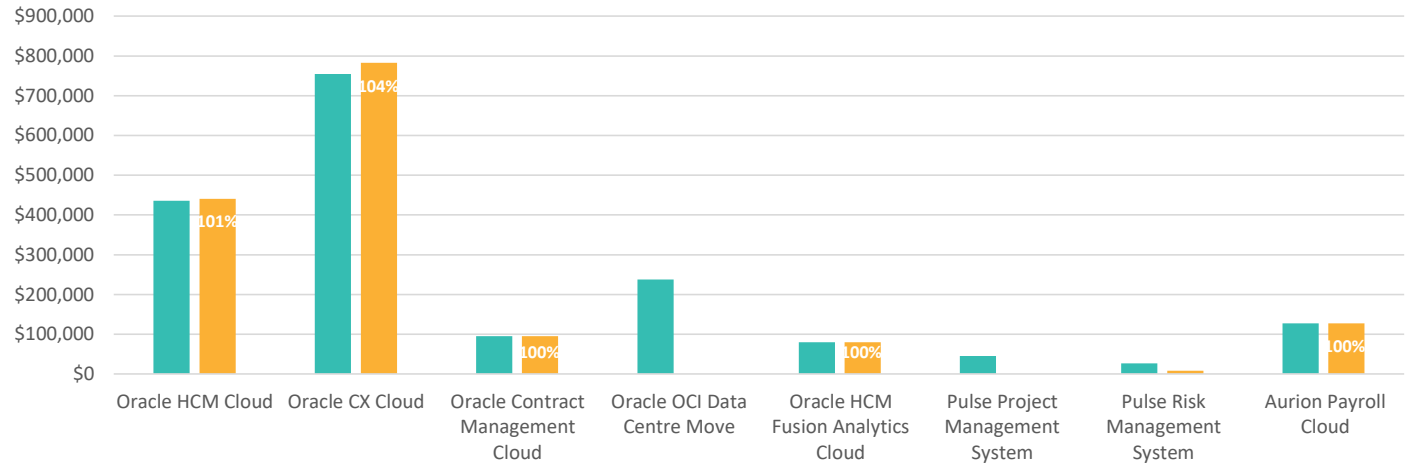
# Project Shine Financials

● Budget ● Actual

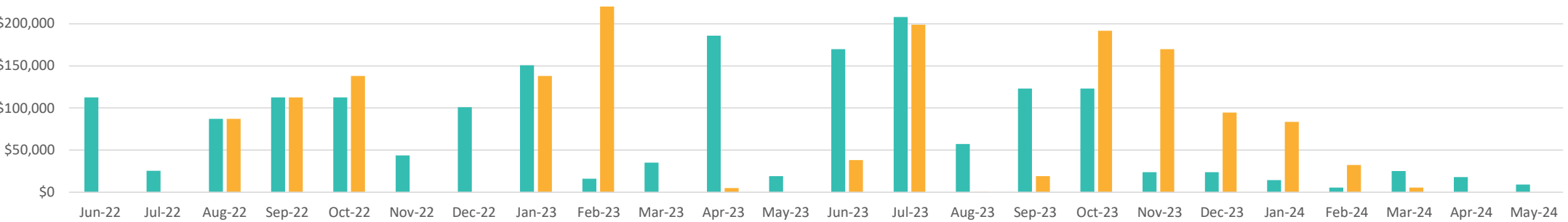
Actual vs Budget Spend



Stream Module - Actual vs Budget



Cashflow Actual vs Budget





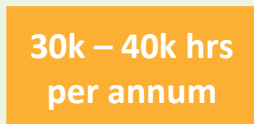
## Benefits

Cost Savings



*Various reviews  
conducted internally.*

Time Savings



*Figure based on  
estimates for projects  
below*

### Time saving benefits will be achieved through:

1. HRIS (timesheets and leave forms) – ~1hr/fortnight for each managerial staff member
2. HRIS (performance reviews and probation sign-off)
3. Work Scheduling
4. CX (Customer Relationship Management System)
5. Analytics and Reporting
6. Elected Member Portal
7. Contract management efficiencies

**10.3.2 Renaming section of Trinity Rise, College Grove between Somerville Drive and University Close.**

<b>File Ref:</b>	COB/1279
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Leonie Barwick, Team Leader Corporate Revenue
<b>Responsible Manager:</b>	David Ransom, Manager Finance
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.3.2-A DP426456 Appendix 10.3.2-B Road portion to be renamed Appendix 10.3.2-C Approved Road Name List

**Summary**

Due to the residential development at Lot 70 Winthrop Avenue (Refer Appendix 10.3.2-A), there is now a requirement for street addressing for the new lots. There is currently no street number availability.

It is proposed that the portion of Trinity Rise from Somerville Drive to University Close is renamed (Refer Appendix 10.3.2-B).

The proposed new road name to be Scholtzia Way (Refer Appendix 10.3.2-C)

**Executive Recommendation**

That Council:

1. That Council endorse the name change of the road between Somerville Drive to University Close, formerly Trinity Rise, to Scholtzia Way;
2. That College Grove residents and ratepayers are notified of the name change.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar	Place
Aspiration	an integrated, vibrant, and well-planned City.
Outcome 9	A city that is easy to get around safely and sustainably.
Objective 9.3:	Improve road safety, connectivity, and traffic flow.

**Regional Impact Statement**

There is no regional impact associated with the renaming of the section of Trinity Rise between Somerville Drive and University Close.

**Background**

During the initial development of College Grove, the road name Trinity Rise was allocated for the developing lots North of Somerville Drive. At the time, the land immediately north of Somerville Drive was set aside for public purpose and/or government owned. Therefore street numbering for

developed residential lots on Trinity Rise did not begin until halfway along the road at the northern end.

By renaming a portion of Trinity Rise, street numbering can be assigned to lots currently under development and any future development along this section of road.

If the section of road remained as Trinity Rise, there would be fourteen properties which would require new street addressing. If the portion of the road is renamed as a continuation of University Close, there would be six property owners affected by a change in street addressing.

### **Council Policy Compliance**

Street Addressing Council Policy  
Naming of Roads, Reserves, Bridges and Other Places Council Policy

### **Legislative Compliance**

Local Government Authorities are responsible for, and have control of, the numbering process.

Landgate's Geographic Names Committee is responsible for the official naming of Geographic features such as roads and localities.

### **Officer Comments**

A request to Landgate (Location Intelligence) confirmed the limited options based on the current numbering arrangement.

The current numbering commences on the north portion of Trinity Rise. This numbering allocation does not allow for the addressing of any developed land on the south portion.

The renaming of Trinity Rise would allow for the addressing of the affected development and future development.

### **Analysis of Financial and Budget Implications**

The street sign will be replaced and cost will be accommodated within the City's existing signage budget.

### **Community Consultation**

The road name change will not directly affect any landowners as there are no rateable properties on this section of road.

### **Elected Member/Officer Consultation**

The City of Bunbury Planning, Design and Projects and Asset Management Departments have been notified of the proposed renaming and had no objection to the recommendation.

### **Applicant Consultation**

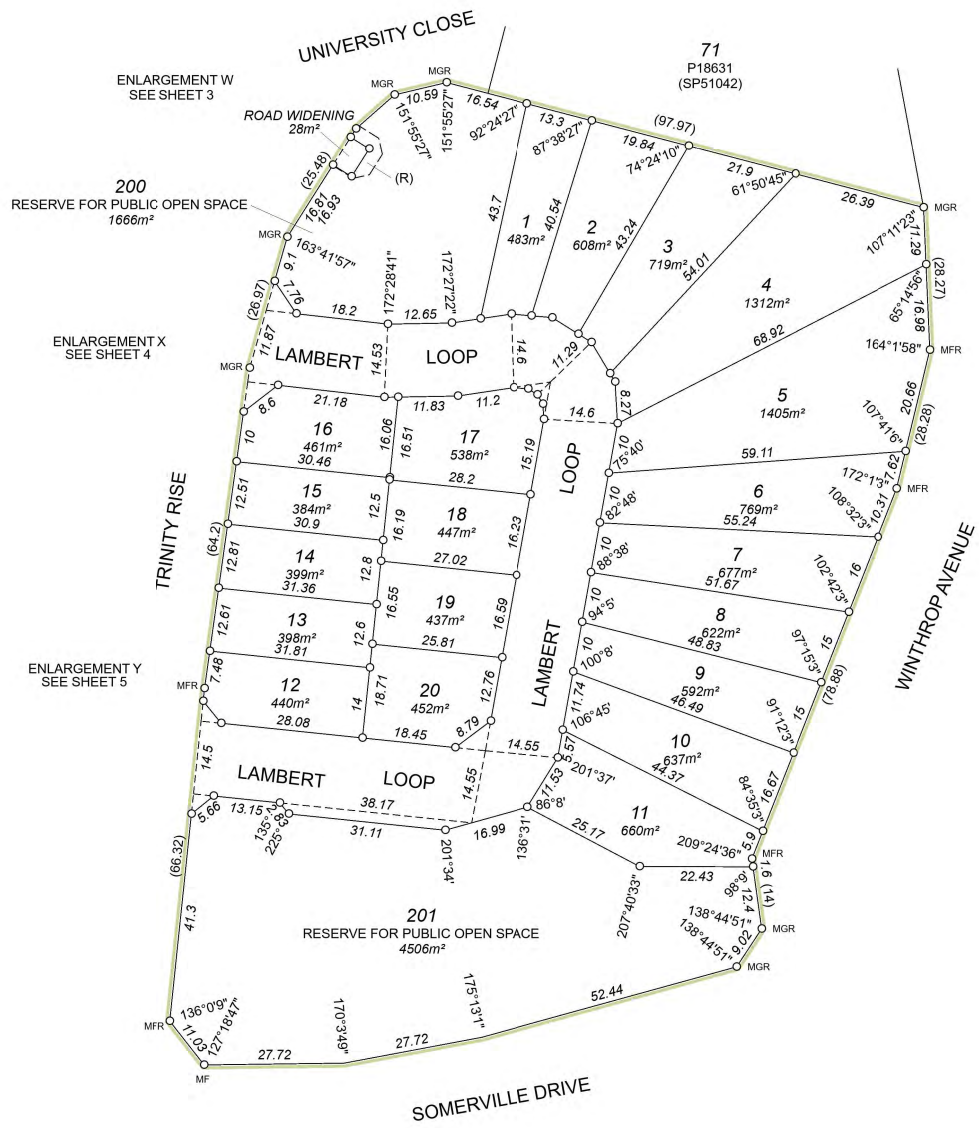
Not Applicable.

**Timeline: Council Decision Implementation**

Following Council endorsement the City will submit the road name to Landgate for approval.

**DRAFT**  
**For review at the Council**  
**Briefing Session**  
**16 April 2024**

LIMITED IN DEPTH TO 12.19 METRES



SCALE 1:750 @ A2

10 0 50

ALL DISTANCES ARE IN METRES



## Appendix 10.3.2-C

NAME	ORIGIN_TEXT	comments
Benkendorff	F.O. Benkendorff - Councillor November 1900 - November 1901.	OK
Freisa	Freisa is a red Italian wine grape variety grown in the Piedmont region of north-west Italy, primarily in Monferrato and in the Langhe, but also further north in the provinces of Turin and Biella.	OK
Kongras	Mr Peter Kongras was amongst the first Greek fishermen to settle in Rathmines (East Bunbury) and lived in East Bunbury from the early 1920's until his death in 1966. He was married and raised six (6) children, living first in Austral Parade and later at 78 Stirling Street. Upon retirement the commercial fishing business was continued by his eldest child Antony, who continued to fish and crab commercially until his own retirement. Peter Kongras was also responsible for saving the life of Mr Monkhouse in 1955 who fell from the top of the Bunbury Power House while it was under construction. He injured himself in the process, as he placed himself underneath Mr Monkhouse and broke his fall. Mr Kongras is described being a "very spirited, sociable and generous person, who mixed with a wide variety of people". Although not wealthy he was generous.	OK
Scholtzia	Australian native flora.	OK

### 10.3.3 Rate Exemption Application – 4 Absolon Street & 1B Dixon Street, Carey Park

<b>File Ref:</b>	COB/1130
<b>Applicant/Proponent:</b>	Housing Choices Australia
<b>Responsible Officer:</b>	Leonie Barwick, Team Leader Corporate Revenue
<b>Responsible Manager:</b>	David Ransom, Finance Manager
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Nil

#### Summary

An application for rate exemption has been received from Housing Choices Australia who currently lease 4 Absolon Street and 1B Dixon Street, Carey Park from the Department of Communities – Housing, totalling \$3,502 per annum (23/24 rates) under Section 6.26 (g) of the *Local Government Act 1995* – land used exclusively for charitable purposes.

#### Executive Recommendation

That Council grants a rate exemption to Housing Choices Australia under Section 6.26 (g) of the Local Government Act 1995 for 4 Absolon Street and 1B Dixon Street, Carey Park effective from 1 July 2024.

*Voting Requirement: Simple Majority*

#### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.3	Effectively manage the City's resources

#### Regional Impact Statement

Accepting the rate exemption application from Housing Choices Australia will reduce the City's rate revenue but will not have a regional impact.

#### Background

Housing Choices Australia have advised they are a not-for-profit organisation and that the properties are used to provide subsidised accommodation for the relief of poverty or distress for people in need.

#### Council Policy Compliance

Council does not have a policy for the exemption of rates as this is provided for under Section 6.26 of the *Local Government Act 1995*.



## **Legislative Compliance**

The *Local Government Act 1995* – Section 6.26 (g) states:

### 6.26. Rateable land

- (1) *Except as provided in this section all land within a district is rateable land.*
- (2) *The following land is not rateable land -*
  - (g) *land used exclusively for charitable purposes.*

## **Officer Comments**

Housing Choices Australia have provided the requested supporting documentation for their application and based on the internal assessment by officers, meets all criteria for a rate exemption. This assessment is based on the WALGA “Rate Exemptions Guidelines” which have been developed in consultation with the WA Rates Officer’s Association.

Should the application be declined, the organisation has the option to take this matter to the State Administrative Tribunal (SAT).

All rate exempt properties are reviewed on a 2 yearly basis. The City currently has 427 properties that are exempt which is a loss of rate income of \$1,550,973 per annum.

The City has made numerous representations to the Department of Local Government, Sport and Cultural Industries on the growth of the rate exemption applications and the impact this has on other ratepayers.

## **Analysis of Financial and Budget Implications**

Approval of this exemption will result in a reduction of rates income of \$3,502 per annum.

As the proposed exemption is to be granted effective from 1 July 2024, this application, if approved will not have an effect on the forecast Closing Surplus Position to 30 June 2024.

## **Community Consultation**

There is no requirement for community consultation on this application.

## **Councillor/Officer Consultation**

Councillors were provided with a briefing on rate exemptions under the *Local Government Act 1995* on 10 September 2018.

## **Applicant Consultation**

Not Applicable.

## **Timeline: Council Decision Implementation**

The Applicant will be notified of Councils decision and that the exemption will apply from 1 July 2024.

## 10.4 Director Sustainable Development

### 10.4.1 Proposed Scheme Amendment No. 12 to City of Bunbury Local Planning Scheme No. 8 at Lot 81 South Western Highway, Davenport

<b>File Ref:</b>	DD/12/2023/5/1
<b>Applicant/Proponent:</b>	Stan Lawrence-Brown, LB Planning
<b>Responsible Officer:</b>	Gareth Webber, A/ Senior Planning Officer
<b>Responsible Manager:</b>	Barbara Macaulay, Manager Planning and Building
<b>Executive:</b>	Sarah Upton, A/ Director Sustainable Development
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.4.1- A Scheme Amendment No. 12 Report Appendix 10.4.1-B Proposed Modifications Appendix 10.4.1-C Schedule of Submissions

#### Summary

Scheme Amendment No. 12 has been prepared by LB Planning on behalf of the landowner of Lot 81 South Western Highway, Davenport. At its Ordinary Meeting of 7 November 2023, Council resolved to adopt and advertise the proposed standard scheme amendment for public comments.

The amendment has been publicly advertised and referred to the relevant service authorities for comment. The proposed standard amendment is now presented to Council in order to seek a resolution to support the amendment subject to the recommended modifications prior to being referred to the Western Australian Planning Commission (WAPC) for its consideration and recommendation to the Minister.

Officers recommend modification to condition 2 and 3 of "Schedule 3 – Additional Site and Development Requirements Table 6" to introduce additional wording to align with the requirements of the *Government Sewerage Policy (WAPC 2019)*.

#### Executive Recommendation

That Council, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to:

1. Advise the Western Australian Planning Commission that the local government resolves to support the proposed standard Scheme Amendment No. 12 to the City of Bunbury Local Planning Scheme No. 8 subject to the modifications contained in Appendix 10.4.1-B.
2. Provide the advertised scheme amendment documentation to the Western Australian Planning Commission.
3. Advise the Western Australian Planning Commission that no advice from the Department of Biodiversity, Conservation and Attractions regarding the zoning or reserving of the Resource Enhancement Wetland has been received at the time of writing this report. The Western Australian Planning Commission are recommended to liaise with the Department of Biodiversity, Conservation and Attractions regarding the suitability of the Resource Enhancement Wetland to be rezoned for industrial development.

*Voting Requirement: Simple Majority*

### Strategic Relevance

Pillar	Place
Aspiration	An integrated, vibrant and well planned City.
Outcome	A community with high quality urban design and housing diversity.
Objective 7.1	Promote responsible planning and development.
Pillar	Prosperity
Aspiration	A strong and diversified economy.
Outcome 11	A strong, resilient and diverse economic hub for the South West.
Objective 11.2	Attract diversified investment, industry and businesses.

### Regional Impact Statement

The proposed amendment will not have a regional impact.

### Background

The subject site is 41.83 hectares in area and located approximately 8 kilometres southeast of the Bunbury Central Business District. The subject site is bounded by South Western Highway to the west, the Bunbury Outer Ring Road to the south, Preston River to the east and the Bunbury Airport expansion area to the north. Further surrounding land uses include the Bunbury Speedway, Bunbury Airport, Motorcycle Club, Go-Kart Club, Bunbury Regional Prison and various rural activities. The subject site is also identified within the 'Preston Industrial Park' area.

A Structure Plan over the subject site was endorsed by the Western Australian Planning Commission (WAPC) on 11 January 2022. The Structure Plan consists of six lots ranging in size from 5 to 8 hectares for large scale industrial uses consistent with the 'General Industry' zone under Local Planning Scheme No.8 (LPS8). Conditional subdivision approval for six lots in accordance with the Structure Plan was also granted by the WAPC on 27 April 2022.

The current zoning of the land provides a basis for future detailed planning in accordance with the structure planning provisions of LPS8. As an endorsed Structure Plan and conditional subdivision approval have been granted over the subject site, the proposed rezoning and additional provisions that form part of this amendment are the next step to facilitating industrial development.

A full copy of the scheme amendment report can be found at Appendix 10.4.1-A.

### Council Policy Compliance

There is no Council policy that relates to the assessment of the scheme amendment.

### Legislative Compliance

The following statutory planning instruments of the State Planning Framework and Local Planning Policy Framework are applicable to the assessment of this application for planning approval:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Bunbury Local Planning Strategy 2018; and
- City of Bunbury Local Planning Scheme No. 8 (LPS8 or the Scheme).

## **Officer Comments**

The proposed scheme amendment has been assessed against the relevant State and Local policy framework and is consistent with the framework. The amendment is therefore considered to be a standard scheme amendment under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The purpose of this amendment is to rezone the subject site from 'Industrial Development' zone to 'General Industry' zone. In addition, the amendment also proposes to insert specific site and development requirements from the endorsed Structure Plan which relate to onsite wastewater management and disposal into Schedule 3 – Additional Site and Development Requirements of LPS8.

One of the proposed specific site and development requirements only allows 'dry industry' land uses where connection to reticulated sewer is not provided. It is acknowledged that the nearest sewer pressure main is approximately 2 kilometres away from the subject site and there are no plans for the area to be connected to sewer in the short to medium term. The transfer of the development requirements from the Structure Plan into the Scheme will reinforce that only 'dry industry' land uses will be permitted.

A 'dry industry' is deemed to be any industrial use permitted by LPS8 where it can be demonstrated that the quality and volume on site effluent disposal can be successfully disposed of without environmental or health effects. Examples of 'dry industry' land uses that can be considered in the 'General Industry' zone and do not generate a high volume of wastewater onsite include 'warehouse / storage', 'transport depot' and 'trade display'.

The proposed scheme amendment will facilitate further industrial development and management of site constraints in a manner that is consistent with the relevant planning framework. The proposal is consistent with the objectives of the zone to enable use of the land for industrial purposes.

There were no matters raised during advertising that warrant not supporting the scheme amendment. Officers recommend minor modifications to the wording to the requirements of condition 2 and 3 based on relevant advice.

## **Analysis of Financial and Budget Implications**

There are no known financial or budgetary implications of progressing a standard amendment to the Local Planning Scheme.

## **Community Consultation**

The scheme amendment was advertised to service authorities and a notice placed on the website in accordance with clause 64 of the deemed provisions. A total of eight submissions were received from service authorities with no objections being raised. The Department of Water and Environmental Regulation (DWER) and Department of Fire and Emergency Services (DFES) provided comment which is discussed further below. No submissions were received from the public.

### Department of Water and Environmental Regulation

DWER identified that the proposal has potential for impact on the environment and recommended additional wording be added to condition 2 to align with the requirements of the Government Sewerage Policy. Officers have recommended a modification to the scheme amendment to include the additional wording consistent with this advice.

### Department of Fire and Emergency Services

A small section of the eastern and western portions of the subject site are located within a Bushfire Prone Area. No Bushfire Attack Level Assessment (BAL) or Bushfire Management Plan (BMP) was submitted with the scheme amendment. However, the endorsed structure plan contains a BMP that addresses the criteria of *State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP3.7)*. Officers discussed this with DFES who advised that whilst strategic planning proposals such as a scheme amendments generally require a BAL and BMP, as the scheme amendment relates to an endorsed Structure Plan, it is unlikely that anything would change from their previous advice.

It is noted that a condition of the WAPC subdivision approval requires information to be provided to demonstrate that the measures contained within the BMP have been implemented during subdivisional works. Furthermore, any development application within the Bushfire Prone Area would be required to address the criteria of SSP3.7.

### Department of Biodiversity, Conservation and Attractions

No formal response was received from the Department of Biodiversity, Conservation and Attractions (DBCA) within the statutory timeframe. Officers contacted DBCA who advised they intend to provide comment regarding the Resource Enhancement Wetland, however that was not received at the time of writing this report. Due to the time constrictions for Officers to make a recommendation to the WAPC before the end of the consideration period, this report is written without the formal advice of DBCA. It is recommended that the Western Australian Planning Commission liaise further with DBCA regarding the Resource Enhancement Wetland.

A full copy of the Schedule of Submissions is contained in Appendix 10.4.1-C.

### **Councillor/Officer Consultation**

The proposal has been referred to the City of Bunbury's Development Coordination Unit (DCU) for professional advice and technical assessment prior to the finalisation of this report. The City's Environmental Health department provided comment regarding the level of detail required for a detailed site and soil evaluation. Based on this advice, officers have recommended modifications to include additional wording under condition 2 and 3 in accordance with the *Government Sewerage Policy* and Australian Standards.

### **Applicant Consultation**

A copy of the Schedule of Submissions and officer's recommended modifications have been provided to the applicant. The applicant has confirmed that they are agreeable to the recommended modifications.

### **Timeline: Council Decision Implementation**

Council's resolution (recommendations) together with the amendment documentation will be submitted to the WAPC. Referral to the Commission can be expected to be undertaken within 21 days of the Council decision.



**City of Bunbury**

**Local Planning Scheme No. 8**

**Amendment No. 12**

**Lot 81 South Western Highway, Davenport**

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<b>3</b>	<b>The Proposal.....</b>	<b>3</b>
<b>4</b>	<b>Conclusion.....</b>	<b>5</b>

**MINISTER FOR PLANNING****PROPOSAL TO AMEND A TOWN PLANNING SCHEME**

1. LOCAL AUTHORITY : City of Bunbury
2. DESCRIPTION OF SCHEME : Local Planning Scheme No. 8
3. TYPE OF SCHEME : District Zoning Scheme
4. SERIAL No. OF AMENDMENT : Amendment No. 12
5. PROPOSAL : Rezone Lot 81 South Western Highway, Davenport from 'Industrial Development' to 'General Industry' as depicted on the scheme amendment map and insert new text into Schedule 3 –additional Site and Development Requirements Table 6" of the Scheme text, consistent with the endorsed Structure Plan that relates to the subject land.



# Form 2A

*Planning and Development Act 2005*

**RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME**

**City of Bunbury Local Planning Scheme No. 8  
Scheme Amendment No.12**

Resolved that the local government, pursuant to section 75 of the *Planning and Development Act 2005* amend the above local planning scheme by:

1. Rezoning Lot 81 South Western Highway, Davenport from ‘Industrial Development’ Zone’ to ‘General Industry’ zone;
2. Modify the Scheme Map accordingly; and
3. Inserting the following text into “Schedule 3 – additional site and Development Requirements Table 6” as follows;

No.	Description of Land	Requirement
9	Davenport: Lot 81 South Western Highway	<ol style="list-style-type: none"> <li>1. No development is to be carried out within the floodway area depicted on the Structure Plan map.</li> <li>2. Any on-site sewage disposal system should not be located within 100 metres of a waterway or a significant wetland.</li> <li>3. A detailed Site and Soil Evaluation and details of the proposed on-site sewage disposal system is to be submitted to the City of Bunbury as part of any application for development approval.</li> <li>4. Where connection to reticulated sewer is not provided, any industrial development on Lot 81, will be restricted to 'Dry Industry'. Dry industry is any industrial use permitted by the City of Bunbury's Local Planning Scheme where it can be demonstrated that the quality and volume of effluent to be disposed of on-site can be successfully disposed of, without adverse environmental or health effects, utilising sewage disposal systems approved by the Health Department of Western Australia and the Department of Water and Environmental Regulation, in accordance with the</li> </ol>

		<p>requirements of the Government Sewerage Policy.</p> <p>5. No development is permitted to be carried out within the Conservation Category Wetland buffer.</p> <p>6. Prior to the approval of any development within areas identified as Resource Enhancement Wetland, approval will first need to be sought for the reclassification of the wetland from the Department of Biodiversity, Conservation and Attractions.</p>
--	--	--

The Amendment is “standard” under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason:

1. The proposed amendment is consistent with the objectives identified in the scheme for the zone, is not considered complex or basic and will have minimal impact on land in the scheme area that is not the subject of the amendment.

Dated this ..... day of .....2023

.....  
 CHIEF EXECUTIVE OFFICER

# 1 Background

It is proposed, to rezone Lot 81 South Western Highway, Davenport (**the subject land**) from “Industrial Development’ to ‘General Industry’ by way of amendment to the City of Bunbury Local Planning Scheme No. 8 (**the Scheme**).

The subject land is located approximately 8 kilometres south east of the Bunbury CBD on the eastern side of South Western Highway, opposite the Bunbury Speedway and it is intended to develop the land into six large industrial lots, generally ranging between 5 to 8 hectares in size.

In order to inform the future development and subdivision of the subject land, a Structure Plan was prepared and subsequently endorsed by the Western Australian Planning Commission (WAPC) on 11 January 2022.

The Structure Plan is consistent with this scheme amendment and was prepared in accordance with the WAPC *Structure Plan Framework*. It provides planning rationale and supporting technical analysis in relation to Environmental, Traffic, Bushfire Risk and Drainage/Servicing issues.

The Structure Plan Report also incorporates a Local Water Management Strategy (LWMS) and provides explanation to the design approach, including how general planning principles and objectives have been taken into consideration.

The proposed scheme amendment is supported by the Structure Plan which identifies use of the subject land for large scale industrial operations, consistent with the ‘General Industry’ zone under LPS8.

“Part One, Section 5 – Other Requirements” of the Structure Plan Report also states that: ***“Prior to the issue of any planning approval for development on the site, specific land use and development controls shall be included in the “Additional Site and Development Requirements” table of the Scheme text, by way of an amendment to the Scheme, in order to undertake ‘dry industry’.”***

Therefore, in addition to the proposed rezoning, it is also proposed to insert specific additional site and development requirements, in respect of the subject land, into “Schedule 3 – additional site and Development Requirements Table 6” of the Scheme text. The proposed development requirements are consistent with those contained in the endorsed Structure Plan and in particular, include specific requirements to only allowing ‘dry industry’ land uses on the subject land, where connection to reticulated sewer is not provided.

In this regard, the nearest sewer pressure main is approximately 2km away from the subject land. Notwithstanding the cost to install the required Type 90 Waste Water Pump Station (WWPS) for such a small development, preliminary investigation findings also confirm the resulting sewer flow rate will be too small, thus rendering the WWPS unworkable. In addition, advice from Watercorp confirms that the Type 90 WWPS planned for the locality is not programmed yet and nor is it likely to be in the short to medium term.

## 2 Site Description

The subject land is identified as Lot 81, South Western Highway, Davenport and is approximately 41.83 hectares. It is located approximately 8 kilometres south east of the Bunbury CBD and falls within the City of Bunbury local government area (Figure1).

Historically the site has been used for broad acre farming and does not contain any existing dwellings or outbuildings. The land has been cleared and pastured and its topography is generally flat (14m to 11m AHD) with a gradual fall from west to east.

The site is bordered by South Western Highway to the west, a portion of the Bunbury Outer Ring Road to the south, an airport expansion area to the north and the Preston River to the east (Figure 2).

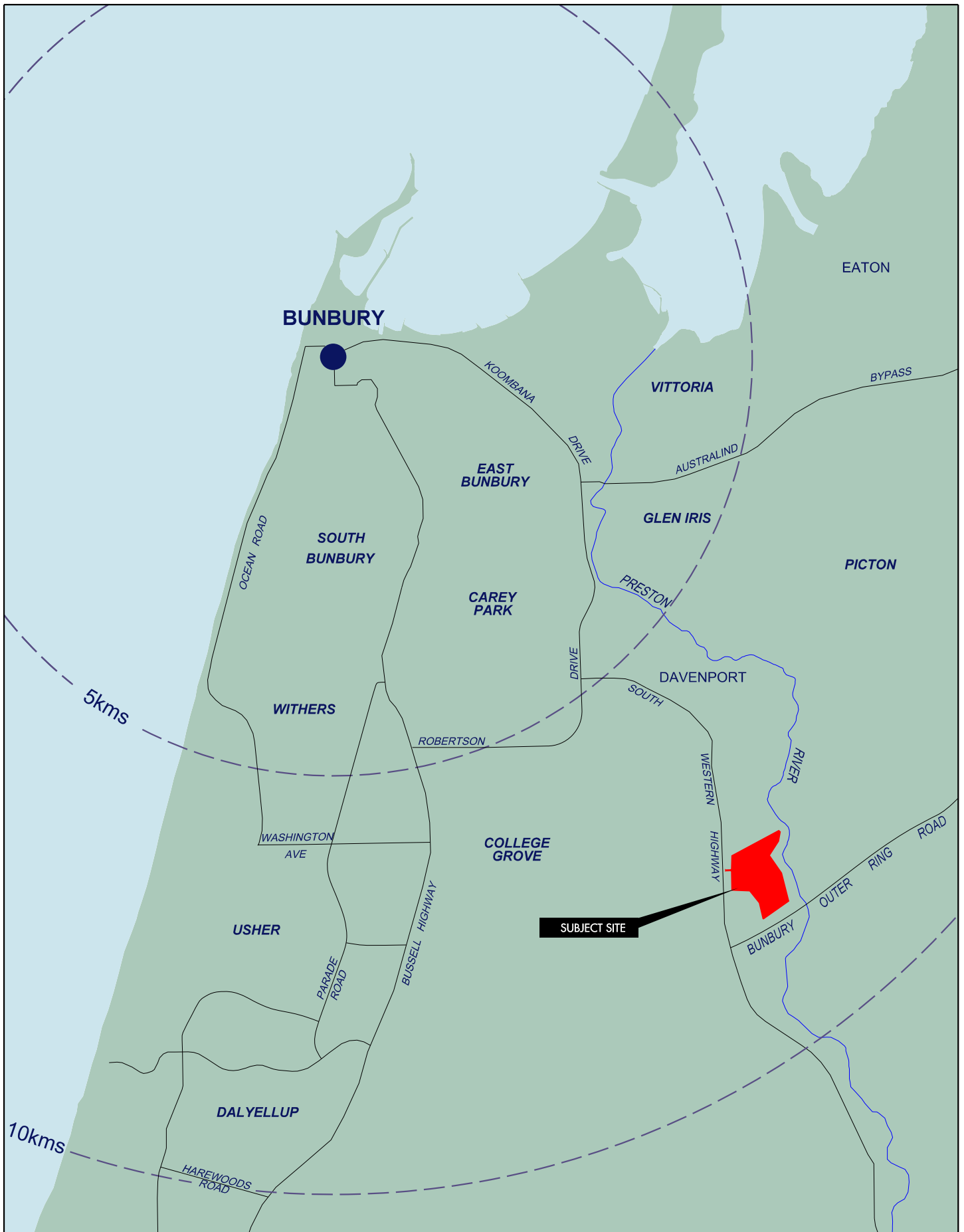
Surrounding land uses include of the Bunbury Speedway, the Bunbury Airport, Motorcycle Club, Go-kart club, Bunbury Regional Prison to the west and various rural land uses. Land further north is already developed for industrial purposes (i.e. Bunbury Business Park, Halifax & Picton) and areas to the east and south are either strategically identified or proposed as future industrial land.

The subject land is identified within the “Preston Industrial Park” area and in the context of its surrounds is well suited for the proposed future industrial land use activity.

Directly abutting the subject land and South Western Highway to the west is a large vegetated area known as Lot 80. This area of land formed part of the original lot parcel (Lot 15) which was subdivided in June 2015 (WAPC No 144945) into current Lots 80 & 81.

The majority of the Lot 80 is characterised by an elevated portion of land in the south western corner comprising approximately 15 hectares of remnant peppermint woodland. The remaining land is largely characterised by an identified Conservation Category Wetland (CCW) area located along the South Western Highway boundary and a Resource Enhancement (RE) wetland near the access leg to Lot 81.

The RE wetland also extends into the north-west corner of Lot 81 and while this potentially constrains future industrial use in some portions of the subject land, the large nature of proposed lots will enable appropriate measures to control land use in any sensitive areas at the development approval stage.



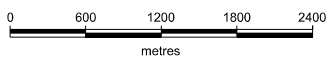
**FIG 1: LOCATION PLAN**

Lot 81 South Western Highway, DAVENPORT

CLIENT : -  
 SCALE : 1:60,000  
 DATE : 12 July 2016  
 PLAN No : Locn.dgn  
 REVISION : A  
 PLANNER : SLB  
 DRAWN : BL

**LEGEND**

 SUBJECT SITE



A 191A Naturaliste Terrace Dunsborough WA 6281 E admin@lbplanning.com.au  
 P (08) 9750 5925 ABN 55 115 374 128



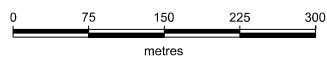
**FIG 2: AERIAL PLAN**

Lot 81 South Western Highway, DAVENPORT

CLIENT : -  
 SCALE : 1:7,500  
 DATE : 12 July 2016  
 PLAN No : Aerial.dgn  
 REVISION : A  
 PLANNER : SLB  
 DRAWN : BL

**LEGEND**

 SUBJECT SITE



A 191A Naturaliste Terrace Dunsborough WA 6281 E admin@lbplanning.com.au  
 P (08) 9750 5925 ABN 55 115 374 128

### 3 The Proposal

The proposed scheme amendment seeks to achieve the following:

1. Rezone Lot 81 South Western Highway, Davenport from ‘Industrial Development’ Zone to ‘General Industry’ zone;
2. Modify the Scheme Map accordingly; and
3. Inserting the following text into “Schedule 3 – additional site and Development Requirements Table 6” as follows;

No.	Description of Land	Requirement
7	Davenport: Lot 81 South Western Highway	<ol style="list-style-type: none"> <li>1. No development is to be carried out within the floodway area depicted on the Structure Plan map.</li> <li>2. Any on-site sewage disposal system should not be located within 100 metres of a waterway or a significant wetland.</li> <li>3. A detailed Site and Soil Evaluation and details of the proposed on-site sewage disposal system is to be submitted to the City of Bunbury as part of any application for development approval.</li> <li>4. Where connection to reticulated sewer is not provided, any industrial development on Lot 81, will be restricted to 'Dry Industry'. Dry industry is any industrial use permitted by the City of Bunbury's Local Planning Scheme where it can be demonstrated that the quality and volume of effluent to be disposed of on-site can be successfully disposed of, without adverse environmental or health effects, utilising sewage disposal systems approved by the Health Department of Western Australia and the Department of Water and Environmental Regulation, in accordance with the requirements of the Government Sewerage Policy.</li> <li>5. No development is permitted to be carried out within the Conservation Category Wetland buffer.</li> <li>6. Prior to the approval of any development within areas identified as Resource Enhancement Wetland, approval will first need to be sought for the reclassification of the wetland from the Department of Biodiversity, Conservation and Attractions.</li> </ol>

The proposal will transfer the development requirements of the Structure Plan into the Scheme and reinforce that only dry industrial land uses will be permitted on the site until such time it is connected to reticulated sewer.

For the purpose of this proposal “Dry Industry” is deemed to be any industrial use permitted by the City of Bunbury’s Local Planning Scheme where it can be demonstrated that the quality and volume of effluent to be disposed of on-site can be successfully disposed of, without adverse environmental or health effects, utilising effluent disposal systems approved by the Health Department of Western Australia.

Although not limited to, examples of the types of dry industrial land use which could be considered on the subject land include those associated with Storage, Trade Display, Transport, Garden Centre and Warehouse related activities. Each of the use classes are contained in the Scheme’s Zoning Table and are either ‘permitted’ or ‘discretionary’ uses in the General Industry zone.

As detailed in the associated Structure Plan Report, it is proposed to establish six large industrial lots with a central access road. Each of the lots are capable of supporting larger scale industrial operations where large areas of space required for equipment storage, parking and machinery placement.

In terms of drainage and fill requirements, future development will be guided by the approved LWMS and subsequent Urban Water Management Plan (UWMP) at the subdivision stage. In this regard certain levels of fill will be required where buildings are proposed. The extent of required fill will be determined at the development approval stage and it is intended that drainage, hard stand and/or open storage areas will be maintained at natural ground level, guided by the approved UWMP.

Details regarding traffic, service utilities, BAL assessment and suitability of the site for on-site effluent disposal are also provided within the Structure Plan Report.



## 4 CONCLUSION

The proposed amendment to the Scheme will facilitate future industrial development of the subject land in a manner that is consistent with the applicable planning framework (namely the endorsed Structure Plan), while providing flexibility to manage and deal with development constraints associated with fill and connection to reticulated sewer.

The proposal is consistent with the objectives identified in the Scheme for the zone and will enable its use and development for industrial purposes as intended.

This scheme amendment is therefore being considered as a “standard” amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Planning and Development Act 2005**

**CITY OF BUNBURY LOCAL PLANNING SCHEME NO. 8  
Scheme Amendment No.12**

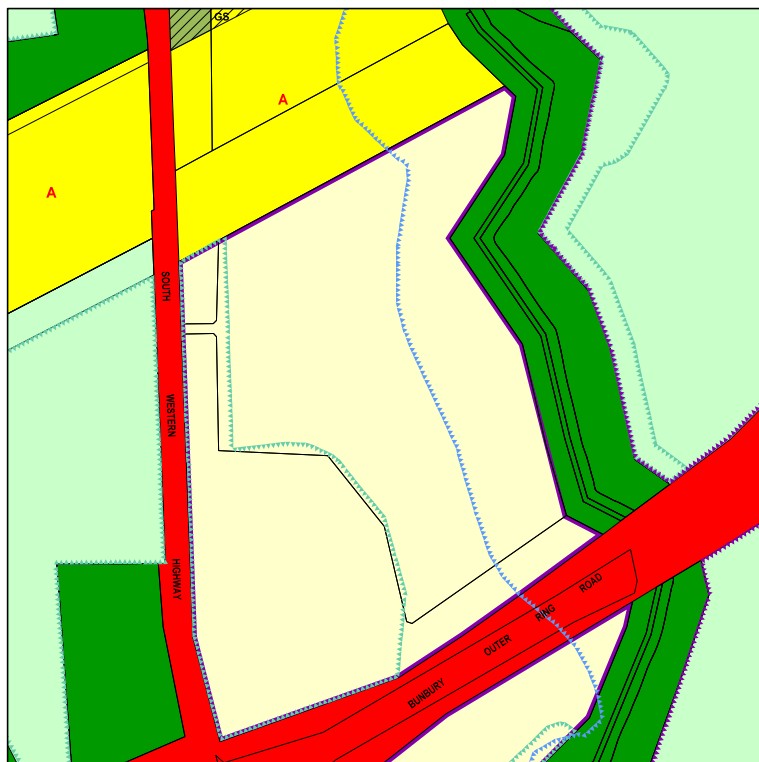
The City of Bunbury under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above local planning scheme by:

1. Rezoning Lot 81 South Western Highway, Davenport from ‘Industrial Development’ Zone to ‘General Industry’ zone;
2. Modify the Scheme Map accordingly; and
3. Inserting the following text into “Schedule 3 – additional site and Development Requirements Table 6” as follows;

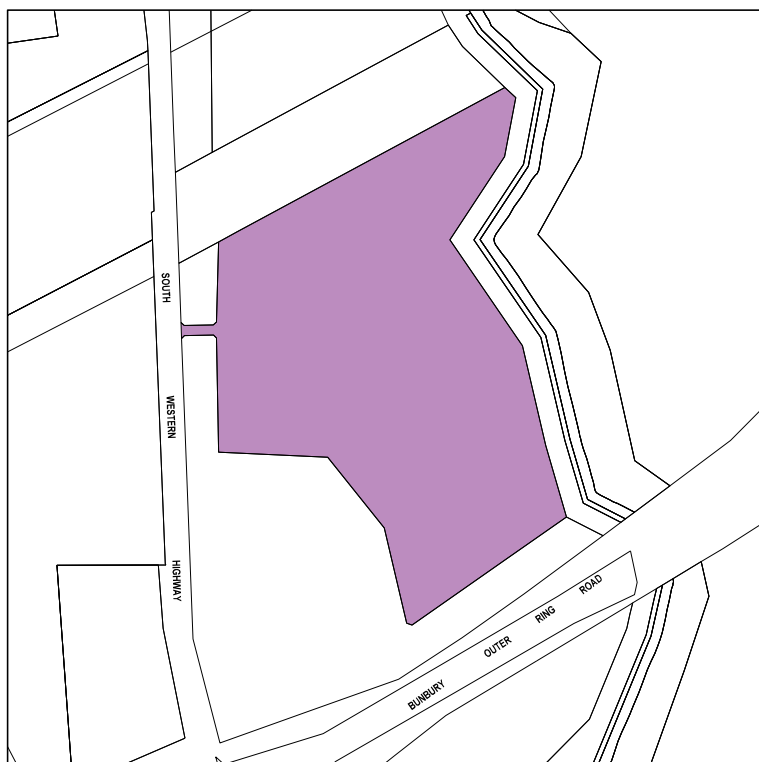
No.	Description of Land	Requirement
7	Davenport: Lot 81 South Western Highway	<ol style="list-style-type: none"> <li>1. No development is to be carried out within the floodway area depicted on the Structure Plan map.</li> <li>2. Any on-site sewage disposal system should not be located within 100 metres of a waterway or a significant wetland.</li> <li>3. A detailed Site and Soil Evaluation and details of the proposed on-site sewage disposal system is to be submitted to the City of Bunbury as part of any application for development approval.</li> <li>4. Where connection to reticulated sewer is not provided, any industrial development on Lot 81, will be restricted to 'Dry Industry'. Dry industry is any industrial use permitted by the City of Bunbury's Local Planning Scheme where it can be demonstrated that the quality and volume of effluent to be disposed of on-site can be successfully disposed of, without adverse environmental or health effects, utilising sewage disposal systems approved by the Health Department of Western Australia and the Department of Water and Environmental Regulation, in accordance with the requirements of the Government Sewerage Policy.</li> <li>5. No development is permitted to be carried out within the Conservation Category Wetland buffer.</li> <li>6. Prior to the approval of any development within areas identified as Resource Enhancement Wetland, approval will first need to be sought for the reclassification of the wetland from the Department of Biodiversity, Conservation and Attractions.</li> </ol>

# SCHEME AMENDMENT MAP

## CITY OF BUNBURY LOCAL PLANNING SCHEME No.8 AMENDMENT No. 12





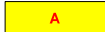
**EXISTING ZONING**





**PROPOSED ZONING**

### LEGEND

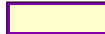

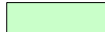
#### REGION SCHEME RESERVES (GBRS)

-  REGIONAL OPEN SPACE
-  PRIMARY REGIONAL ROADS
-  PUBLIC PURPOSES - AIRPORT




#### LOCAL SCHEME RESERVES

-  ENVIRONMENTAL CONSERVATION
-  PUBLIC PURPOSES - GOVERNMENT SERVICES

#### LOCAL SCHEME ZONES

-  INDUSTRIAL DEVELOPMENT
-  GENERAL INDUSTRY
-  RURAL

#### OTHER CATEGORIES

-  SCA DEVELOPMENT AREAS
-  SCA BUSHLAND AREAS
-  SCA FLOOD PRONE AREAS



AUGUST 2023

### Final Approval

Adopted for final approval by resolution of the City of Bunbury at its Ordinary Meeting of the Council held on the ..... day of ....., 2024 (Decision Number ..... /.....); and the Common Seal of the City of Bunbury was hereunto affixed by the authority of a resolution of the Council in the presence of:

**Mayor** Signed:- .....  
Jaysen de San Miguel

**Chief Executive Officer** Signed:- .....  
Alan Ferris



### Recommended/Submitted for Final Approval

Delegated under section 16 of the *Planning and Development Act 2005* Signed:- ..... Date:- \_\_\_\_ / \_\_\_\_ / \_\_\_\_

### Final Approval Granted

**Minister for Planning** Signed:- ..... Date:- \_\_\_\_ / \_\_\_\_ / \_\_\_\_



SCHEDULE OF LOCAL GOVERNMENT MODIFICATIONS  
CITY OF BUNBURY  
LOCAL PLANNING SCHEME NO. 8 AMENDMENT NO. 12

#	Section / Page	Reference	Explanation / Issue	Correction / Modification
1.	Resolution to Adopt Amendment to Local Planning Scheme  Page iii	Condition 2	The Department of Water and Environmental Regulation recommended additional wording regarding measuring the separation distance to align with item 4 of clause 5.2.2 of the <i>Government Sewerage Policy (WAPC 2019)</i> .	<b>Modification to include:</b>  2. Any on-site wastewater treatment and disposal system should not be located within 100 metres of a waterway or a significant wetland. The separation distance should be measured from the outer edge of riparian or wetland vegetation.
2.	Resolution to Adopt Amendment to Local Planning Scheme  Page iii	Condition 3	The City’s Environmental Health division recommended additional wording regarding the requirements for a detailed Site and Soil Evaluation to enable the City to be in a position to make an informed decision on any application for this property.	<b>Modification to include:</b>  3. A detailed Site and Soil Evaluation in accordance with Appendix D of <i>AS 1547:2021 (On-site domestic wastewater management)</i> and details of the proposed on-site wastewater treatment and disposal system is to be submitted to the City of Bunbury as part of any application for development approval. Such a report must be completed by a suitable qualified service provider.

## Schedule of Submissions

Proposed Scheme Amendment 12 - Rezone from Industrial Development to General Industry Zone

LOT 81 South Western Highway Davenport

#	Name / Address	Summary of Submission	Officer Comments on Submission
<b>Government / Service Agency Comments</b>			
1.	Environmental Protection Authority  Liz Stewart <a href="mailto:liz.stewart@dwer.wa.gov.au">liz.stewart@dwer.wa.gov.au</a>	<p>Thank you for referring the above scheme to the Environmental Protection Authority (EPA).</p> <p>After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986 (EP Act).</p> <p>Please note the following:</p> <ul style="list-style-type: none"> <li>• The protection measures to be implemented as outlined in the EPA's determination (attached).</li> <li>• For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.</li> <li>• There is no appeal right in respect of the EPA's decision to not assess the scheme.</li> </ul> <p>A copy of the EPA's Determination and is attached and will be made available to the public via the EPA website.</p> <p><b><u>Decision Notice</u></b></p>	Noted.

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
<b>Government / Service Agency Comments</b>			
1.	Environmental Protection Authority  Liz Stewart <a href="mailto:liz.stewart@dwer.wa.gov.au">liz.stewart@dwer.wa.gov.au</a>	<p>Thank you for referring the above scheme to the Environmental Protection Authority (EPA).</p> <p>After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986 (EP Act).</p> <p>Please note the following:</p> <ul style="list-style-type: none"> <li>• The protection measures to be implemented as outlined in the EPA’s determination (attached).</li> <li>• For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.</li> <li>• There is no appeal right in respect of the EPA’s decision to not assess the scheme.</li> </ul> <p>A copy of the EPA’s Determination and is attached and will be made available to the public via the EPA website.</p> <p><b><u>Decision Notice</u></b></p>	Noted.

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

		<p><b>Preliminary Environmental Factors:</b></p> <p>Inland waters, Flora and vegetation, Terrestrial fauna</p> <p><b>Potential Significant Effects:</b></p> <p>Potential impacts from future development may cause impacts to the above environmental factors. The Amendment area is within a Sewage Sensitive Area and contains scattered trees that may provide habitat to threatened species. The adjacent Lot 80 also contains significant environmental values including habitat for threatened species, and conservation and resource enhancement wetlands.</p> <p><b>Protection:</b></p> <p>Potential impacts can be managed through the proposed scheme provisions, future planning processes and development requirements. The EPA expects retention of trees within the Amendment area where possible. As recommended in the EPA's Section 16(e) Advice on areas of conversation significance in the Preston Industrial Park, the adjacent Lot 80 should be reserved in the Greater Bunbury Region Scheme as Regional Open Space, to ensure it ongoing protection and management for conservation.</p> <p><b>Determination:</b></p> <p>Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed under Part IV of the EP Act. No Advice Given.</p>	
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**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

		<p>(Not Appealable).</p> <p>The Environmental Protection Authority (EPA) has carried out investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.</p> <p>This Determination is not appealable.</p>	
2.	<p>Department of Planning, Lands and Heritage</p> <p>Alice Pryse <a href="mailto:alice.pryse@dplh.wa.gov.au">alice.pryse@dplh.wa.gov.au</a></p>	<p><i>Authorisation to Advertise:</i></p> <p>I refer to your letter dated 28 November 2023 regarding Amendment No. 12.</p> <p>Pursuant to Section 83A of the Planning and Development Act 2005, the Department of Planning, Lands and Heritage (the Department) advises that proposed Amendment No. 12 is approved for advertising in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations).</p> <p>The Local Government is advised that:</p> <ol style="list-style-type: none"> <li>1. It is the expectation that the local planning scheme amendment is to be advertised within 28 days of this decision letter in accordance with section 84 of the Planning and Development Act 2005; and</li> <li>2. While a preliminary assessment has been undertaken, this should not be construed as support for the local planning scheme amendment or that further modifications cannot be required following</li> </ol>	<p>Noted.</p> <p>Scheme amendment has been advertised in accordance with the <i>Planning and Development Act 2005</i>.</p>

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
		<p>advertising.</p> <p>The amendment is to be accompanied by sufficient information as required by the Regulations when it is submitted to the Western Australian Planning Commission (WAPC) following advertising. An amendment checklist is enclosed, which is designed to assist when submitting an amendment to the WAPC for final determination.</p>	
3.	<p>Department of Water and Environmental Regulation</p> <p>Krish Seewraj <a href="mailto:krish.seewraj@dwer.wa.gov.au">krish.seewraj@dwer.wa.gov.au</a></p>	<p>Thank you for providing the above referenced proposal to the Department of Water and Environmental Regulation (Department) for consideration and advice.</p> <p>The Department has identified that the proposal has the potential for impact on environment and/or water resource values and/or management. Key issues and recommendations are provided below, and these matters should be addressed:</p> <ul style="list-style-type: none"> <li>• Issue: Alignment with item 4 of clause 5.2.2 the Government Sewerage Policy (WAPC 2019)</li> <li>• Advice: Requirement 2 should state “Any on-site sewage disposal system should not be located within 100 metres of a waterway or a significant wetland. The separation distance should be measured outwards from the outer edge of riparian or wetland vegetation.”</li> </ul>	<p>Noted.</p> <p>Officers have recommended modifications to condition 2 to align with the requirements of the Government Sewerage Policy 2019.</p>
4.	<p>Aqwest</p> <p>Ann Dawson</p>	<p>With regards to the abovementioned request for comment, Aqwest wish to advise the following</p>	<p>Noted.</p>

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
	<a href="mailto:Ann.Dawson@aqwest.com.au">Ann.Dawson@aqwest.com.au</a>	<p>condition(s) will apply:</p> <ul style="list-style-type: none"> <li>Please be advised that Aqwest has no comments in relation to the above matter.</li> </ul>	
5.	<p>ATCO Gas</p> <p>Kim Hatcher <a href="mailto:Kim.Hatcher@atco.com">Kim.Hatcher@atco.com</a></p>	<p>ATCO Gas Australia (ATCO) has <b><u>no objection</u></b> to the proposed application, based on the information and plan provided, subject to the following advice notes:</p> <p>Advice notes:</p> <ul style="list-style-type: none"> <li>The proposed areas fall within the WAPC Draft Development Control 4.3 Trigger Distance for ATCO Infrastructure (area hachured blue in attachment). Any sensitive land use or high-density community use developments within this Trigger Distance of a High-Pressure Gas Pipeline requires further consultation with ATCO prior to preliminary designs being finalised. Please consider the WAPC’s draft DC4.3 and also the site; PlanWA for development planning.</li> <li>Anyone proposing to carry out construction or excavation works within 15 metres of Critical Asset Infrastructure must contact ‘Before You Dig Australia’ (<a href="http://www.byda.com.au">www.byda.com.au</a>) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&amp;M-PR24- Additional Information for Working Around Gas Infrastructure <a href="https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html">https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html</a></li> <li>All works occurring within 15 metres of Critical Asset Infrastructure must undergo ATCO Engineering</li> </ul>	<p>Noted.</p> <p>This proposal is to rezone the subject lot in accordance with the endorsed structure plan. It is considered that these advice notes are relevant at the future subdivision and development application stage.</p>

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
		<p>Assessment to determine if additional safety measures are required. Risk mitigation and asset protection measures may be necessary. Notification for the works must be submitted to ATCO via the online web portal.</p> <ul style="list-style-type: none"> <li>• All works occurring within 15 metres of Critical Asset Infrastructure must comply with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&amp;M-PR24 <a href="https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html">https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html</a></li> <li>• Future construction and any proposed access roads across the ATCO Critical Asset gas mains (including proposed roads and road upgrades) need to be managed in accordance with the ATCO document Additional Information for Working Around Gas Infrastructure - AGA-O&amp;M-PR24 <a href="https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html">https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html</a></li> <li>• Anyone proposing to carry out construction or excavation works must contact 'Before You Dig Australia' (www.byda.com.au) to determine the location of buried gas infrastructure. Refer to ATCO document AGA-O&amp;M-PR24- Additional Information for Working Around Gas Infrastructure <a href="https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html">https://www.atco.com/en-au/for-home/natural-gas/wa-gas-network/working-around-gas.html</a></li> </ul> <p>Please accept this email as ATCO's written response.</p>	

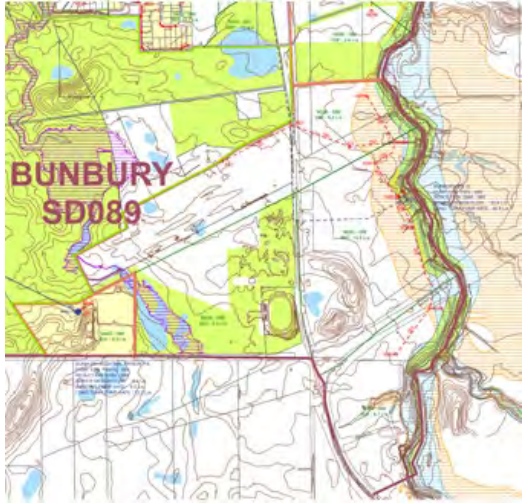
**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
6.	<p>Main Roads Western Australia</p> <p>Paul Davies <a href="mailto:paul.davies@mainroads.wa.gov.au">paul.davies@mainroads.wa.gov.au</a></p>	<p>Main Roads has no objection to the proposed scheme amendment.</p> <p>It is noted that access to the site is proposed from South Western Highway with no access to the Bunbury Outer Ring Road.</p> <p>The intersection of the subdivision access road and South Western Highway is required to be designed and constructed to the specifications and satisfaction of Main Roads.</p> <p>If you have any queries please phone Daniel Naude.</p>	<p>Noted.</p> <p>The intersection works will be undertake at the subdivision clearance stage in consultation with Main Roads.</p>
7.	<p>Aboriginal Heritage and Property Services</p> <p>Samantha Hansen <a href="mailto:Samantha.Hansen@dplh.wa.gov.au">Samantha.Hansen@dplh.wa.gov.au</a></p>	<p>Thank you for your enquiry dated 29 January 2024 regarding request for comment Scheme Amendment 12 – Lot 81 South Western Highway, Davenport (Certificate of Title 2884/998).</p> <p>A review of the Register of Places and Objects as well as the Department of Planning, Lands and Heritage (DPLH) Aboriginal Heritage Database concludes that the subject area intersects with Aboriginal heritage Registered Site ID 19795 (Preston River).</p> <p>As the proposed scheme amendment 12 will facilitate development in the area, the proponent is to be made aware that any works they propose will require approval under the Aboriginal Heritage Act 1972 (AHA). Please refer to the DPLH website at Aboriginal Heritage Approvals (<a href="http://www.wa.gov.au">www.wa.gov.au</a>) for information on ‘Land use under the Aboriginal Heritage Act 1972’ for the types of</p>	<p>Noted.</p>

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
		<p>approvals available under the AHA and how to apply.</p> <p>If you have any further questions regarding the AHA, please send enquiries to the ACHKnowledge Portal.</p> <p>Should you have any queries in relation to the above, please contact me on (08) 6551 8030 or email <a href="mailto:samantha.hansen@dplh.wa.gov.au">samantha.hansen@dplh.wa.gov.au</a></p> <p>Note for planner: ACHIS Report attached to the above referral comment: DOC/1260599</p>	
8.	<p>Water Corporation</p> <p>Kevin Purcher <a href="mailto:Kevin.Purcher@watercorporation.com.au">Kevin.Purcher@watercorporation.com.au</a></p>	<p>Thank you for your email below. We offer the following comments regarding this proposal.</p> <p>The Water Corporations reticulated water is not available to the subject area. Aqwest may supply this area. Please contact us if Water Corporation water services are required.</p> <p>The Water Corporation has planned for this area to be serviced by reticulated sewerage. (see plan)</p>	<p>Noted.</p> <p>This information has been provided to the applicant.</p>

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
		 <p>But there is no permanent pump station for the catchment the subject area falls within. If a wastewater connection is required, the development will require headworks infrastructure to be constructed. Depending on the staging of any future development staging of our infrastructure may be possible. The future developer should contact the Water Corporation at an early stage to discuss servicing options.</p> <p>The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.</p> <p>Please provide the above comments to the landowner, developer and/or their representative.</p>	

**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
		<p>Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact us.</p>	
9.	<p>Department of Fire and Emergency Services (DFES)</p> <p>Sasha De Brito <a href="mailto:advice@dfes.wa.gov.au">advice@dfes.wa.gov.au</a></p>	<p>I refer to your email dated 25 January 2024 in relation to the referral of Local Planning Scheme No. 8, Scheme Amendment No. 12 for Lot 81 South Western Highway, Davenport.</p> <p>It is unclear from the documentation provided if the City of Bunbury (City) has applied State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) to this proposal, or if the Scheme Amendment will result in an intensification of land use.</p> <p>Given the scheme amendment seeks to facilitate the future subdivision in an industrial area, which may consist of high-risk land use, in a bushfire prone area the Scheme Amendment provides an opportune mechanism for the coordination of bushfire risk to ensure that it does not result in the introduction or intensification of development or land use in an area that has or will, on completion, have an extreme BHL and/or BAL-40 or BAL-FZ</p> <p>SPP 3.7 seeks to reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.</p> <p>A Bushfire Management Plan (BMP) is required to accompany strategic planning proposals, subdivision, and</p>	<p>Noted.</p> <p>No Bushfire Attack Level Assessment (BAL) or Bushfire Management Plan (BMP) was submitted with the scheme amendment, however the endorsed Structure Plan contains a Bushfire Management Plan that addresses the criteria of State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7). An assessment against SPP3.7 was undertaken during the assessment of the Structure Plan which also addressed the intensification of land use for industrial lots.</p> <p>It is noted that the Western Australian Planning Commission granted conditional subdivision approval for the lot on 7 June 2022. The subdivision application was accompanied with a BAL and BMP. A condition of subdivision requires the measures of the BMP to be implemented during subdivisional works.</p> <p>Officers discussed with DFES who advised that whilst strategic planning proposals such as scheme amendments generally require a BAL and BMP, as the scheme amendment related to an endorsed Structure Plan, it is unlikely that anything would change from their previous advice.</p>



**Proposed Scheme Amendment 12 – Rezone from Industrial Development to General Industry Zone  
LOT 81 South Western Highway Davenport**

#	Name / Address	Summary of Submission	Officer Comments on Submission
		<p>development applications in areas above BAL–LOW or areas with a bushfire hazard level above low (refer to clause 6.2b). A BMP includes the bushfire assessment, identification of the bushfire hazard issues arising from the relevant assessment and a clear demonstration that compliance with the bushfire protection criteria contained within Appendix 4 of these Guidelines, is or can be achieved.</p> <p>The BMP should be prepared as early as possible in the planning process and progressively refined or reviewed as the level of detail increases. The level of detail provided within a BMP should be commensurate with the applicable planning stage and scale of the proposal or application.</p> <p>Should you apply SPP 3.7 then, we request the relevant information pursuant to this policy be forwarded to DFES to allow us to review and provide comment prior to the (City) endorsement of the Scheme Amendment.</p> <p>Land Use Planning staff are available to discuss planning proposals and provide general bushfire advice at any stage of the planning process. Please do not hesitate to contact me on the number below, should you require clarification of any of the matters raised.</p> <p>08 9395 9703</p>	

**10.4.2 Proposed Amendment to Original Approval 2022/112 – Fast Food Outlet and Associated Drive Through Facility at Lot335 #10 Broadway, Pelican Point**

<b>File Ref:</b>	DA/2022/112/2
<b>Applicant/Proponent:</b>	Tecon Australia
<b>Responsible Officer:</b>	Philip Diamond, Planning Officer
<b>Responsible Manager:</b>	Barbara Macaulay, Manager Planning & Building
<b>Executive:</b>	Sarah Upton, A/Director Sustainable Development
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.4.2-A: Executive Recommendation Appendix 10.4.2-B: Location Plan Appendix 10.4.2-C: Original Approval Appendix 10.4.2-D: Planning Report Appendix 10.4.2-E: Development Plans Appendix 10.4.2-F: State Planning Policy 7.0 Assessment

**Summary**

Development Approval was granted by Council at the Ordinary Council Meeting held 6 September 2022 for a ‘Fast Food Outlet’ with an associated drive through facility at Lot 335(#10) Broadway, Pelican Point. The City has received an application to amend the approved plans to include a second storey addition to be used as an ‘Office’ for the business.

City Officers noted several concerns with the initial plans relating to the proposed design, parking manoeuvrability and landscaping provision, however the applicant has since addressed these concerns through modified plans. The proposal has been assessed against the relevant planning framework and is considered compatible with the development standards.

As the initial Development Approval was determined by Council, Officers do not have delegation to determine the amendment application. It is therefore referred to Council for determination with a recommendation of conditional approval.

**Executive Recommendation**

That Council, in accordance with clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Bunbury Local Planning Scheme No. 8 (LPS 8), resolves to approve the amendment application for a ‘Fast Food Outlet’ with associated drive through and ‘Office’ at Lot 335 (#10) Broadway, Pelican Point in accordance with conditions attached at Appendix 10.4.2-A.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar	Place
Aspiration	An integrated, vibrant and well planned City
Outcome 7	A community with high quality urban design and housing diversity.
Objective 7.1	Promote responsible planning and development.

## Regional Impact Statement

The proposal relates to an individual property and is not considered to have a regional impact.

## Background

The subject site is included within the Local Centre Zone, with a residential density coding of R60. A location plan is attached at Appendix 10.4.2-B. A summary table of details relating to the subject site are as follows:

Property Address:	Lot 335 (#10) Broadway, Pelican Point
Zoning:	'Local Centre Zone' (R60)
Existing Land Use:	Vacant (Current) - 'Fast Food Outlet' Approved
Lot Area:	1605m <sup>2</sup>
Heritage:	N/A

Development Approval was granted by Council at the Ordinary Council Meeting held 6 September 2022 (Appendix 10.4.2-C). This approval was for a single storey 'Fast Food Outlet' with an associated drive through facility.

The subject amendment application seeks to amend the approved plans, to include a number of modifications. These modifications can be summarised as follows:

- An addition of a second storey 'Office' with 126m<sup>2</sup> gross floor area;
- A building height increase from 3.1m to 6.5m;
- The alteration of the internal layout of the ground floor, including an increase to the gross floor area from 58.4m<sup>2</sup> to 72m<sup>2</sup> and the removal of the front patio/verandah;
- A reconfiguration of the patron seating area;
- A reduction to the front setback of the building from 16m to 13m;
- The addition of 4 parking bays;
- A reduction of the landscaping of the site (18.7% to 15.3% site coverage) to facilitate additional parking bays; and
- The addition of a storage shed.

While a number of modifications have been noted, the primary development remains the same as originally approved for the 'Fast Food Outlet' with associated drive through facility. As such, the assessment of the application considers the proposed amendments to the built form and their compliance with relevant legislation.

A copy of the planning report and development plans are attached at Appendix 10.4.2-D and 10.4.2-E.

## Council Policy Compliance

Not applicable.

## Legislative Compliance

The following legislation and statutory planning instruments of the State and Local Planning Framework are applicable to the assessment of this application:

### Legislation

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*.

#### State Planning Framework

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7).
- State Planning Policy 7.0 – Design of the Built Environment (SPP7.0).

#### Local Planning Framework

- City of Bunbury Local Planning Strategy;
- City of Bunbury Local Planning Scheme No.8 (LPS8);
- Local Planning Policy 3.0 – Zone Development Requirements (LPP3.0);
- Local Planning Policy 3.1 - Access & Parking for Pedestrians, Bicycles and Vehicles (LPP3.1)
- Local Planning Policy 48 – Landscaping (LPP48)

### Officer Comments

#### Land Use

The subject lot is zoned Local Centre under the City of Bunbury Local Planning Scheme No.8 (LPS8). The proposed predominant land use remains as 'Fast Food Outlet' while including an additional 'Office' area which is a 'D' use in the zone. This 'D' use means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

The 'Office' is proposed to be incidental to the 'Fast Food Outlet' (Full of Beanz). The 'Office' land use and associated development are considered to be minor amendments to the original development approval. The addition of a second storey is not considered to pose a negative impact on the surrounding residential area.

#### Parking

In accordance with the requirements of Local Planning Policy 3.1: Access & Parking for Pedestrians, Bicycles and Vehicles (LPP 3.1) and LPS8, the internal changes of the ground floor of the structure and the addition of the second storey office use has increased car parking requirements. Notwithstanding this, the proposal has provided sufficient spaces to cater to these additional requirements.

Car Parking Requirements		
	Required bays	Provided bays
Car Parking Bays	8	11
Service Vehicle Bays	1	1
Bike Parking Bays	1	2

While City Officers had concerns regarding manoeuvring ability for certain parking bays and loading vehicles, the applicant has addressed these concerns through amended plans and the provision of vehicle sweep paths.

#### Built Form

The proposed alterations to the main building and additional storage shed have been assessed against the relevant planning framework for the Local Centre Zone and are compliant, apart from the minimum floor to ceiling height for the second storey. The proposed second storey does not comply with the required minimum 3.5m storey height for development in the Local Centre Zone. The wall height requirements within the policy are intended to ensure that change of use developments in the future are able to utilise buildings in the Local Centre zone. While noting the proposed variation, the building is purpose built and specialised, it is unlikely to function for other

uses beyond 'Fast Food Outlet'. In addition, the height reduction and increased setback to the front elevation is considered to reduce the general bulk of the structure on the streetscape. As such, the reduced height in this circumstance is considered acceptable.

The proposed appearance of the structure, while double storey, is broadly consistent with that previously approved. Notwithstanding this, the applicant was requested to modify the building design in consideration to State Planning Policy 7.0: Design of the Built Environment as it was not considered to be consistent with Design Principle 7 – Legibility. The applicant provided an assessment against SPP 7.0 (Appendix 10.4.2-F) and amended screening proposal for the patron seating area which has facilitated a greater level of passive surveillance to the street and lessened the building bulk impact to the street frontage (Appendix 10.4.2-E). These amended plans have addressed Officers initial concerns regarding legibility and interactivity with the pedestrian environment.

The proposed storage shed will be obscured from the streetscape by the main building and is compliant with required setbacks. As such, no concern has been raised regarding this new structure.

#### Landscaping

The required landscaping for the Local Centre Zone is 1 shade tree per every 6 parking bays and therefore the site requires 2 shade trees. The proponent has provided more than the minimum required amount of landscaping, with 15.3% of the site being landscaped lot coverage, in addition to the shade tree requirement. This is considered to break up the proposed extensive hardstand areas and building form.

The proposed amendments have reduced the provided landscaping for the lot, however a sufficient level of landscaping is still proposed. In addition, the initial plans included a landscaping strip inconsistent with the requirements of the City's Local Planning Policy in terms of width (0.9m in lieu of the required 1m). The applicant has since amended this to comply with the 1m requirement and a detailed landscaping plans has been conditioned in the initial approval.

#### Traffic

The proposed additions and modifications do not increase the development's capacity for customers or intensify the land use of the 'Fast Food Outlet'. As such, the impact from traffic assessed within the original Traffic Impact Statement (TIS) is considered to be unchanged within this amended proposal.

#### **Analysis of Financial and Budget Implications**

If the applicant is aggrieved by Council's decision they may apply for a review of the decision through SAT. If the decision is forwarded to SAT for appeal, the City of Bunbury may incur legal costs.

#### **Community Consultation**

No advertising was undertaken as part of the assessment of this application. While the 'Fast Food Outlet' is an 'A' use (requiring public advertising as part of an application), this land use has been approved as part of the original approval and advertising was undertaken within that assessment accordingly.

The proposed 'Office' is a 'D' use in the Local Centre Zone which does not require advertising unless a variation is proposed that would impact surrounding residents. As previously noted, the works

are generally compliant with policy requirements. As the overall building height was compliant, the variation to the second storey floor to ceiling height was not considered to impact surrounding residents and as such the amended application was not advertised.

**Councillor/Officer Consultation**

The proposal has been referred to the City of Bunbury’s Development Coordination Unit (DCU) for professional advice and technical assessment prior to the finalisation of this report.

**Applicant Consultation**

The applicant has been informed of the Officer recommendation and provided a copy of the recommended conditions with no objections.

**Timeline: Council Decision Implementation**

Should Council refuse the application, the applicant has the option to lodge an appeal within 28 days of the date of the decision to the State Administrative Tribunal.

DRAFT  
For review at the Council  
Briefing Session  
16 April 2024

### Executive Recommendation

That Council, in accordance with clause 68(2) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Bunbury Local Planning Scheme No. 8 (LPS 8), resolves to approve the amendment application for a 'Fast Food Outlet' with associated drive through and 'Office' at Lot 335 (#10) Broadway, Pelican Point, subject to the following conditions:

### Conditions

- 1) All development shall be in accordance with the approved development plans (attached) which form part of this development approval.
- 2) This development approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period of time for which the City of Bunbury has granted prior written consent.
- 3) Except with the prior written consent of the City of Bunbury, the approved use must only operate between the following hours:
  - a. 6:00 am and 3:30 pm Monday to Friday;
  - b. 6:30 am and 2:00 pm Saturday; and
  - c. 7:30 am and 1:00 pm Sunday or public holiday.
- 4) Before the development commences, a landscaping plan must be submitted for the approval of the City of Bunbury. The landscape plan must address the following:
  - a. A site plan of proposed landscaping, including not less than one (1) advanced tree to be planted within the verge. Advanced trees are to be planted in 90L or larger container and must be a minimum 2m height and 2 years age at the time of planting.
  - b. A site plan of existing and proposed development with natural and finished ground levels.
  - c. The location, species and size of existing vegetation and vegetation to be removed.
  - d. Exact species, location and number of proposed to be plants.
  - e. A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.
  - f. Mulching or similar treatments of garden beds including edges.
  - g. Details of reticulation of landscaped areas including the source of the water supply and proposed responsibility for maintenance.
  - h. Treatment of paved areas (parking and pedestrian areas).
  - i. Screening of car parking areas.
  - j. Fence material, height and treatment.

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.

- 5) Before the development is occupied, a minimum of 8 car parking bays must be provided on the land the subject of this development approval and to the satisfaction of the City of Bunbury. A minimum of 1 car parking bays must be provided for the exclusive use of disabled persons in accordance with AS/NZS 2890.6:2009.
- 6) The signage and advertisements shall be professionally made and kept clean and maintained free of dilapidation at all times.

- 7) Before the development is commenced, 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.
- 8) Before the development is occupied, any alterations, relocation or damage of existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the City of Bunbury.
- 9) Before the development commences, a damage bond to the value of \$5,000 must be paid to the City of Bunbury in accordance with the City of Bunbury's Local Planning Policy "Bonds".
- 10) A minimum of 2m<sup>3</sup> of storm water storage for each 65 m<sup>2</sup> 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 the development commencing, and be implemented in accordance with the approved plan prior to the development being occupied.

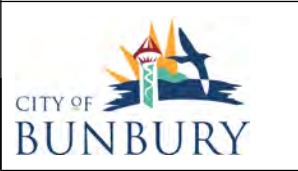
- 11) This property is situated on the Preston River Flood Plain and is susceptible to flooding. Habitable rooms in any building construction must have a minimum finished floor level of 3 metres AHD in accordance with the City of Bunbury's Local Planning Policy: Development in Flood Affected Areas.
- 12) Before the development is occupied, the property must be connected to the Water Corporation reticulated sewerage system.

Advice Notes:

- a) 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.
- b) The development is defined as a "Food Business" under the Food Act 2008. The development must comply with the Food Act 2008 and Food Regulations 2009.
- c) The premises and equipment the subject of this development approval is required to comply with clause 3.2.3 of the Australian Food Safety Standards. Regardless of whether a building permit is required, application shall be made to the City of Bunbury's Environmental Health Services for assessment and approval prior to commencing development.
- d) Please be aware that the subject land is located in a high groundwater table area. Treatments such as subsoil drainage may be required to prevent any increases to groundwater table levels on adjoining properties.
- e) 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.



Location Plan



City of Bunbury does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that COB shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

12/07/2022

1:2286



Our Ref: 5.2022.112.1  
 Enquiries: Alice Baldock, 08 9792 7061  
 E-Mail: [records@bunbury.wa.gov.au](mailto:records@bunbury.wa.gov.au)



9 September 2022

Tecon Australia



Dear Kristy Richardson

**PROPOSED FAST FOOD OUTLET & ASSOCIATED DRIVE THROUGH FACILITY AT LOT 335 (#10) BROADWAY PELICAN POINT**

I refer to the development application received by the City of Bunbury on 20/05/2022 for the proposed Fast Food Outlet & Associated Drive Through Facility.

As you are aware Council considered this application at the Ordinary Council meeting on 6 September 2022. I am pleased to advise that development approval has been granted subject to the conditions itemised on the development approval notice (Appendix 1).

Please be advised that it is essential to read the enclosed development approval including all associated conditions. We provide you with this advice as some conditions may be required to be addressed to the satisfaction of the City of Bunbury prior to the commencement of works.

You are advised that you can apply to have this decision reconsidered by Council under the Planning and Development (Local Planning Scheme) Regulations 2015. A reconsideration of development approval can be made on an Application for Development Approval Form available on the City's website [www.bunbury.wa.gov.au](http://www.bunbury.wa.gov.au) or by phoning (08) 9792 7000. Appeal rights are available through the State Administrative Tribunal (SAT). An appeal must be lodged within twenty eight (28) days of the decision by the City of Bunbury. Appeal forms are available via the internet on [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au) or by phoning SAT on (08) 9219 3111 (Free call – 1300 306 017).

If you have any further queries please do not hesitate to contact, Alice Baldock, A/Senior Planning Officer on 08 9792 7061.

Yours sincerely

Barbara Macaulay  
**TEAM LEADER CITY PLANNING**

Enc. Determination notice  
 Approved plans

Cc. John Baltyn

Development Application: 2022.112.1 Ordinary Council Meeting 6 September 2022  
Assessment No: 16385

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**PLANNING AND DEVELOPMENT ACT 2005**

**CITY OF BUNBURY**

**Notice of determination on application for development approval**

The Council having considered the application

Submitted by: Tecon Australia

On behalf of: John Baltyn

Location: #10 Broadway PELICAN POINT

Lot & Plan/Diagram: LOT: 335 DP: 38213

Vol. No: 2552 Folio No: 263

Received on: 20/05/2022

Use Class: Fast Food Outlet

Description of proposed development: *Fast Food Outlet & Associated Drive Through Facility*

hereby advise that the application for development approval is

**APPROVED**

subject to the following conditions, which must be completed prior to occupancy, unless as otherwise, indicated below.

- 1) All development shall be in accordance with the approved development plans (attached) which form part of this development approval.
- 2) This development approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period of time for which the City of Bunbury has granted prior written consent.
- 3) Except with the prior written consent of the City of Bunbury, the approved use must only operate between the following hours:
  - a. 6 am and 3:30 pm Monday to Friday;
  - b. 6:30 am and 2 pm Saturday; and
  - c. 7:30 am and 1 pm Sunday or public holiday.
- 4) Before the development commences, a landscaping plan must be submitted for the approval of the City of Bunbury. The landscape plan must address the following:

- a. A site plan of proposed landscaping, including not less than one (1) advanced tree to be planted within the verge. Advanced trees are to be planted in 90L or larger container and must be a minimum 2m height and 2 years age at the time of planting.
- b. A site plan of existing and proposed development with natural and finished ground levels.
- c. The location, species and size of existing vegetation and vegetation to be removed.
- d. Exact species, location and number of proposed to be plants.
- e. A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.
- f. Mulching or similar treatments of garden beds including edges.
- g. Details of reticulation of landscaped areas including the source of the water supply and proposed responsibility for maintenance.
- h. Treatment of paved areas (parking and pedestrian areas).
- i. Screening of car parking areas.
- j. Fence material, height and treatment.

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

- 5) Before the development is occupied, a minimum of 4 car parking bays must be provided on the land the subject of this development approval and to the satisfaction of the City of Bunbury. A minimum of 1 car parking bays must be provided for the exclusive use of disabled persons in accordance with AS/NZS 2890.6:2009.
- 6) The signage and advertisements shall be professionally made and kept clean and maintained free of dilapidation at all times.
- 7) Before the development is commenced, 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.
- 8) Before the development is occupied, any alterations, relocation or damage of existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the City of Bunbury.
- 9) Before the development commences, a damage bond to the value of \$5,000 must be paid to the City of Bunbury in accordance with the City of Bunbury's Local Planning Policy "Bonds".
- 10) A minimum of 2m<sup>3</sup> of storm water storage for each 65 m<sup>2</sup> 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 the development commencing, and be implemented in accordance with the approved plan prior to the development being occupied.

- 11) This property is situated on the Preston River Flood Plain and is susceptible to flooding. Habitable rooms in any building construction must have a minimum finished floor level of 3 metres AHD in accordance with the City of Bunbury's Local Planning Policy: Development in Flood Affected Areas.
- 12) Before the development is occupied, the property must be connected to the Water Corporation reticulated sewerage system.

Advice Notes:

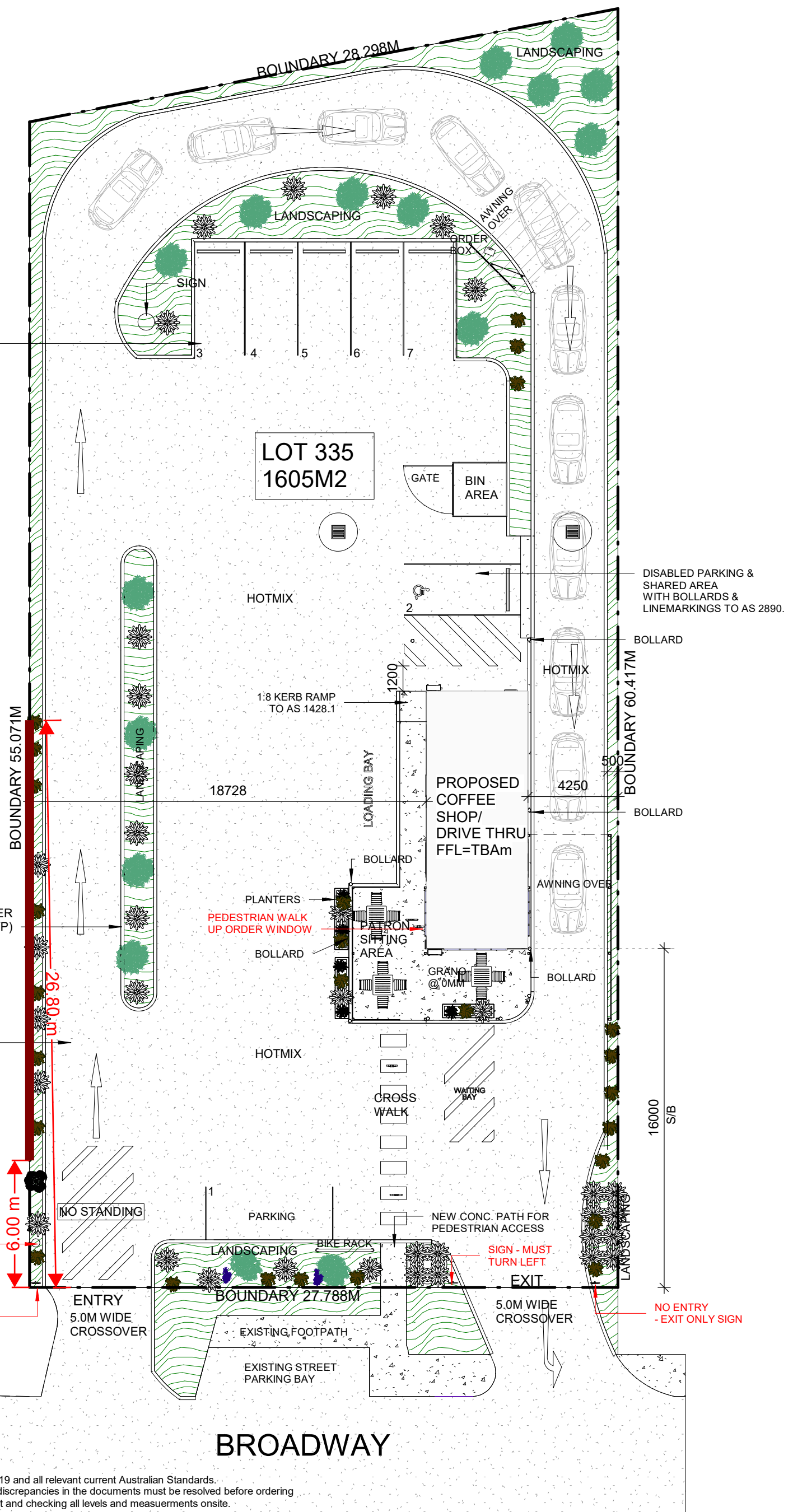
- a) This is a development approval only. The applicant/owner is advised that it is their responsibility to ensure that the proposed development complies with all other applicable legislation, local laws and/or license requirements that may relate to the development.
- b) The development is defined as a “Food Business” under the Food Act 2008. The development must comply with the Food Act 2008 and Food Regulations 2009.
- c) The premises and equipment the subject of this development approval is required to comply with clause 3.2.3 of the Australian Food Safety Standards. Regardless of whether a building permit is required, application shall be made to the City of Bunbury’s Environmental Health Services for assessment and approval prior to commencing development.
- d) The development is defined as a “Food Business” under the Food Act 2008. The development must comply with the Food Act 2008 and Food Regulations 2009.
- e) The premises and equipment the subject of this development approval is required to comply with clause 3.2.3 of the Australian Food Safety Standards. Regardless of whether a building permit is required, application shall be made to the City of Bunbury’s Environmental Health Services for assessment and approval prior to commencing development.
- f) Please be aware that the subject land is located in a high groundwater table area. Treatments such as subsoil drainage may be required to prevent any increases to groundwater table levels on adjoining properties.
- g) 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.

Determined by Council on 6 September 2022, Council Decision 191/22.

Signed: 

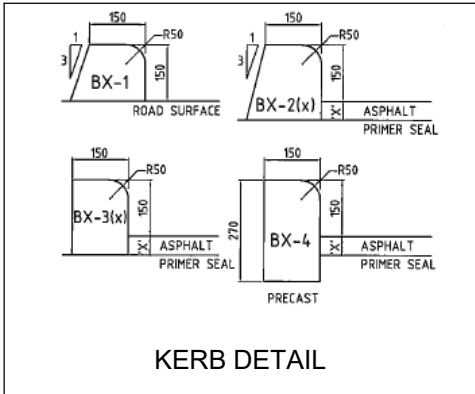
Dated: 9 September 2022

Barbara Macaulay  
**TEAM LEADER CITY PLANNING**  
For and on behalf of the City of Bunbury



**BITUMEN SEALED AREAS**

CONTRACTOR TO NOTE THAT ALL HOTMIX SEAL IS NEW WORK AND SHALL BE LAID TO AREAS SHOWN ON PLAN. MIN 200 THICK GRAVEL COMPACTED TO 98%. ALL HOTMIX TO BE MIN. 40MM THROUGHOUT. GRADE ALL FALLS TO ALL NEW STORMWATER PITS AND AWAY FROM BUILDINGS. FINISH HOTMIX UPTO KERBING.  
NATURAL GROUND LEVEL 14.16  
DESIGN LEVEL



Proposed 1.8m limestone wall

150MM BARRIER KERB (TYP)

BANK-UP AREA FOR 17 VEHICLES



SIGN-STRICTLY NO STANDING  
HERE OR ON ROAD AT ALL TIMES

ENTRY ONLY SIGN

Site Plan  
1 : 200

**General Notes**  
All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards. All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

**Proposed Coffee Shop Drive-Thru**

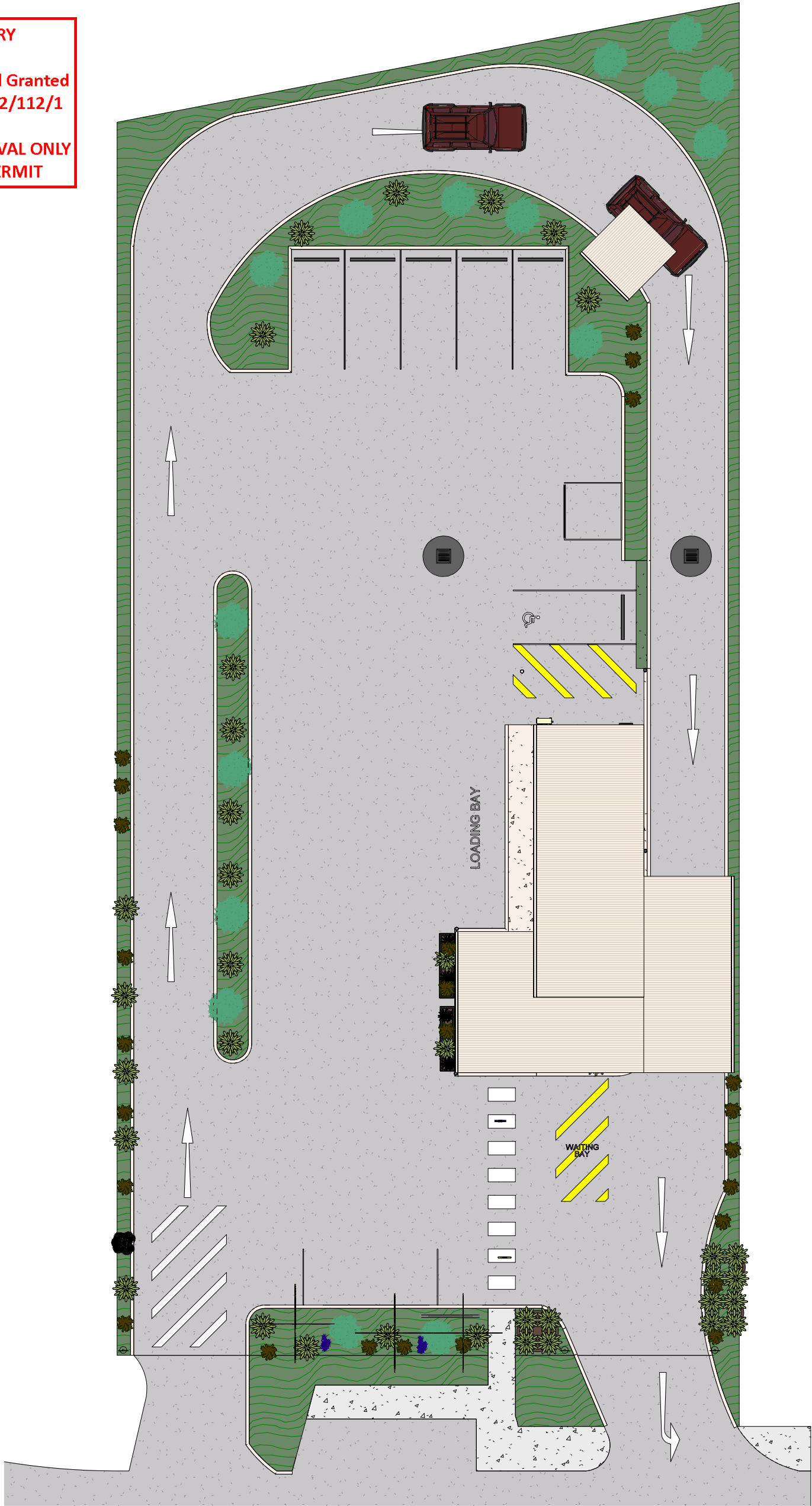
Lot 335 (#10) Broadway Pelican Point,  
For M. Fink

Revision Schedule			Site Plan	
REV	DATE	DESCRIPTION	Sheet number	A01
1	31/3/22	ISSUED FOR CONCEPT	Project number	2202-31
2	4/4/22	ISSUED FOR DA	Date	31/03/2022
3	3/8/22	REVISED FOR DA	Drawn by	JG
4	8/8/22	REVISED FOR DA	Scale	1 : 200



Phone : 97217471 Fax : 97217471 Mobile : 041894579  
Email : ghasseb@westnet.com.au  
Address : 9b Wittenoom Street Bunbury WA 6230

**CITY OF BUNBURY**  
**Development Approval Granted**  
**Approval No.: DA/2022/112/1**  
**DEVELOPMENT APPROVAL ONLY**  
**NOT A BUILDING PERMIT**



**Overhead View**

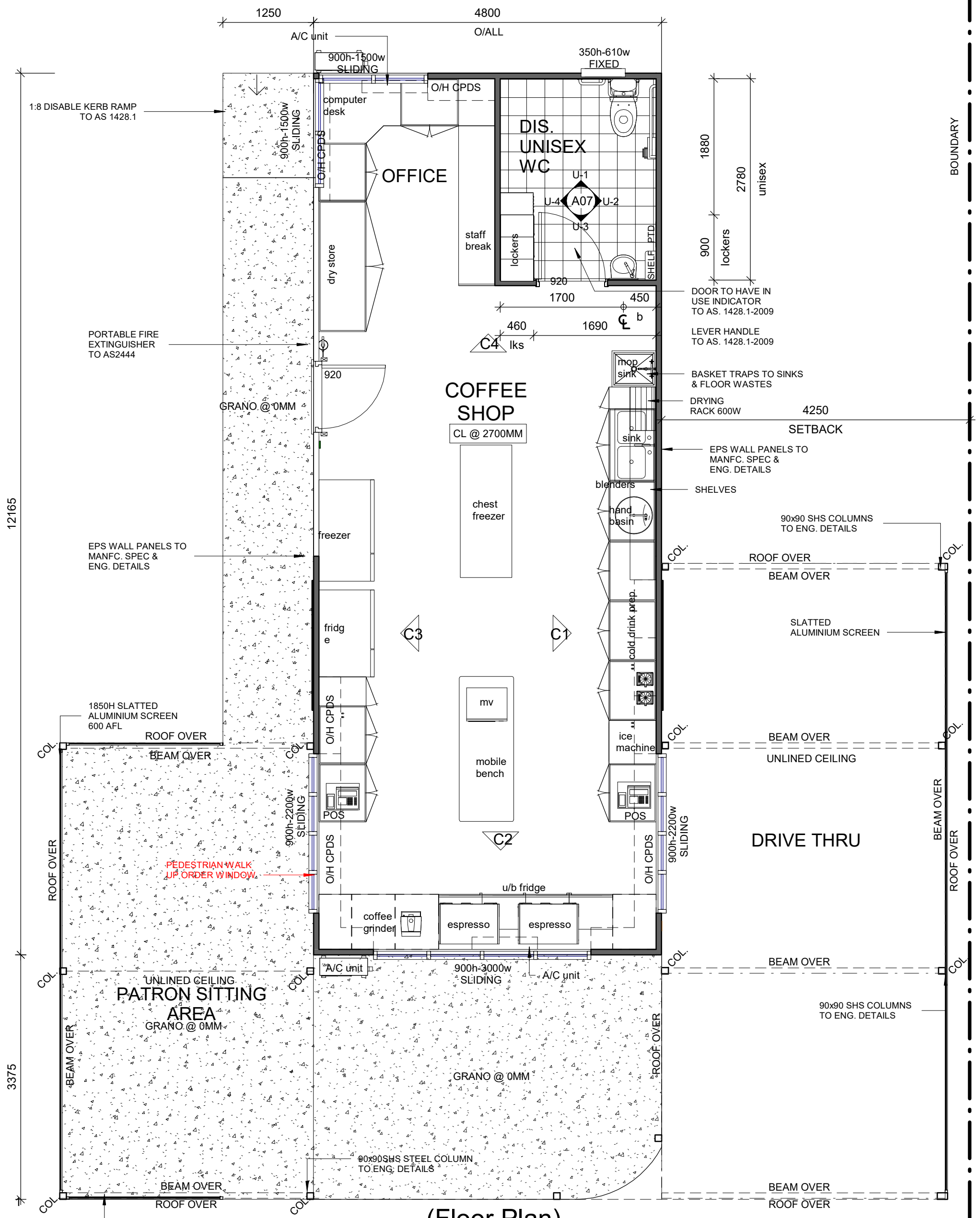
**General Notes**  
 All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards.  
 All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

<b>Proposed Coffee Shop Drive-Thru</b>  <b>Lot 335 (#10) Broadway Pelican Point,</b> <b>For M. Fink</b>	Revision Schedule			Overhead View	
	REV	DATE	DESCRIPTION	Sheet number	A02
	2	4/4/22	ISSUED FOR DA	Project number	2202-31
	3	3/8/22	REVISED FOR DA	Date	31/03/2022
	4	8/8/22	REVISED FOR DA	Drawn by	JG
			Scale		



Phone : 97217471 Fax : 97217471 Mobile : 041894579  
 Email : ghasseb@westnet.com.au  
 Address : 9b Wittenoom Street Bunbury WA 6230

8/08/2022 10:34:39 AM



(Floor Plan)

1 : 50

**CITY OF BUNBURY**  
**Development Approval Granted**  
**Approval No.: DA/2022/112/1**  
**DEVELOPMENT APPROVAL ONLY**  
**NOT A BUILDING PERMIT**

**General Notes**  
 All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards.  
 All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

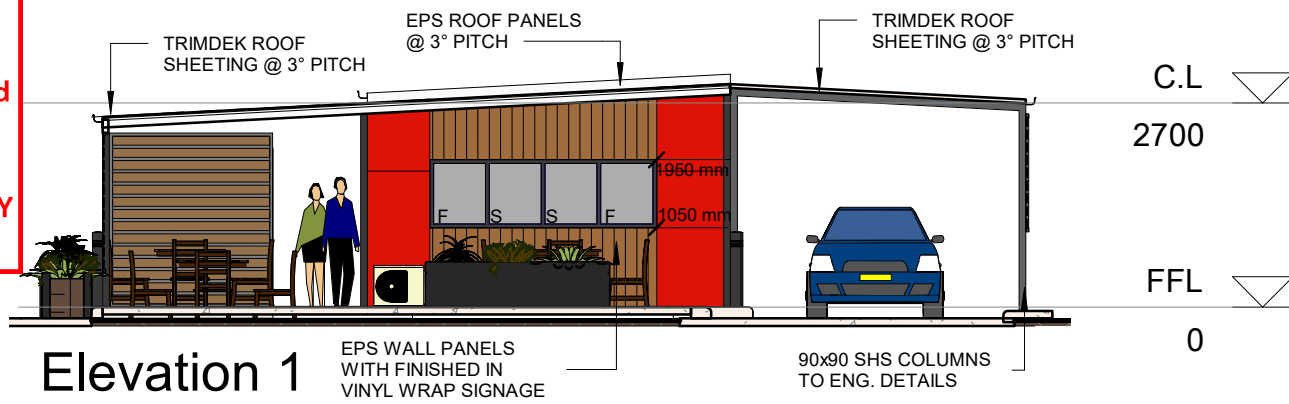
Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			Floor
	REV	DATE	DESCRIPTION	Sheet number
	1	31/3/22	ISSUED FOR CONCEPT	Project number
	2	4/4/22	ISSUED FOR DA	Date
	3	3/8/22	REVISED FOR DA	Drawn by
4	8/8/22	REVISED FOR DA	Scale	

**GHASSEB DRAFTING**  
 DESIGN & DRAFTING PRACTICE  
 Phone : 97217471 Fax : 97217471 Mobile : 041894579  
 Email : ghasseb@westnet.com.au  
 Address : 9b Wittenoom Street Bunbury WA 6230

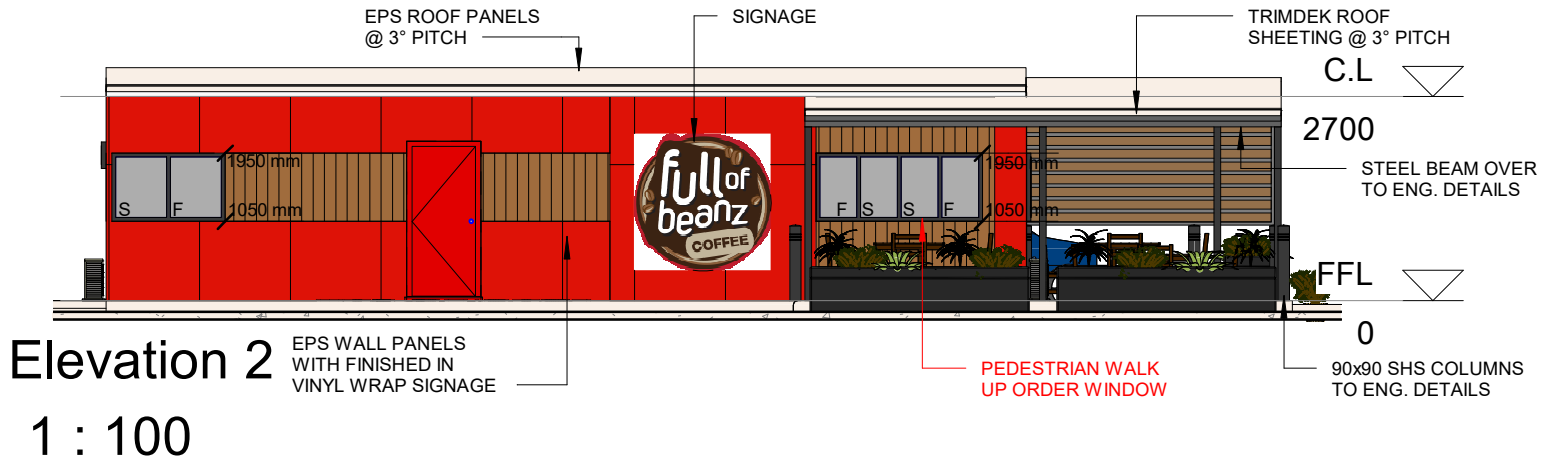


Development Approval Granted  
Approval No.: DA/2022/112/1

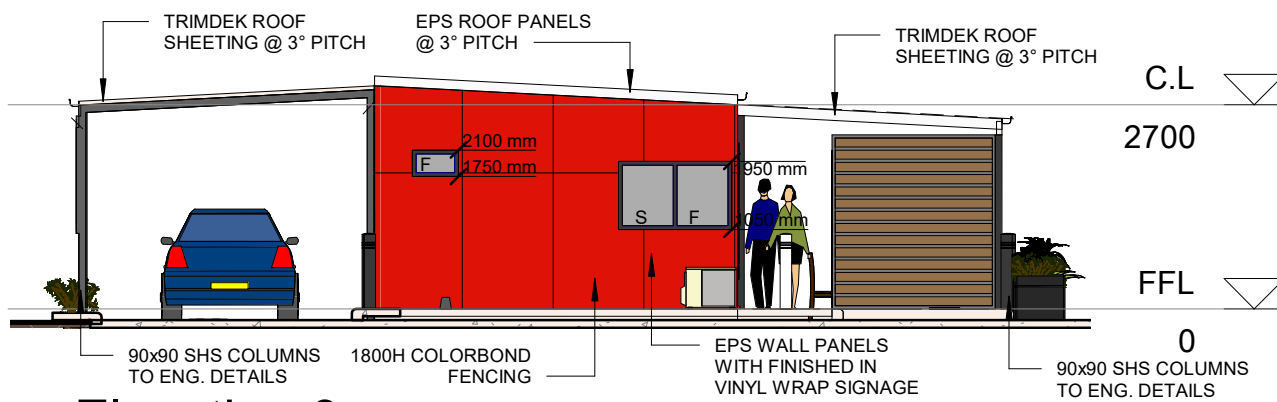
DEVELOPMENT APPROVAL ONLY  
NOT A BUILDING PERMIT



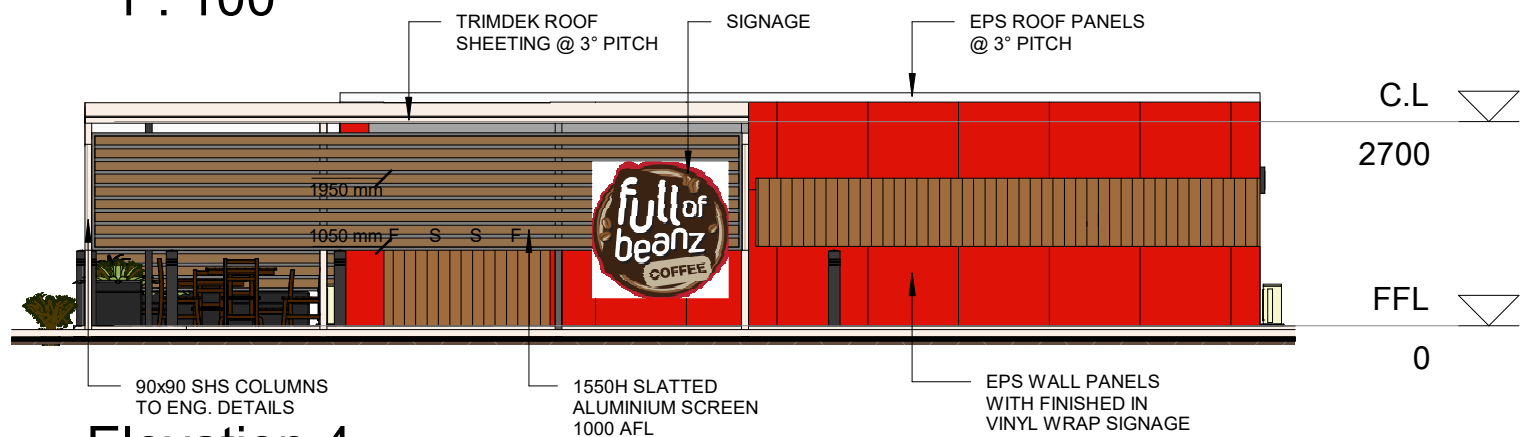
Elevation 1  
1 : 100



Elevation 2  
1 : 100



Elevation 3  
1 : 100



Elevation 4  
1 : 100



Street Elevation  
1 : 100

General Notes  
All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards. All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

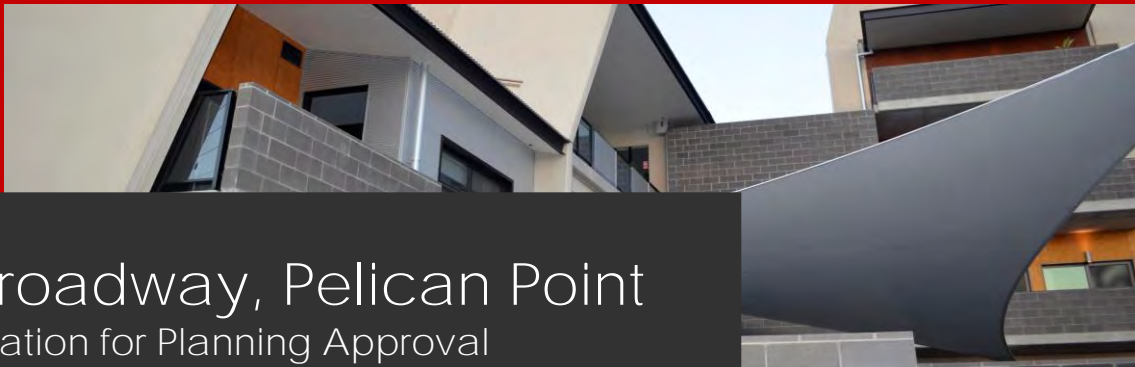
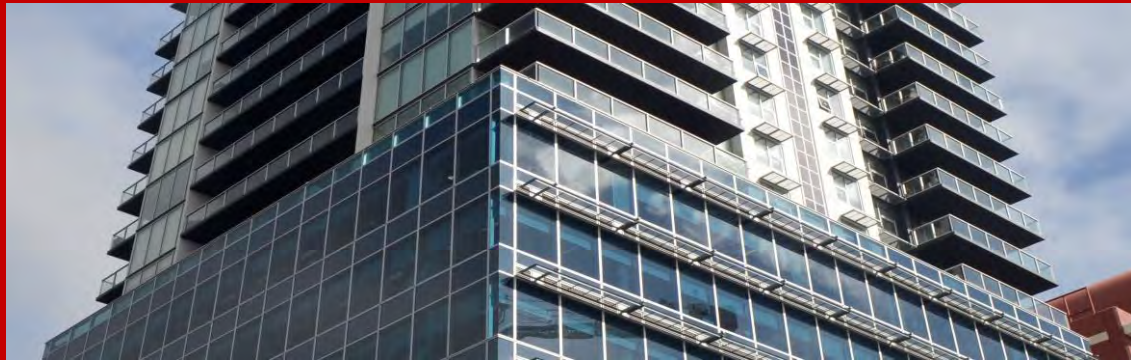
ALL FLOOR WASTES TO HAVE BASKET TRAPS  
SINK TO HAVE BASKET WASTE TRAP.

Proposed Coffee Shop Drive-Thru	Revision Schedule			Elevations	
	REV	DATE	DESCRIPTION	Sheet number	A04
Lot 335 (#10) Broadway Pelican Point, For M. Fink	1	31/3/22	ISSUED FOR CONCEPT	Project number	2202-31
	2	4/4/22	ISSUED FOR DA	Date	31/03/2022
	3	3/8/22	REVISED FOR DA	Drawn by	JG
	4	8/8/22	REVISED FOR DA	Scale	1 : 100



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Address : 9b Wittenoom Street Bunbury WA 6230

8/08/2022 10:35:21 AM



10 Broadway, Pelican Point  
Application for Planning Approval  
(Amendment)  
January 2024

Tecon Australia

E: [adminwa@teconaust.com.au](mailto:adminwa@teconaust.com.au)  
[www.teconaust.com.au](http://www.teconaust.com.au)

Tel: (08) 6109 0468  
4/29 Carey Street, Bunbury WA



## Introduction

---

Tecon Australia acts on behalf of the owner in relation to this Development Application.

The proposal relates to an amendment to Planning Approval DA/2022/112/1 which would see the introduction of a second storey to the proposed development incorporating an “office” use. The balance of the site remains consistent with the current approval.

## Property Details

The following details are provided regarding the subject site and land ownership.

Address	Lot No	CT (Volume/Folio)	Area	Owner
10 Broadway, Pelican Point	335	2552/263	1605m2	Fink Properties Pty Ltd



Figure 1 Subject Site

Town Planning Background

The subject site is zoned 'Local Centre' under the City of Bunbury Local Planning Scheme No.8.



LOCAL SCHEME ZONES
















 RC	Regional Centre		Mixed Use Commercial
 DC	District Centre		Private Community Purposes
 NC	Neighbourhood Centre		Residential
 LC	Local Centre		Rural
	General Industry		Service Commercial
	Industrial Development		Tourism
	Light Industry		Urban Development
	Mixed Use Residential		

Figure 2: Excerpt from City of Bunbury Local Planning Scheme No.8

Zoning Objectives

The Local Planning Scheme lists the following dot points as the objective for the Local Centre zoning. A response against each objective is provided in the context of the proposed development.

- To designate land for future development as a Local Centre.

Not applicable

- *To provide services for the immediate neighbourhoods, that are easily accessible, which do not adversely impact on adjoining residential areas.*

The provision of a “fast food” service does service the immediate neighbours. The Pelican Point area currently has no fixed tenancy that serves coffee or light food as a sole purpose. This area is surrounded by a strong pedestrian pathway network linking the residential estates to the Estuary and River precinct and is well used by walkers, cyclists and families – this development safely links into this pedestrian network and facilitates a local meeting spot for coffee either on site in the casual seating or en-route to the river/foreshore area as well as providing a service to the supporting businesses in this precinct.

As noted while we do not see any significant impacts caused to existing residents, the proponent has responded to the nearby residents concerns about traffic and the intersection with Estuary Drive and as part of comprehensive work undertaken as part of the original approval incorporated safety mechanisms such as a ‘left out only’ movement when existing the proposed development. This will have the effect of not drawing traffic back past the residential dwellings on Broadway. Exiting left, vehicles have the ability to safely turn left or right onto Old Coast Road in dedicated turning lanes (both left and right turn movements).

The traffic impact statement provided as part of the original approval clearly states that the expected level of traffic would not be out of character for this area nor have an unacceptable traffic impact on the surrounding road network, as such it is arguable that negligible impact from a traffic perspective on the impact on amenity can be justified. The addition of an upstairs office is not anticipated to alter the traffic impact or impact on adjoining residential area.

Significant landscaping of the site is proposed as well as a boundary wall to provide screening and protect the visual amenity of the nearby residential neighbours.

- *To provide for Local Centres to focus on the main daily household shopping and community needs.*

As per the above, the development provides both a convenient daily service as well as a casual meeting place for the local community.

The office use is supplementary to the main use of the site as “fast food – drive through” and complements the overall local centre area.

- *To encourage high quality, pedestrian-friendly, street-orientated development*

Strong pedestrian connectivity to the site is provided by virtue of the extensive pathway system around the Pelican Point suburb generally – with good linkages between Pelican Point Golf Estate, Pelican Point Lakes Estate and the Grand Canals, extending through to the Caravan Park, Service Station and Collie

River foreshore precinct within the bounds of the suburb of Eaton. The proposal provides a safe and dedicated pedestrian crossing from the verge to the server window. An area of casual seating and bike racks have also been proposed to encourage local customers to walk/ride to the facility.

By law, the site is accessible and the provision of ramps and accessible parking is made.

The building itself is an architecturally designed, purpose-built building and not a “re-purposed” sea container (or the like) that many drive through coffee facilities are becoming.

It is set back from the street at a distance that makes traffic movements safe and efficient which thus protects the surrounding residents.

- *To provide a focus for medium density housing.*

Not applicable

- *To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community.*

The proponent has included substantial landscaping of the site both demonstrated on the site plan and in the 3D elevations.

Landscaping amounts are not prescribed in the Local Centre zone other than car park areas to be landscaped with shade trees planted at 1 tree per 6 car parking bays. Notwithstanding this, the proponent has landscaped 15.3 % of the site to soften the hardscape.

Safety has been key in designing the development, with dedicated ingress and egress points; no stopping zones to avoid vehicle banking and pedestrian crossing points line marked within the development area to prioritise pedestrian safety.

- *To provide a basis for future detailed planning in the form of local development plans in accordance with the provisions of this Scheme and the Activity Centres for Greater Bunbury Policy.*

Not applicable

### Land Use Classification

The landuse ‘Fast Food’ is defined by the City of Bunbury Local Planning Scheme as per the below definition and is considered the most appropriate land use for the proposal.

<b>Fast food outlet</b>	<p>means premises other than a lunch bar used for the preparation, sale and serving of food to customers in a form ready to be eaten -</p> <p>(a) without further preparation; and (b) primarily off the premises.</p>
-------------------------	--

'Fast Food' is an 'A' use in the 'Local Centre' zone which means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions (i.e. public advertising).

Drive through facilities are not typically permitted in the Local Centre however this requirement can be varied if it is adequately demonstrated to not impact on the neighboring properties and road network. This has been comprehensively addressed as part of the previous application and ultimately approved.

<b>Local Centre Zone</b>	<b>Residential and Non-Residential Development (including mixed use development):</b>		Drive through facilities are not permitted.
	(a) Minimum 2m. (b) Upper floor balconies must be located entirely behind the 2m front setback line.	(a) Minimum nil (0m) adjoining a Local Centre Zone. (b) In accordance with relevant local planning policy when adjoining residential development.	

<b>Office</b>	means premises used for administration, clerical, technical, professional or similar business activities.
---------------	---

"Office" is a 'D' use in the 'Local Centre' zone meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval.

### Car Parking Requirements

Car Parking requirements are detailed as per clause 41 of City of Bunbury Local Planning Scheme No.8.

Land Use Classes	Minimum Car Parking Requirements
Fast Food Outlet	<ul style="list-style-type: none"> <li>1 bay per 15 square metres of nla; plus</li> <li>a car queuing area sufficient to accommodate 10 cars where drive through facilities are included.</li> </ul>
Office	1 bay per 30 square metres of nla.

Landuse	Area	Parking Bays Required
Fast Food	72m <sup>2</sup>	5
Office	126m <sup>2</sup>	4
		Total Provided on site 12

12 bays (inclusive of one waiting bay and one Acrod bay) have been provided, which is in excess of the compliant number of bays. In addition to this, a service bay/loading area is indicated on the site plan, which is separate to the customer queuing lane.

## Bushfire Prone

---

The subject land has been mapped as being bushfire prone.



Figure 3: Bushfire Prone Mapping

A BAL assessment has been undertaken for the site which has determined a Bushfire Attack Level (BAL) of BAL-LOW. This is contained as an attachment to this application.

## Proposed Development

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The site is currently vacant and proposed to be developed with a purpose-built drive-through coffee facility with a second storey office component.

The operations of the site as “Drive Through Coffee” remain unchanged from the original conditional approval.

The Drive Through Coffee is proposed to employ up to 5 staff and operate over the following proposed times:



Weekdays 6am-3.30pm

Sat 6.30-2pm

Sun 7.30-1pm

Careful consideration has gone into site selection and design of development including incorporating the latest technology in coffee machines, coffee grinders, POS systems and order screens to speed up the process of orders and ensure timely delivery to customers with no impact on surrounding road networks. Latest operative machinery can prepare a single coffee in under 40 seconds as well as prepare 3 coffees at any one time. It is expected that this would result in an average of 50 seconds-1 minute maximum per order when placed from the order box. Based on experience of other facilities owned by the proponent the optimum distance of the order box to the delivery window is a 5-car distance. The application proposes a 20-car queuing distance, which is far in excess of the requirement and ensures no impact to Broadway.

No food is prepared on-site. All food available from the premises is pre-made and only requires heating or toasting in a combi-oven. This further reduces time to complete an order.

A Transport Impact Statement and supplementary addendum has been previously prepared by Shawmac. This was comprehensively assessed and accepted by the City and is attached to the subject application for reference. It is not anticipated that the addition of the "office" use would alter the recommendation of the TIS.

Broadway is uniquely located with safe ingress and egress onto two Primary Distributor Roads (Estuary Drive and Old Coast Road). It services only a small residential area and acts as the primary road access to the Local Centre zoned land.

With restricted hours of service and the development being well setback from Broadway, noise impact on surrounding residents as a result of the proposal is considered negligible. In recognition of Councils Local Planning Policy 5.4 (Non-Residential Development Adjoining Residential development) and noting that the development site is not "abutting" residential zoned land but is in "proximity to" residential land, the proponent has provided a boundary wall treatment as indicated on the plans to act as additionally screening to the residents along Broadway.

#### Post Approval Modifications

Very minor changes to the fast-food drive through (site plan) component of the proposal are proposed to be amended as part of the subject application. Specifically, these are noted as:

- Addition of 4 parking bays.
- Addition of storage shed.
- Shift in front setback of building footprint (from 16m to 13m).

- Minor alteration in landscaped island to account for parking bays (has resulted in overall landscaping provision being 15.3% of site).
- Reconfiguration of patron seating area.
- Minor alteration of internal layout of ground floor (operational changes).

The predominant amendment proposed to the application is the addition of the second storey office component which proposes an overall floor area of 126m<sup>2</sup>.

## Conclusion and Recommendations

---



We respectfully request that the appropriate measures be undertaken to consider this amended application and grant conditional development approval.

Should any additional information be required please do not hesitate to contact our office.



**CITY OF BUNBURY**  
**APPLICATION FOR DEVELOPMENT APPROVAL**  
**(AMENDMENT)**

Original Planning Approval No.: 2022.112.1

Owner Details			
Name:	Fink Properties Pty Ltd		
ABN (if applicable)			
Address:	11 Acer Glade		
Suburb:	Eaton	Postcode:	6232
Phone (Home):		(Mobile):	0429441915
Phone (Work):		Fax:	
E-mail:	matt@fullofbeanzcoffee.com.au		
Contact Person:	MATT FINK		
Signature:		Date:	16/1/24
Signature:		Date:	
<p>The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 clause 62(2).</p> <p>If the property is strata titled, all strata owners or the body corporate will also need to sign this application.</p>			
Applicant Details			
Name:	Tecon Australia		
Address:	PO Box 1861		
Suburb:	Bunbury	Postcode:	6230
Phone (Home):		(Mobile):	
Phone (Work):	6109 0468	Fax:	
E-mail:	adminwa@teconaust.com.au		
Contact Person:	Kristy Richardson		
<p>The information and plans provided with this application may be made available by the local government of public viewing in connection with the application.</p>			<input type="checkbox"/> Yes <input type="checkbox"/> No
Signature:		Date:	18/1/24
<p>For faster turnaround please clearly nominate a preferred email address above for the determination notice to be sent to.</p>			

Property Details				
Lot No.:	335	House / Street No.:	10	Location No.:
Diagram or Plan No.:	38213	Certificate of Title Vol. No.:	2552	Folio:
Title encumbrances (e.g. easements, restrictive covenants):				
Street name:	Broadway	Suburb:	Pelican Point	
Nearest intersection:	Old Coast Road			
Development / Land Use Details				
Nature of proposed Development:	<input type="checkbox"/> Works		<input type="checkbox"/> Use	
	<input checked="" type="checkbox"/> Works and Use			
Is an exemption from development claimed for part of the development?	<input type="checkbox"/> Yes		<input type="checkbox"/> No	
If yes, is the exemption for:	<input type="checkbox"/> Works		<input type="checkbox"/> Use	
Description of proposed works and/or land use:	Fast Food with Drive Through plus 2nd Storey Office			
Description of exemption claimed (if relevant):	Fast Food with Drive Through plus 2nd Storey Office			
Nature of any existing buildings and/or land use:	vacant (Fast Food/Drive Through previously approved)			
Approximate cost of proposed development (including signage):	\$ 450,000. (GST Exclusive)		\$ (GST Inclusive)	
Is the development within a designated bushfire prone area?  **For more information please search "Bushfire Planning Reform" on the Planning WA website: <a href="http://www.planning.wa.gov.au">www.planning.wa.gov.au</a>	<input checked="" type="checkbox"/> Yes <b>If yes, please note the following:</b> - <b>New development</b> - please provide BAL Assessment/ BAL Contour map - <b>Change of Use</b> - please provide BAL Assessment/ BAL Contour map - <b>Minor proposals</b> (i.e. patios, sheds etc.) **a BAL Assessment/BAL Contour map may not be required			<input type="checkbox"/> No
Estimated Time of Completion:	2024.			
All applicants are required to ensure that estimated construction values are correct at time of making a development application. Any significant variation at building permit/contract stage may result in action by the City of Bunbury to require redress in respect of outstanding fees. Anybody providing false or misleading information on which the Local Government relies render themselves liable to a penalty of \$50,000 pursuant to regulation 57 of the <i>Planning and Development Regulations 2009</i> .				
OFFICE USE ONLY				
Acceptance Officer's Initials:		Date Received:		
Application Number:				

WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

2552 263

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

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.

*BGRoberts*  
REGISTRAR OF TITLES



**LAND DESCRIPTION:**

LOT 335 ON DEPOSITED PLAN 38213

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

FINK PROPERTIES PTY LTD OF 11 ACER GLADE EATON WA 6232

(T P772652 ) REGISTERED 2/11/2023

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

- 1. I711538 MEMORIAL TOWN PLANNING AND DEVELOPMENT ACT 1928. REGISTERED 28/11/2003.
- 2. I711539 RESTRICTIVE COVENANT TO CITY OF BUNBURY REGISTERED 28/11/2003.
- 3. P772653 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 2/11/2023.

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.  
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: DP38213  
 PREVIOUS TITLE: 2000-215  
 PROPERTY STREET ADDRESS: 10 BROADWAY, PELICAN POINT.  
 LOCAL GOVERNMENT AUTHORITY: CITY OF BUNBURY



# Transport Impact Statement

Project: Proposed Drive Through Coffee Outlet  
Lot 335 Broadway, Pelican Point

Client: Full of Beanz Coffee c/o Tecon Australia

Author: Paul Nguyen

Date: 20<sup>th</sup> May 2022

Shawmac Document #: 2204015-TIS-001

CONSULTING CIVIL AND TRAFFIC ENGINEERS  
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Document Status: Client Review

Version	Prepared By	Reviewed By	Approved By	Date
A	P Nguyen	R Needham	P Nguyen	09/05/2022
B	P Nguyen	-	P Nguyen	20/05/2022

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File Reference: Y:\Jobs Active 2022\T&T - Traffic & Parking\Tecon\_Lot 335 Broadway, Pelican Point\_TIS\_2204015\3. Documents\3.2 Reports\Tecon\_Lot 335 Broadway, Pelican Point\_TIS\_Rev B.docx



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## 1. Introduction

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### 1.1. Proponent

Shawmac has been engaged by Tecon Australia, on behalf of Full of Beans Coffee, to prepare a Transport Impact Statement (TIS) for a proposed drive through coffee outlet in Pelican Point.

This TIS has been prepared in accordance with the Western Australian Planning Commission (WAPC) *Transport Impact Assessment Guidelines Volume 4 – Individual Developments*. The assessment considers the following key matters:

- Details of the proposed development.
- Vehicle access and parking.
- Provision for service vehicles.
- Hours of operation.
- Daily traffic volumes and vehicle types.
- Traffic management on frontage streets.
- Public transport access.
- Pedestrian access.
- Cycle access and end of trip facilities.
- Site specific and safety issues.

### 1.2. Site Location

The site address is 10 (Lot 335) Broadway, Pelican Point. The local authority is the City of Bunbury.

The general site location is shown in Figure 1. An aerial view of the existing site is shown in Figure 2.

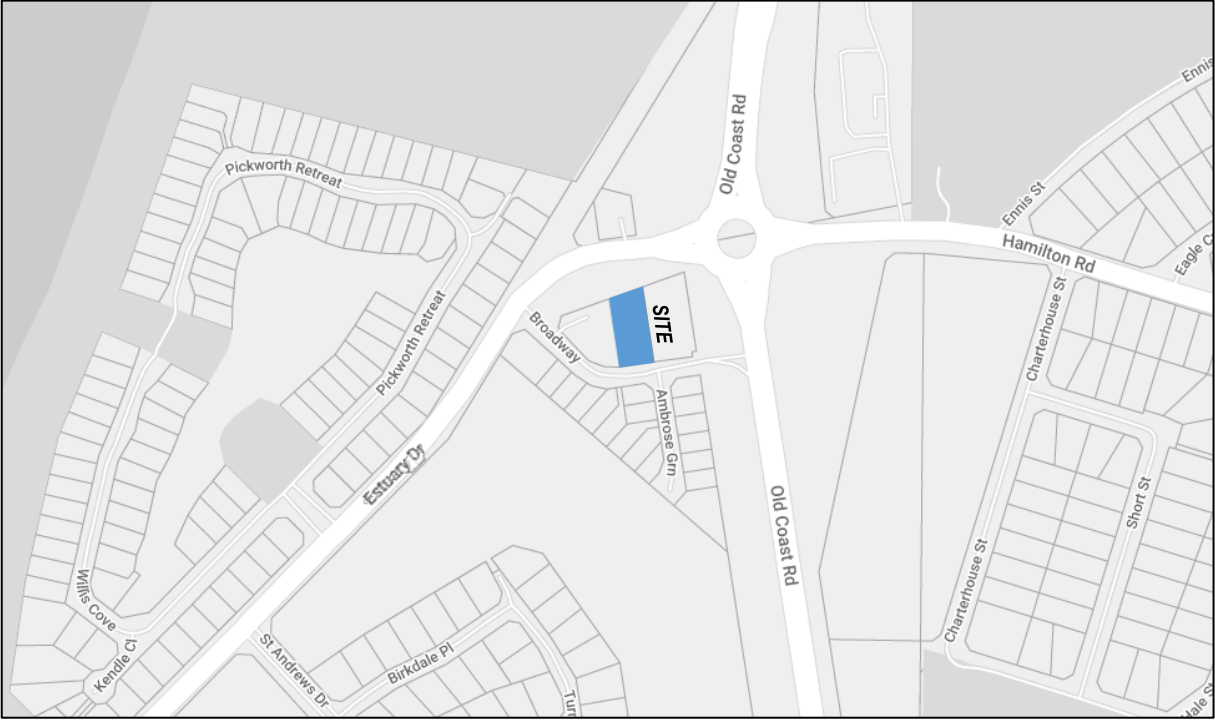


Figure 1: Site Location



Figure 2: Aerial View (March 2022)



## 2. Proposed Development

---

### 2.1. Land Use

The site is currently vacant.

It is proposed establish a drive through coffee outlet. The outlet will primarily sell coffee, iced drinks and pre-made food items.

The client currently operates existing similar drive through coffee outlets at 157 Grand Entrance in Australind and at 20 Sandridge Road in South Bunbury. The proposed outlet in Pelican Point is aimed at relieving some of the demand generated by the South Bunbury outlet.

The proposed operating hours will be:

- 6am to 3:30pm/4pm on weekdays
- 6:30 to 2pm on Saturdays
- 7:30am to 1pm on Sundays

There will be a maximum of 5 staff on the site during peak operating times.

The proposed site layout is shown in Figure 3.

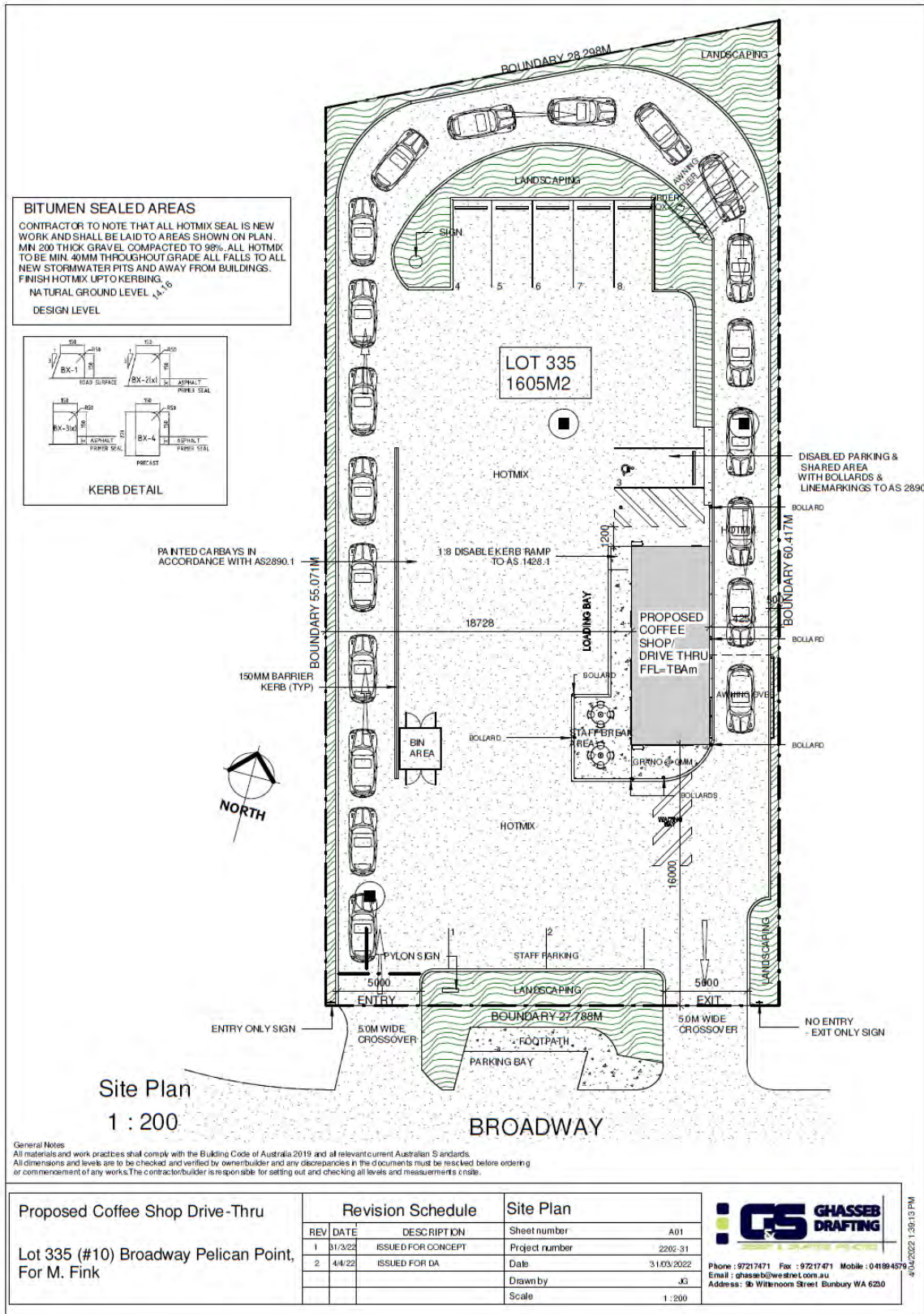


Figure 3: Site Layout

### 3. Traffic Management on Frontage Streets

#### 3.1. Road Network

##### 3.1.1. Existing Road Layout and Hierarchy

The layout and hierarchy of the existing local road network according to the Main Roads WA *Road Information Mapping System* is shown in Figure 4.

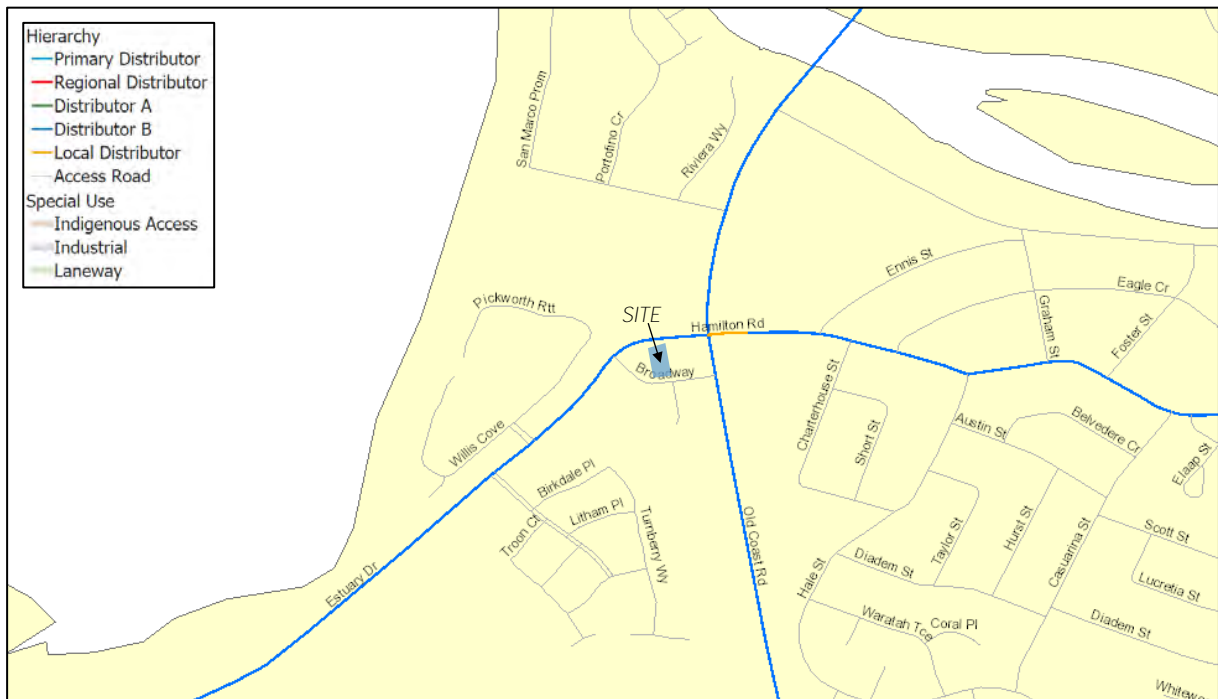


Figure 4: Existing Road Network Hierarchy

The speed limits are shown in Figure 5.

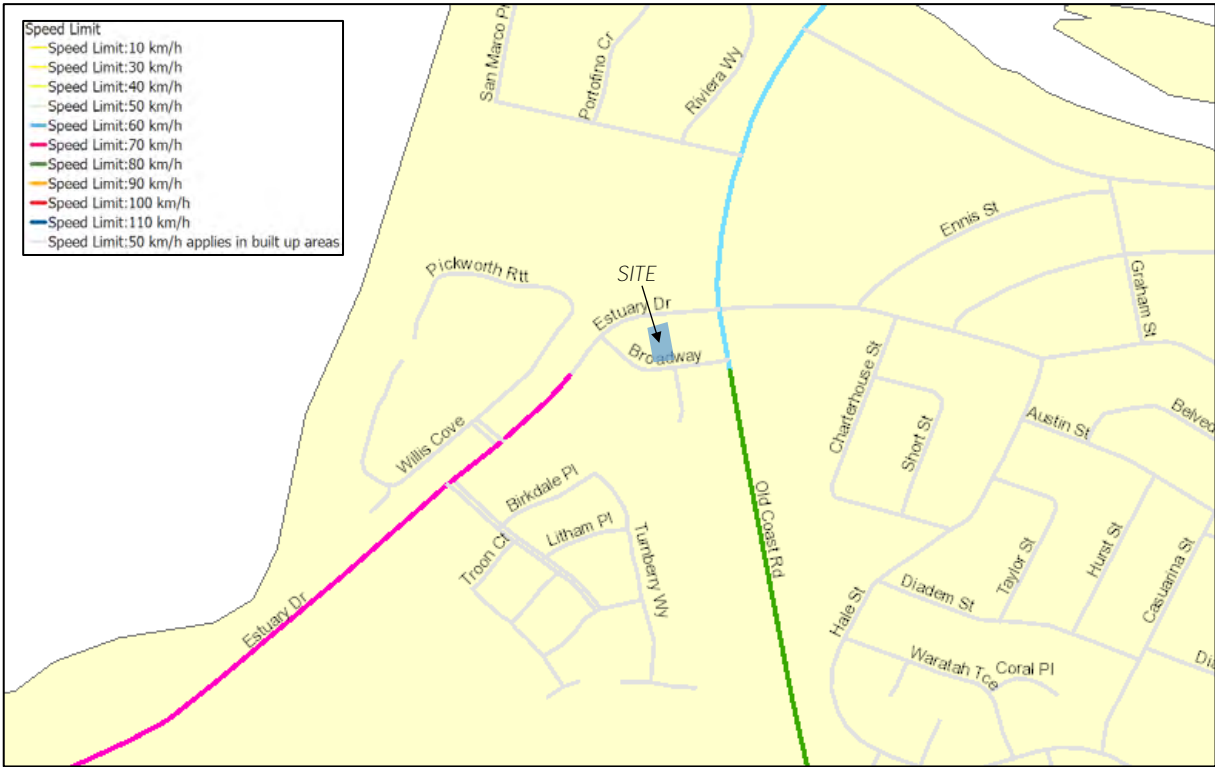


Figure 5: Existing Speed Limits

### 3.2. Traffic Volumes

Traffic volume data for the adjacent roads were not available. As Broadway is a short road serving only a small number of dwellings, a car/dog wash and a café, the current traffic volume is estimated to be very low (less than 1,000 vehicles per day).



## 4. Traffic Generation

---

The volume of traffic generated by the proposed outlet has been estimated using data from the existing South Bunbury outlet provided by the client.

The South Bunbury outlet currently generates the following volume of traffic:

- Weekday – 353 vehicles per day including 67 vehicles during the busiest hour from 8:30 to 9:30am
- Saturday – 388 vehicles per day including 85 vehicles during the busiest hour from 10:30 to 11:30am
- Sunday – 282 vehicles per day including 68 vehicles during the busiest hour from 9:30 to 10:30am

It is noted that the existing South Bunbury outlet has been established for over 9 years and is located within a much larger centre with a significant amount of businesses in the surrounding area. The above volumes therefore represent a worst-case estimate of the trip generation potential. The proposed outlet in Pelican Point is mostly surrounded by residential development and would generate far less traffic than the South Bunbury site. The operator has estimated that the proposed outlet would generate a maximum of 70% of the traffic generated by the South Bunbury outlet during peak periods. It is also noted that the proposed outlet will provide double the queueing capacity of the South Bunbury site in order to accommodate traffic during peak periods.

The majority of vehicle trips generated by drive-through coffee outlets are pass-by trips which are vehicles already on the road network that divert to the outlet before continuing on. According to the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, the average percentage of pass-by trips for drive-through coffee outlets is 90% during the morning peak period and 84% during the mid-day peak period. On this basis, the net increase in traffic generated by the proposed outlet is estimated to be 7 vehicles during the weekday morning peak hour, 14 vehicles during the Saturday peak hour and 11 vehicles during the Sunday peak hour.

According to the WAPC TIA guidelines, an increase of between 10 to 100 peak hour vehicles is considered to have a low to moderate impact and is generally accepted as being acceptable without requiring detailed capacity analysis. The estimated 7 to 14 vehicles per hour is at the lower end of this range and so the development traffic is considered to have a low impact and can be accommodated within the existing capacity of the road network.



## 5. Vehicle Access and Parking

### 5.1. Access

Vehicle access to the site is proposed a new entry only crossover and a new exit only crossover on Broadway. The proposed access arrangement is shown in Figure 6.



Figure 6: Vehicle Access Arrangement

## 5.2. Sight Distance

Sight distance requirements from vehicle exit points are defined in Figure 3.2 of Australian Standard AS2890.1-2004 *Parking facilities Part 1: Off street car parking* (AS2890.1) which is shown in Figure 7.

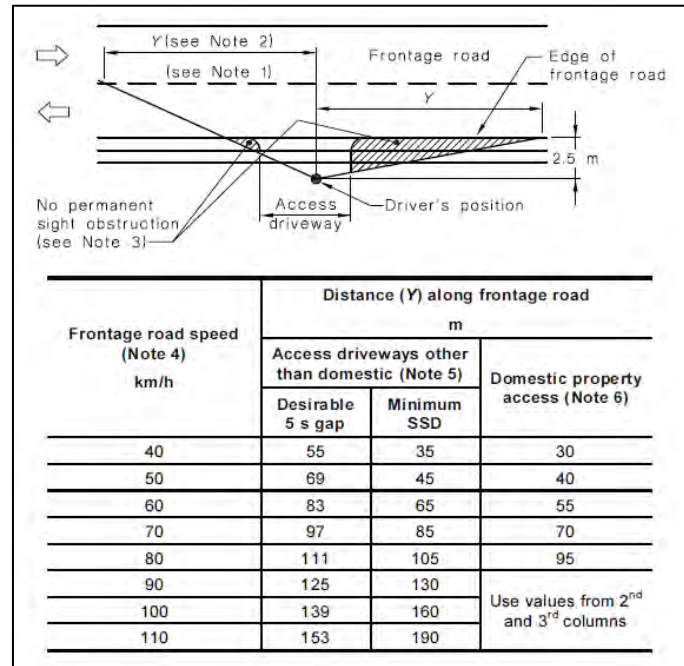


Figure 7: AS2890.1 Sight Distance Requirements

Based on the 50km/h speed limit along Broadway, the minimum required sight distance is 45 metres. The available sight distance is shown in Figure 8.

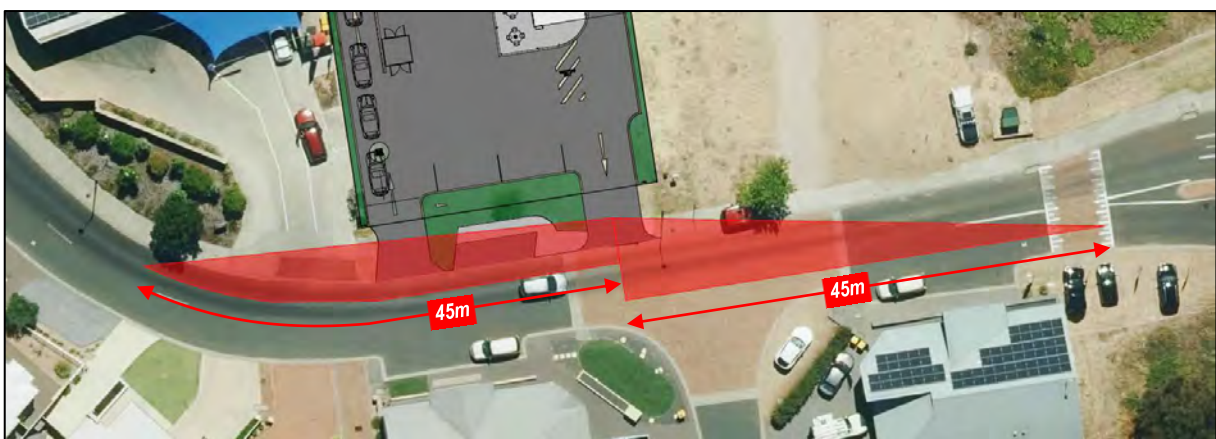


Figure 8: Sight Distance Check

As shown, the minimum sight distance is achieved in both directions. Vertically, the geometry of Broadway is relatively flat with no major crests or sags that impede sight distance.



### 5.3. Car Parking

The following parking is proposed as part of the development:

- 9 car parking bays including 1 waiting bay and 1 ACROD bay
- 1 loading bay for service/delivery vehicles
- Approximately 20 queueing spaces

Based on the maximum of 5 staff during peak periods, a minimum of 5 staff parking bays should be provided. In addition to the 20 queueing spaces, there is additional open paved area in the centre of the site that could accommodate overflow parking. The 20 queueing spaces is approximately double the available queueing space at the existing South Bunbury outlet.

Based on the above, the proposed parking provision is considered to be adequate.

### 5.4. Provision for Service Vehicles

It is assumed that waste will be collected via kerb collection so there is no need to accommodate waste vehicles on-site.

Other service vehicles may need to enter the site for deliveries. A swept path analysis has been undertaken to check the manoeuvrability of a small service vehicle. The analysis has been undertaken in Autodesk Vehicle Tracking using the template for the Australian Standard 6.4m Small Rigid Vehicles (SRV). The results of the analysis are attached as Appendix A which demonstrates that there is sufficient room for these vehicles to enter the site, turn around and then exit.



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## 6. Pedestrian and Cyclist Access

---

Most roads in the vicinity of the site have at least one footpath.

As a drive through coffee outlet, there would be little or no demand for pedestrian or cyclist movements and so the provision of additional path or cycle infrastructure is not warranted by the development.

## 7. Public Transport Access

---

The following public transport services currently operate within walking distance of the site:

- TransBunbury Bus Route 841 which operates between Bunbury Bus Station and Australind. The closest stops are located on Old Coast Road south of Broadway.
- TransBunbury Bus Route 844 which operates between Bunbury Bus Station and Eaton / Millibridge. The closest stops are located on Old Coast Road south of Broadway or Hamilton Road east of Old Coast Road.

As above, the demand for public transport is likely to be low and the existing services are considered to be adequate.



---

## 8. Site Specific Issues and Safety Issues

---

### 8.1. Crash History

The crash history of the adjacent road network was obtained from the MRWA Reporting Centre.

No crashes have been recorded along the Broadway or at the intersections with Old Coast Road or Estuary Drive over the five year period from January 2017 to December 2021.

The proposed development itself will only generate a low volume of additional traffic and there is no indication that the development would increase the risk of crashes unacceptably.



## 9. Conclusion

---

The Transport Impact Statement for the proposed drive through coffee outlet on Lot 335 Broadway in Pelican Point concluded the following:

- The existing South Bunbury site is estimated to generate between 282 and 388 vehicles per day and between 67 and 85 vehicles during the busiest hour which varies depending on the day. The proposed outlet in Pelican Point is mostly surrounded by residential development and would therefore generate far less traffic than the South Bunbury site. The operator has estimated that the proposed outlet would generate a maximum of 70% of the traffic generated by the South Bunbury outlet during peak periods.
- As the majority of vehicle trips generated by drive-through coffee outlets are already on the road network, the net increase in traffic generated by the development is between 7 to 14 vehicles during the busiest hour. This volume of traffic is considered to be low and can be accommodated within the existing capacity of the road network with little impact.
- The minimum sight distance requirement of AS2890.1 is achieved in both directions from the proposed exit crossover on Broadway.
- The provision of car parking and queuing spaces is considered to be adequate and there is sufficient room for overflow parking within the site.
- A swept path analysis indicates that the internal layout provides adequate manoeuvring room for a 6.4m Small Rigid Truck.
- The crash history of the adjacent road network did not indicate any safety issue on the adjacent road network and there is no indication that the development would increase the risk of crashes unacceptably.
- The existing path network is considered to be adequate.
- The demand for public transport is likely to be low based on the proposed uses and so the existing public transport services are considered to be adequate to meet the likely demand.



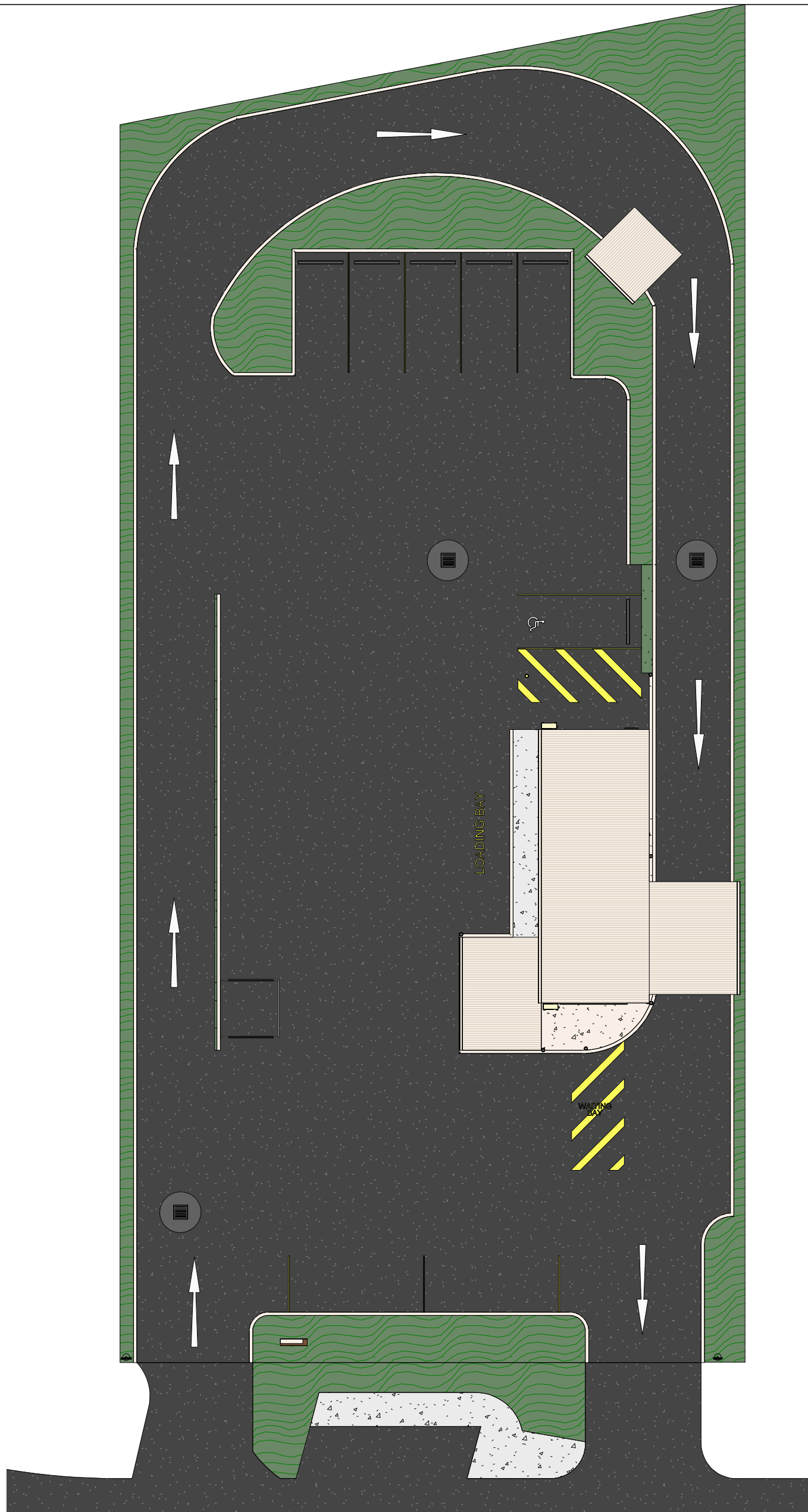
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## Appendix A – Service Vehicle Swept Path

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Overhead View

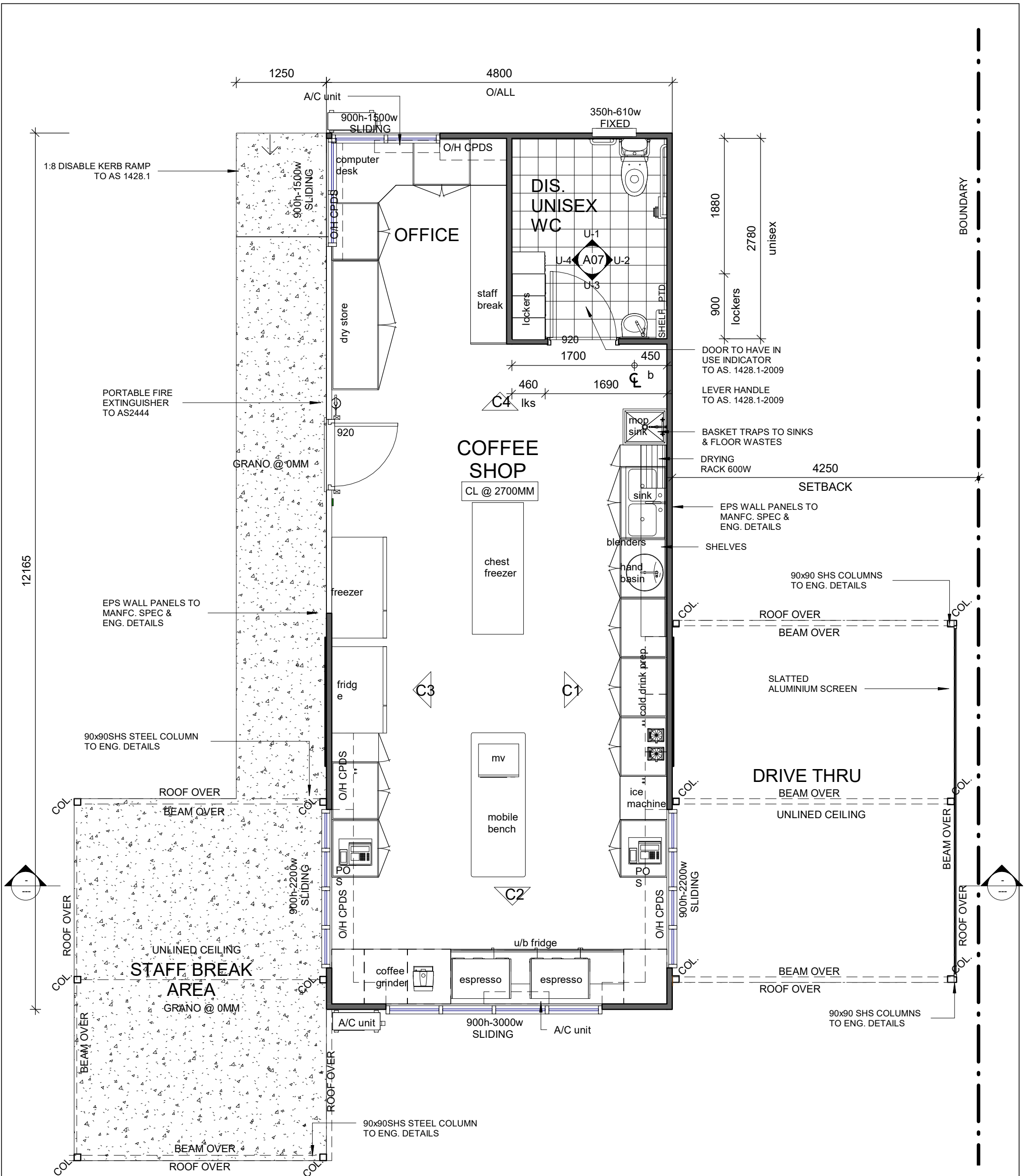
General Notes  
 All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards.  
 All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			Overhead View	
	REV	DATE	DESCRIPTION	Sheet number	A02
	2	4/4/22	ISSUED FOR DA	Project number	2202-31
				Date	31/03/2022
				Drawn by	JG
			Scale		



Phone : 97217471 Fax : 97217471 Mobile : 041894579  
 Email : ghasseb@westnet.com.au  
 Address : 9b Wittenoom Street Bunbury WA 6230

4/04/2022 1:39:15 PM



(Floor Plan)  
1 : 50

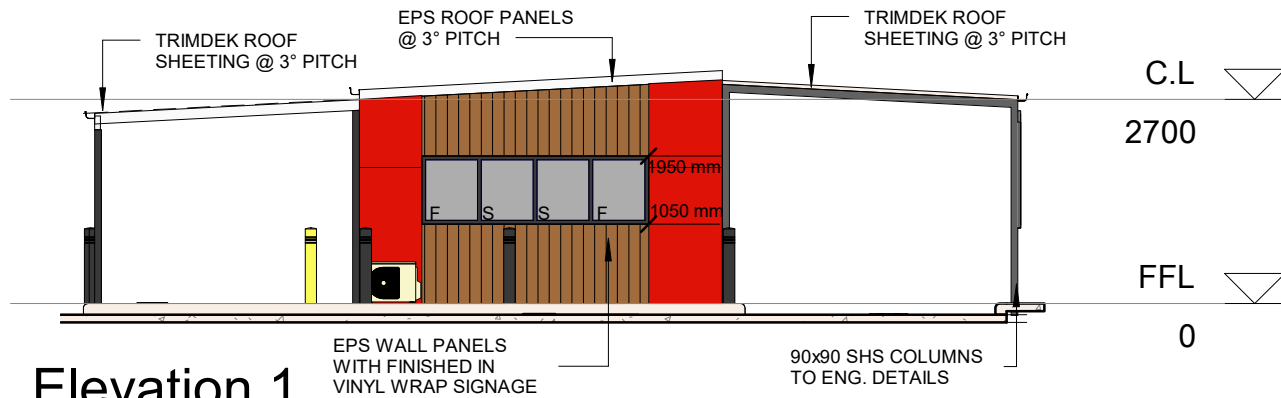
General Notes  
All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards.  
All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

Proposed Coffee Shop Drive-Thru	Revision Schedule			Floor Plan	
	REV	DATE	DESCRIPTION	Sheet number	A03
Lot 335 (#10) Broadway Pelican Point, For M. Fink	1	31/3/22	ISSUED FOR CONCEPT	Project number	2202-31
	2	4/4/22	ISSUED FOR DA	Date	31/03/2022
				Drawn by	JG
				Scale	1 : 50

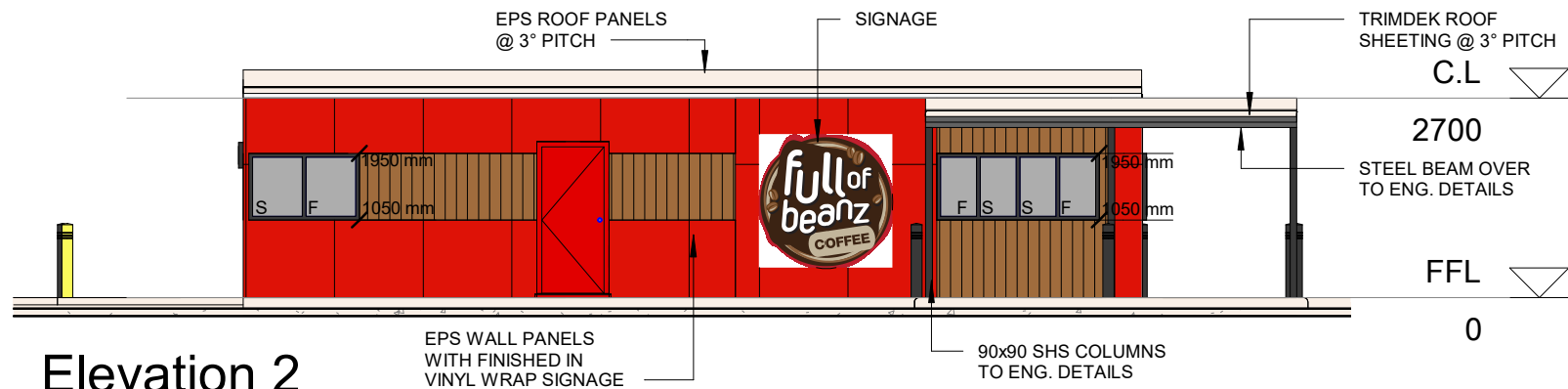


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Email : ghasseb@westnet.com.au  
Address : 9b Wittenoom Street Bunbury WA 6230

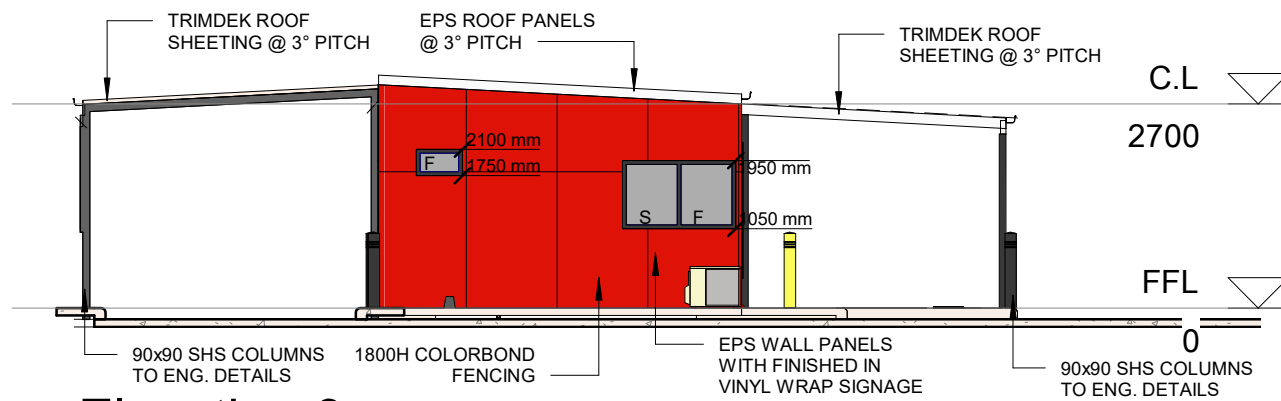
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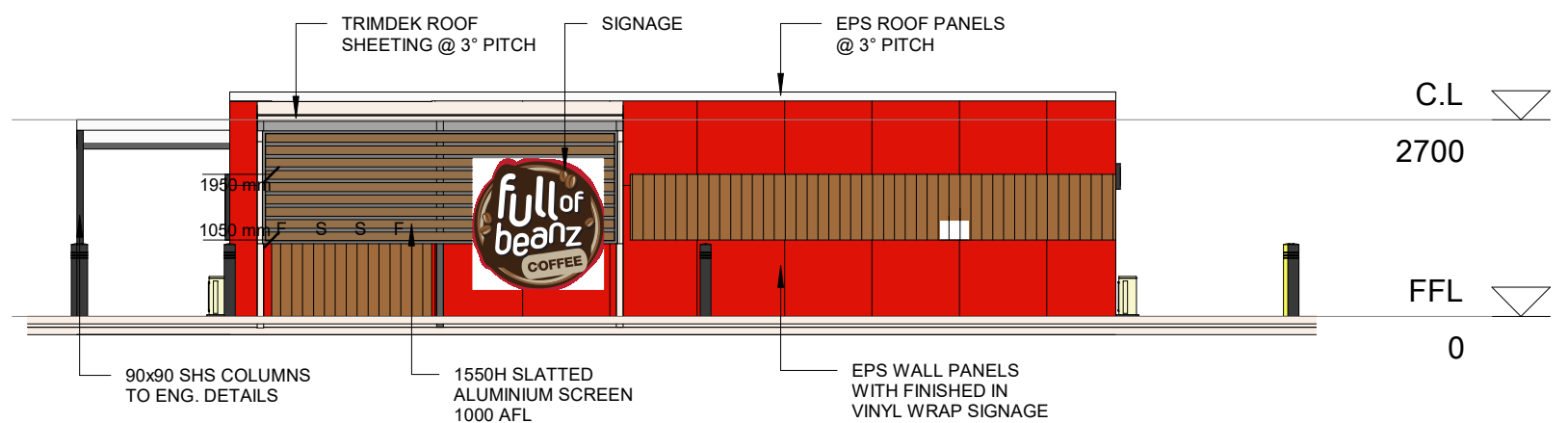
Elevation 1  
1 : 100



Elevation 2  
1 : 100



Elevation 3  
1 : 100



Elevation 4  
1 : 100

**NOTE:**  
ROLLER SHUTTERS TO ALL WINDOWS

**General Notes**  
All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards. All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

ALL FLOOR WASTES TO HAVE BASKET TRAPS  
SINK TO HAVE BASKET WASTE TRAP.

Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			Elevations	
	REV	DATE	DESCRIPTION	Sheet number	A04
	1	31/3/22	ISSUED FOR CONCEPT	Project number	2202-31
	2	4/4/22	ISSUED FOR DA	Date	31/03/2022
				Drawn by	JG
				Scale	1 : 100



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3D View 1



3D View 2



3D View 3

**General Notes**

All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards.  
 All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

<b>Proposed Coffee Shop Drive-Thru</b>  <b>Lot 335 (#10) Broadway Pelican Point,          For M. Fink</b>	<b>Revision Schedule</b>			<b>3D Views</b>	
	REV	DATE	DESCRIPTION	Sheet number	A05
	1	31/3/22	ISSUED FOR CONCEPT	Project number	2202-31
	2	4/4/22	ISSUED FOR DA	Date	31/03/2022
				Drawn by	GG
				Scale	



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Consulting Civil & Traffic  
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Kristy Richardson  
Town Planner  
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4/29 Carey Street  
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[krichardson@teconaust.com.au](mailto:krichardson@teconaust.com.au)

Dear Kristy,

Re: Proposed Drive Through Coffee Outlet at 10 Broadway, Pelican Point – Response to Council Comments Regarding Traffic

As requested, I have reviewed the City of Bunbury's comments regarding the Transport Impact Statement (TIS) prepared by Shawmac for this proposed development. I have provided some clarifications and responses in this letter.

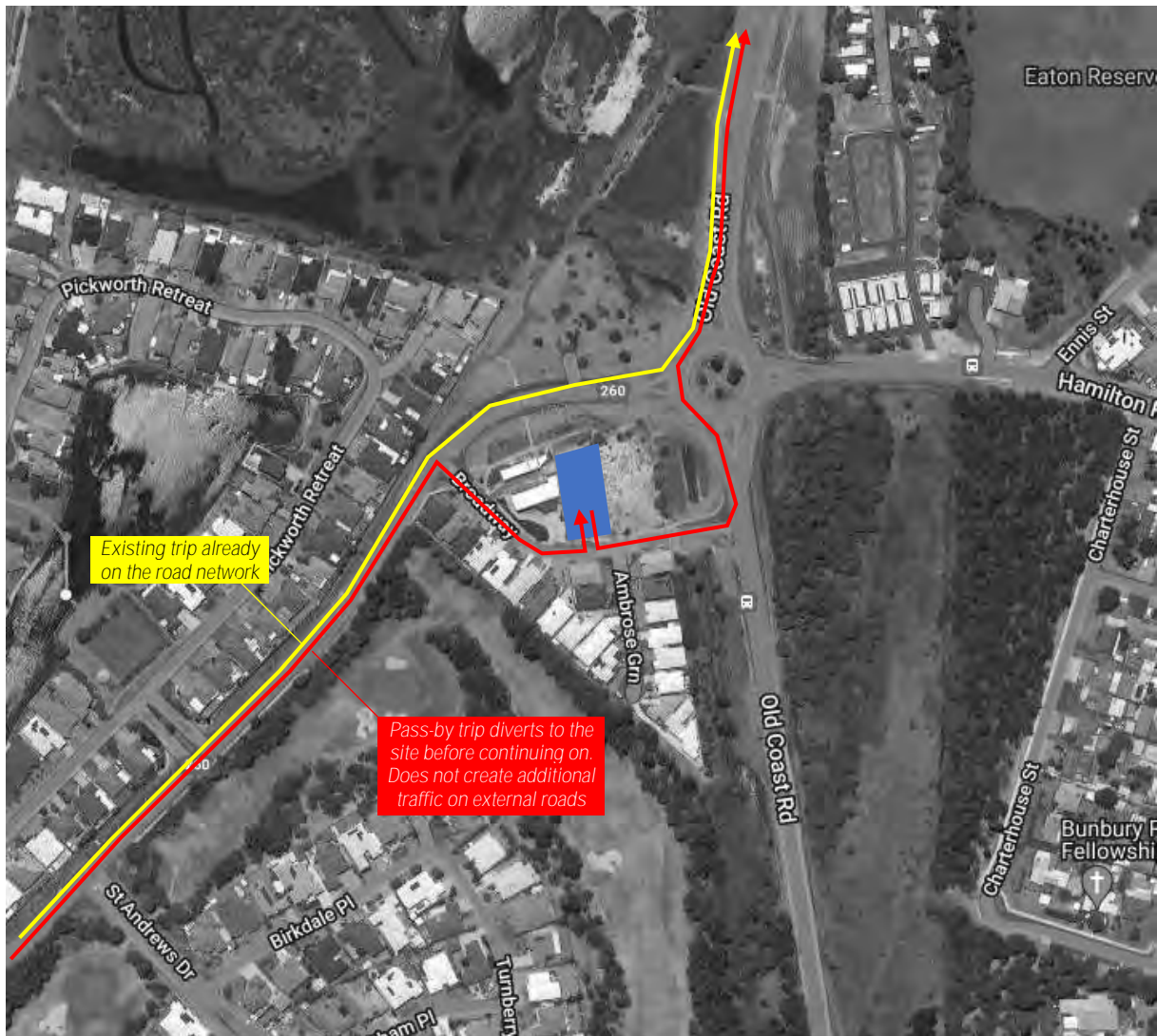
#### Traffic Generation and Impact

To explain the trip generation assumption:

- The proposed outlet is estimated to generate between 47 to 60 vehicles during the peak hour depending on the day.
- The majority of traffic generated to drive through coffee outlets are pass-by trips which are defined as vehicles already on the road network which divert to the site before continuing on. As mentioned, the proportion of pass-by trips is approximately 90% during the morning peak and 84% during the mid-day peak period. Therefore the peak traffic generation is explained as follows:
  - Weekday morning peak: 47 peak hour vehicles (42 vehicles already on the network, 5 new vehicle trips)
  - Saturday peak: 60 peak hour vehicles (50 vehicles already on the network, 10 new vehicle trips)
  - Sunday peak: 48 peak hour vehicles (40 vehicles already on the network, 8 new vehicle trips)

Please accept my apologies that the calculation of new vehicle trips in the TIS was incorrect. However the corrected values are ultimately of a similar magnitude to the volumes stated in the TIS.

The term ‘new vehicle trips’ refers to vehicle trips not already on the surrounding road network (i.e. new trips that would be generated along Estuary Drive, Old Coast Road and other key routes in the area). The concept of pass-by trips is explained in the context of the proposed location further in the Figure below.



On Broadway, the pass-by trips are technically new vehicle trips and so the increase in peak hour traffic on Broadway would be between 47 to 60 vehicles depending on the day. We do acknowledge that there would be a noticeable increase in traffic on Broadway compared to the current daily traffic volumes. However, the resulting daily traffic volumes are still likely to remain well below the target 3,000 vehicles per day for an Access Road.

It is noted that a TIS is only required to provide a rough estimate of the likely daily and/or peak hour traffic generation and does not typically need to provide a detailed capacity analysis of the adjacent road network.

## Exposure to Pass-by Traffic

The City's comment states:

*"The TIS did not assess the traffic volume data for the adjacent roads, including Estuary Drive and Old Coast Road which is available from both Main Roads WA and the City, only assessing the pass-by traffic from Broadway itself. Both Estuary Drive and Old Coast Road are classified as District Distributor B under the Main Roads WA road hierarchy which have a cumulative daily vehicle volume of approximately +21,000 vehicles per day. With minimal restriction to access to the Broadway site, there is greater exposure to pass-by traffic and therefore could generate a larger number of trips than the existing Sandridge Road site which carries approximately 8,369 vehicles in a west bound direction per day."*

The above comment is paraphrased from one of the public submissions which is based on a fundamentally flawed understanding of the concept of pass-by trips and also refers to a traffic count located almost 1.5km away from the Sandridge Road site.

The traffic generation potential of a drive through outlet is not simply proportional to the volume of traffic on the road/s immediately adjacent to the boundary of the site. Pass-by trips can be generated from surrounding roads in the broader area.

As shown below, customers to the Sandridge Road site are not simply limited to traffic travelling along the westbound lane of this road. Customers could approach this site from all directions using the highly permeable road network. The Sandridge Road site could generate pass-by trips from Sandridge Road (both directions), Blair Street, Picton Road, Forrest Ave etc.



The Sandridge Road outlet is also located in a much more densely populated area with far more businesses, places of employment and dwellings within a reasonable driveable catchment.

It is therefore incorrect to infer that the proposed site could generate a larger number of trips than the Sandridge Road site simply because Old Coast Road and Estuary Drive carry high traffic volumes than the westbound lane of Sandridge Road.

Traffic Amenity Impact on Broadway

Although Broadway is technically an Access Road, it is a short road serving a very limited number of properties and it is located between two busy distributor roads. Therefore, we do not agree that the expected level of traffic would be out of character for this area.

It is also noted that all three sites on the north side of Broadway are zoned Local Centre and there are several existing non-residential uses along the south side of Broadway as well. Two of the existing uses are also “vehicle-oriented” uses (Bunbury Taxis and the Car/Boat/Dog Wash).

For the reasons outlined in this letter, we do not believe that the proposed outlet would have an unacceptable traffic impact on the surrounding road network and the level of traffic is consistent with the existing character of the area.

Please feel free to contact myself if you have any questions.

Kind Regards,



Paul Nguyen

Traffic Engineer

[pnguyen@shawmac.com.au](mailto:pnguyen@shawmac.com.au)

0455 888 212 / (08) 9355 1300



# Bushfire Attack Level Assessment Report

Prepared by a BPAD Accredited Practitioner



Fire Protection Association Australia Life Property Environment



## AS3959 BAL Assessment Report

This report has been prepared by an Accredited BPAD Practitioner using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959 – 2018. FPA Australia makes no warranties as to the accuracy of the information provided in the report. All enquiries related to the information and conclusions presented in this report must be made to the BPAD Accredited Practitioner.

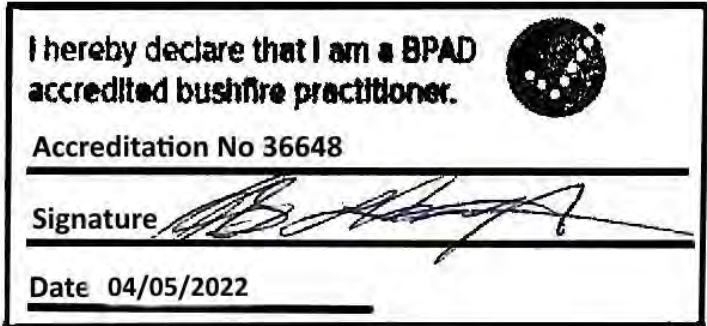

### Property Details and Description of Works

<b>Address Details</b>	<b>Unit no</b>	<b>Street no</b>	<b>Lot no</b>	<b>Street name / Plan Reference</b>		
		10	335	Broadway		
<b>Local government area</b>	<b>Suburb</b>			<b>State</b>	<b>Postcode</b>	
	Pelican Point			WA	6230	
<b>Main BCA class of the building</b>	<b>Use(s) of the building</b>			Habitable Building		
<b>Description of the building or works</b>	Class 6			Proposed Drive Thru Coffee Shop		

### Report Details

<b>Report / Job Number</b>	<b>Report Version</b>	<b>Assessment Date</b>	<b>Report Date</b>
	A	2 May 2022	4 May 2022

### BPAD Accredited Practitioner Details

<b>Name</b> Neill Thompson Level 2 BPAD FPAA	
<b>Company Details</b> Bushfire Solutions South West Mobile: 0447 395 173 E: neill@bushfiresolutionsouthwest.com.au	
	<i>Authorized Practitioner Stamp</i>

Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.

## Site Assessment & Site Plans

The assessment of this site / development was undertaken on 2 May 2022 by a BPAD Accredited Practitioner for the purpose of determining the Bushfire Attack Level in accordance with AS 3959 - 2018 Simplified Procedure (Method 1).

### Legend

- 10 Broadway Pelican Point**
- Lot Boundary
- 100m Buffer
- 150m Buffer
- Proposed Coffee Shop
- BAL Vegetation**
- D. Scrub
- Excluded
- Photo Location & Direction**
- Locate\_VM\_Imagery
- RGB
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3
- Cadastre Address (LGATE-002)**
- Populated Places (Geoscience Australia)
- Place Names (Geoscience Australia)
- Suburbs and Localities
- Local Government Authority
- State Roads
- Other Roads
- DAFWA 2m Contours**
- Coast and Sea**
- water
- land



Map Printed from FireMaps on Wed May 04 13:25:36 AWST 2022

## Vegetation Classification

All vegetation within 150m of the site / proposed development was classified in accordance with Clause 2.2.3 of AS 3959-2018. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.

<b>Photo ID:</b> 1	<b>Plot:</b> 1	
<b>Vegetation Classification or Exclusion Clause</b>		
Excludable - 2.2.3.2(a) >100m from site		
<b>Description / Justification for Classification</b>		
Vegetation a distance further than 100m from the proposed site		
<b>Photo ID:</b> 2	<b>Plot:</b> 1	
<b>Vegetation Classification or Exclusion Clause</b>		
Excludable - 2.2.3.2(a) >100m from site		
<b>Description / Justification for Classification</b>		
Vegetation a distance further than 100m from the proposed site		
<b>Photo ID:</b> 3	<b>Plot:</b> 2	
<b>Vegetation Classification or Exclusion Clause</b>		
Excludable - 2.2.3.2(e) Non Vegetated Areas		
<b>Description / Justification for Classification</b>		
Non-vegetated areas  Cleared areas/low ground surface fuel		

<b>Photo ID:</b> 4	<b>Plot:</b> 2	
<b>Vegetation Classification or Exclusion Clause</b>		
Excludable - 2.2.3.2(e) Non Vegetated Areas		
<b>Description / Justification for Classification</b>		
Non-vegetated areas  Cleared areas/low ground surface fuel		
<b>Vegetation Classification or Exclusion Clause</b>		
Excludable - 2.2.3.2(e) Non Vegetated Areas		
<b>Description / Justification for Classification</b>		
Non-vegetated areas		
Cleared areas/re growth/low ground surface fuel		
<b>Photo ID:</b> 6		
<b>Vegetation Classification or Exclusion Clause</b>		
Excludable - 2.2.3.2(e) Non Vegetated Areas		
<b>Description / Justification for Classification</b>		
Non-vegetated areas		
Cleared areas/re growth/low ground surface fuel		

<b>Photo ID:</b>	7	<b>Plot:</b>	4
<b>Vegetation Classification or Exclusion Clause</b>			
Excludable - 2.2.3.2(f) Low Threat Vegetation			
<b>Description / Justification for Classification</b>			
Low threat vegetation in a maintained state			
Maintained gardens/grasses/low ground surface fuel			



<b>Photo ID:</b>	8	<b>Plot:</b>	4
<b>Vegetation Classification or Exclusion Clause</b>			
Excludable - 2.2.3.2(f) Low Threat Vegetation			
<b>Description / Justification for Classification</b>			
Low threat vegetation in a maintained state			
Maintained gardens/grasses/low ground surface fuel			



<b>Photo ID:</b>	9	<b>Plot:</b>	5
<b>Vegetation Classification or Exclusion Clause</b>			
Excludable - 2.2.3.2(f) Low Threat Vegetation			
<b>Description / Justification for Classification</b>			
Low threat vegetation in a maintained state			
Maintained pos/grasses/low ground surface fuel			



<b>Photo ID:</b>	10	<b>Plot:</b>	5
<b>Vegetation Classification or Exclusion Clause</b>			
Excludable - 2.2.3.2(f) Low Threat Vegetation			
<b>Description / Justification for Classification</b>			
Low threat vegetation in a maintained state			
Maintained pos/grasses/low ground surface fuel			



<b>Photo ID:</b>	11	<b>Plot:</b>	6
<b>Vegetation Classification or Exclusion Clause</b>			
Excludable - 2.2.3.2(c) Multi Areas < 0.25Ha			
<b>Description / Justification for Classification</b>			
Areas of vegetation less than 0.25 h/a, and not within 20m of the proposed site			



## Relevant Fire Danger Index

The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

### Fire Danger Index

FDI 40

Table 2.7

FDI 50

Table 2.6

FDI 80

Table 2.5

FDI 100

Table 2.4

## Potential Bushfire Impacts

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below.

Plot	Vegetation Classification	Effective Slope	Separation (m)	BAL
1	Excludable – Clause 2.2.3.2(a)	N/A	N/A	BAL – LOW
2	Excludable – Clause 2.2.3.2(e)	N/A	N/A	BAL – LOW
3	Excludable – Clause 2.2.3.2(e)	N/A	N/A	BAL – LOW
4	Excludable – Clause 2.2.3.2(f)	N/A	N/A	BAL – LOW
5	Excludable – Clause 2.2.3.2(f)	N/A	N/A	BAL – LOW
6	Excludable – Clause 2.2.3.2(c)	N/A	N/A	BAL – LOW

Table 1: BAL Analysis

## Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

Determined Bushfire Attack Level

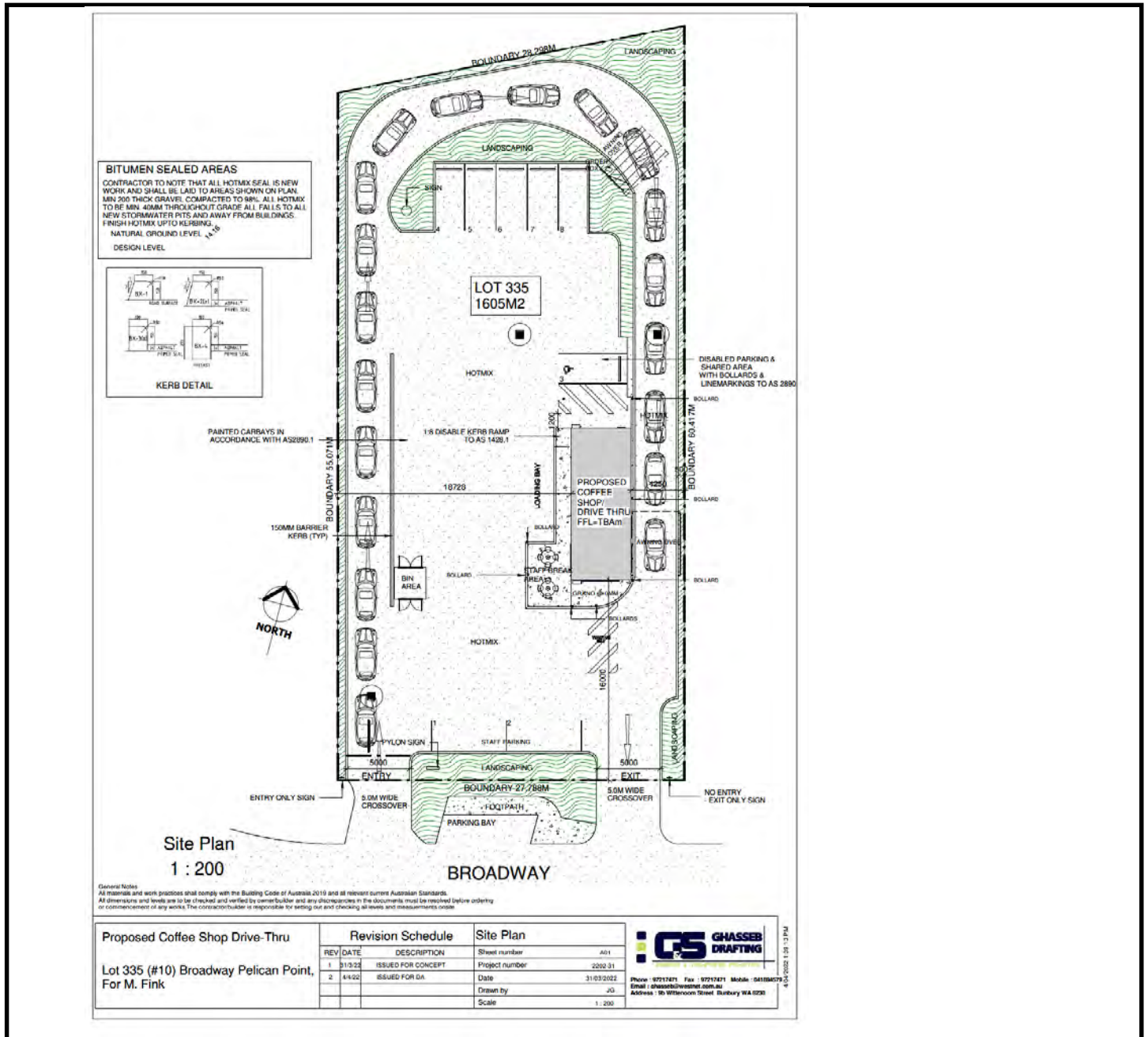
**BAL – LOW**

## Appendix 1: Plans and Drawings

Plans and drawings relied on to determine the bushfire attack level

**Drawing / Plan Description** Proposed New Drive Thru Coffee Shop

Job Number	Revision	Date of Revision
------------	----------	------------------





## Appendix 2: Additional Information / Advisory Notes

All trees around the APZ will require ongoing maintenance and have a vertical to ground clearance of 2 metres.

No branches or tree crown canopies are to be overhanging the roof space of the dwelling.  
The ground fuel will require maintaining, to minimise any future risk.

All grasses are to be managed and maintained to a maximum height of 100 millimetres.

Bush fire hazard can be altered by reducing fuel loads in bush areas, by modifying fuel zones, removing understorey vegetation and leaf litter by chemical or mechanical means or by control burning. Providing adequate separation between the vegetation and the building is strongly recommended for all new homes.

### **Statement:**

I have taken all reasonable steps to ensure that the information provided in this assessment, is accurate and supports the conditions on and around the site, and the corresponding lot, on the date of this assessment.

This does not guarantee that a building will not be destroyed or damaged by a bushfire. This assessment for the proposed new dwelling is made in good faith based on the information available to the bushfire consultant at the time of the assessment. Notwithstanding, the bushfire consultant or Local Government authority will not, except as may be required by law, be liable for any loss or other consequences whether due to negligence arising out of the services rendered by the bushfire consultant or Local Government authority.

Note: Any new plantings of vegetation, or a failure to maintain the properties requirements for fuel loading maintenance, can and will change the BAL rating significantly.

It is the owner's responsibility to maintain fuels and vegetation's, in accordance to the City of Bunbury Annual Fire Break Order Notice.

## BUSHFIRE ATTACK LEVEL ASSESSMENT EXPLAINED

A Bushfire Attack Level (BAL) Assessment is a means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact in a bushfire event, and thereby determining the construction measures required for the dwelling.

The methodology used for the determination of the BAL rating, and subsequent building construction standards, are directly referenced from Australian Standard AS 3959–2018 Construction of Buildings in Bushfire Prone Areas.

The BAL rating is determined through identification and assessment of the following parameters:

- Fire Danger Index (FDI) rating; assumed to be FDI - 80 for Western Australia;
- All classified vegetation **within 100 and 150m** of the Site;
- Separation distance between the building and the classified vegetation source(s); and
- Slope of the land under the classified vegetation.

## CONSTRUCTION REQUIREMENTS

AS 3959–2018 has six levels of BAL categories based on the radiant heat flux exposure to the building, and identifies the relevant sections for building construction, as detailed below in the Bushfire Attack Levels Table.

The BAL and the corresponding Sections for specific construction requirements are listed in the table below:

Bushfire Attack Levels Table

Bushfire Attack Level (BAL)	Classified Vegetation within 100m of the site heat flux exposure thresholds	Description of predicted bushfire attack and levels of exposure	Construction Section
BAL – LOW		There is insufficient risk to warrant specific construction requirements.	4
BAL – 12.5	$\leq 12.5 \text{ kW/m}^2$	Ember attack	3 and 5
BAL – 19	$> 12.5 \text{ kW/m}^2$ $\leq 19 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux	3 and 6
BAL – 29	$> 19 \text{ kW/m}^2$ $\leq 29 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux	3 and 7
BAL- 40	$> 29 \text{ kW/m}^2$ $\leq 40 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux with the increased likelihood of exposure to flames	3 and 8
BAL-FZ	$> 40 \text{ kW/m}^2$	Direct exposure to flames from fire front in addition to heat flux and ember attack	3 and 9

An APZ is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level.

The width of the required APZ varies with slope and vegetation.

The APZ should at a minimum be of sufficient size to ensure the potential radiant heat impact of a fire does not exceed 29kW/m<sup>2</sup> (BAL-29). It should be lot specific.

The APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.

It is the responsibility of the landowner/proponent to maintain their APZ in accordance with Schedule 1 'Standards for Asset Protection Zones'.

## STANDARDS FOR ASSET PROTECTION ZONES

**Fences:** within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or bushfire-resisting timber referenced in Appendix F of (AS3959).

**Fine Fuel load:** Should be managed and removed on a regular basis to maintain a low threat state.

- Should be maintained at <2 tonnes per hectare (on average).
- Mulches should be non-combustible such as stone, gravel or crushed mineral earth
- or wood mulch >6 millimetres in thickness.

**Trees:** (> 6 metres in height): trunks at maturity should be a minimum distance of 6 metres from all elevations of the building.

Branches at maturity should not touch or overhang a building or powerline.

Lower branches and loose bark should be removed to a height of 2 metres above the ground and or surface vegetation.

Canopy cover within the APZ should be <15% of the total APZ area. with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Tree canopies at maturity should be at least five metres apart to avoid forming a continuous canopy. Stands of existing mature trees with interlocking canopies may be treated as an individual canopy provided that the total canopy cover within the APZ will not exceed 15 per cent and are not connected to the tree canopy outside the APZ

**Shrub and scrub:** (0.5 metres to six metres in height). Shrub and scrub >6 metres in height are to be treated as trees.

- Should not be located under trees or within three metres of buildings.
- Should not be planted in clumps >5 square metres in area.
- Clumps should be separated from each other and any exposed window or door by at least 10 metres.

**Ground covers:** (0.5 metres in height are to be treated as shrubs)

Can be planted under trees but must be maintained to remove dead plant material, as prescribed in 'Fine fuel load' above.

Can be located within two metres of a structure, but three metres from windows or doors if >100mm in height

**Grass:** Grass should be maintained at a height of 100 millimetres or less, at all times.

Wherever possible, perennial grasses should be used and well-hydrated with regular application of wetting agents and efficient irrigation.

**Defendable Space:** Within three metres of each wall or supporting post of a habitable building, the area is kept free from vegetation, but can include ground covers, grass and non combustible mulches as prescribed above.

**LP Gas Cylinders:** Should be located on the side of a building furthest from the likely direction of a bushfire or on the side of a building where surrounding classified vegetation is upslope, at least one metre from vulnerable parts of a building.

- The pressure relief valve should point away from the house.
- No flammable material within six metres from the front of the valve.
- Must sit on a firm, level and non-combustible base and be secured to a solid

## **References**

City of Bunbury Fuel Reduction and Firebreak Notice 2021/22

WA Planning Commission: Standards for Asset Protection Zones

Firemaps

Standards Australia AS3959 (2018) Construction of buildings in bushfire prone areas.

## Bushfire Attack Level (BAL) Certificate

Determined in accordance with AS 3959-2018

This Certificate has been issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme. The certificate details the conclusions of the full Bushfire Attack Level Assessment Report (full report) prepared by the Accredited Practitioner.

### Property Details and Description of Works

<b>Address Details</b>	<b>Unit no</b>	<b>Street No</b>	<b>Lot</b>	<b>Street name / Plan Reference</b>	
		10	335	Broadway	
<b>Local government area</b>	Pelican Point			<b>State</b>	<b>Postcode</b>
				WA	6230
<b>Main BCA class of the building</b>	City of Bunbury				
<b>Description of the building or works</b>	Class 6	<b>Use(s) of the building</b>	Habitable Building		
	Proposed Drive Thru Coffe Shop				

### Determination of Highest Bushfire Attack Level

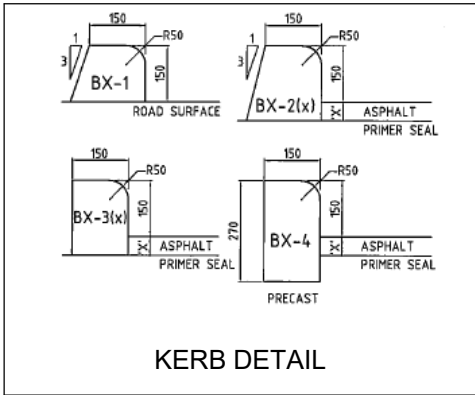
AS 3959 Assessment Procedure	Vegetation Classification	Effective Slope	Separation Distance	BAL
Method 1	Excluded Clause 2.2.3.2(f)(e)(c)(d)(a)	N/A	N/A	BAL – LOW

### BPAD Accredited Practitioner Details

<p><b>Name</b> Neill Thompson</p> <p><b>Company Details</b> Bushfire Solutions South West Phone: 0447 395 173 Email: Website: <a href="http://bushfiresolutionsouthwest.com.au">http://bushfiresolutionsouthwest.com.au</a></p> <div style="text-align: center;">  <p><b>BUSHFIRE SOLUTIONS SOUTH WEST</b></p> </div> <p>I hereby certify that I have undertaken the assessment of the above site and determined the Bushfire Attack Level stated above in accordance with the requirements of AS 3959-2018</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>I hereby declare that I am a BPAD accredited bushfire practitioner.</p> <p>Accreditation No. 36648</p> <p>Signature </p> <p>Date 04/05/2022</p> </div> <p><i>Authorised Practitioner Stamp</i></p>
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*Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.*

**BITUMEN SEALED AREAS**  
 CONTRACTOR TO NOTE THAT ALL HOTMIX SEAL IS NEW WORK AND SHALL BE LAID TO AREAS SHOWN ON PLAN. MIN 200 THICK GRAVEL COMPACTED TO 98%. ALL HOTMIX TO BE MIN. 40MM THROUGHOUT. GRADE ALL FALLS TO ALL NEW STORMWATER PITS AND AWAY FROM BUILDINGS. FINISH HOTMIX UPTO KERBING.  
 NATURAL GROUND LEVEL 14.76  
 DESIGN LEVEL



**LANDSCAPING NOTE**  
 ONSITE LANDSCAPING = 246M2 = 15.3%

**General Notes**  
 All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards. All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

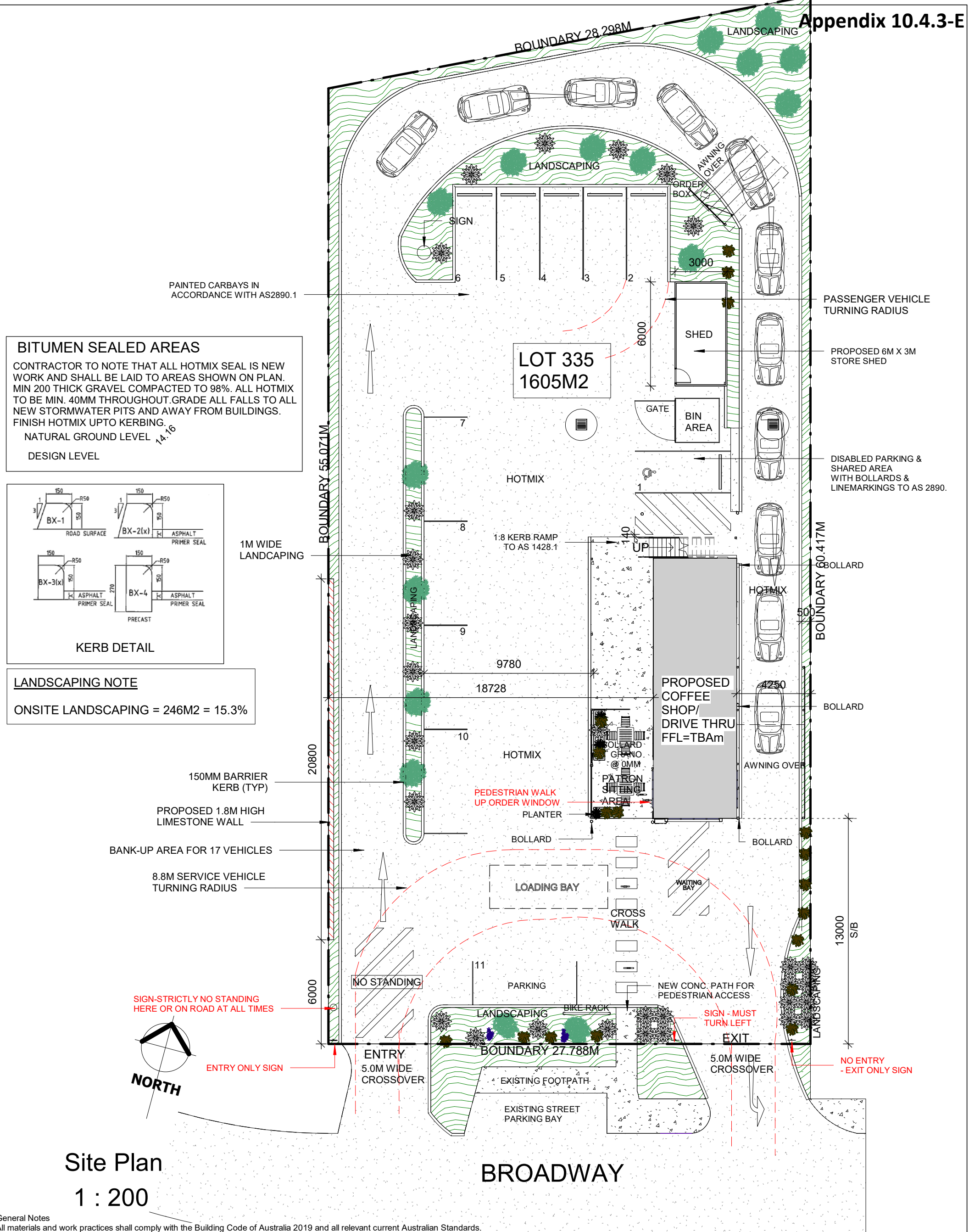
**Proposed Coffee Shop Drive-Thru**  
 Lot 335 (#10) Broadway Pelican Point,  
 For M. Fink

Revision Schedule			Site Plan	
REV	DATE	DESCRIPTION	Sheet number	A01
1	15/12/23	REVISED CONCEPT	Project number	2202-31
2	9/1/24	ISSUED FOR DA	Date	31/03/2022
3	12/1/24	ISSUED FOR DA	Drawn by	JG
4	18/1/24	REVISED FOR DA	Scale	1 : 200

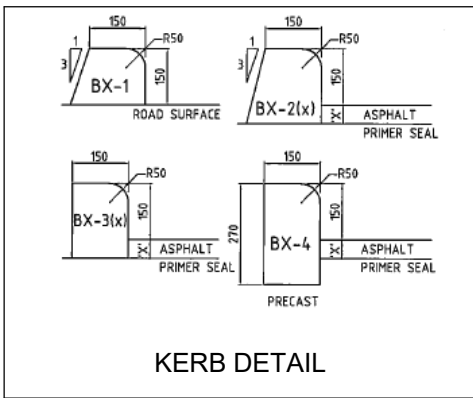
**GHASSEB DRAFTING**  
 DESIGN & DRAFTING PRACTICE  
 Phone : 97217471 Fax : 97217471 Mobile : 041894579  
 Email : ghasseb@westnet.com.au  
 Address : 9b Wittenoom Street Bunbury WA 6230

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**BITUMEN SEALED AREAS**  
 CONTRACTOR TO NOTE THAT ALL HOTMIX SEAL IS NEW WORK AND SHALL BE LAID TO AREAS SHOWN ON PLAN. MIN 200 THICK GRAVEL COMPACTED TO 98%. ALL HOTMIX TO BE MIN. 40MM THROUGHOUT. GRADE ALL FALLS TO ALL NEW STORMWATER PITS AND AWAY FROM BUILDINGS. FINISH HOTMIX UPTO KERBING.  
 NATURAL GROUND LEVEL 14.76  
 DESIGN LEVEL

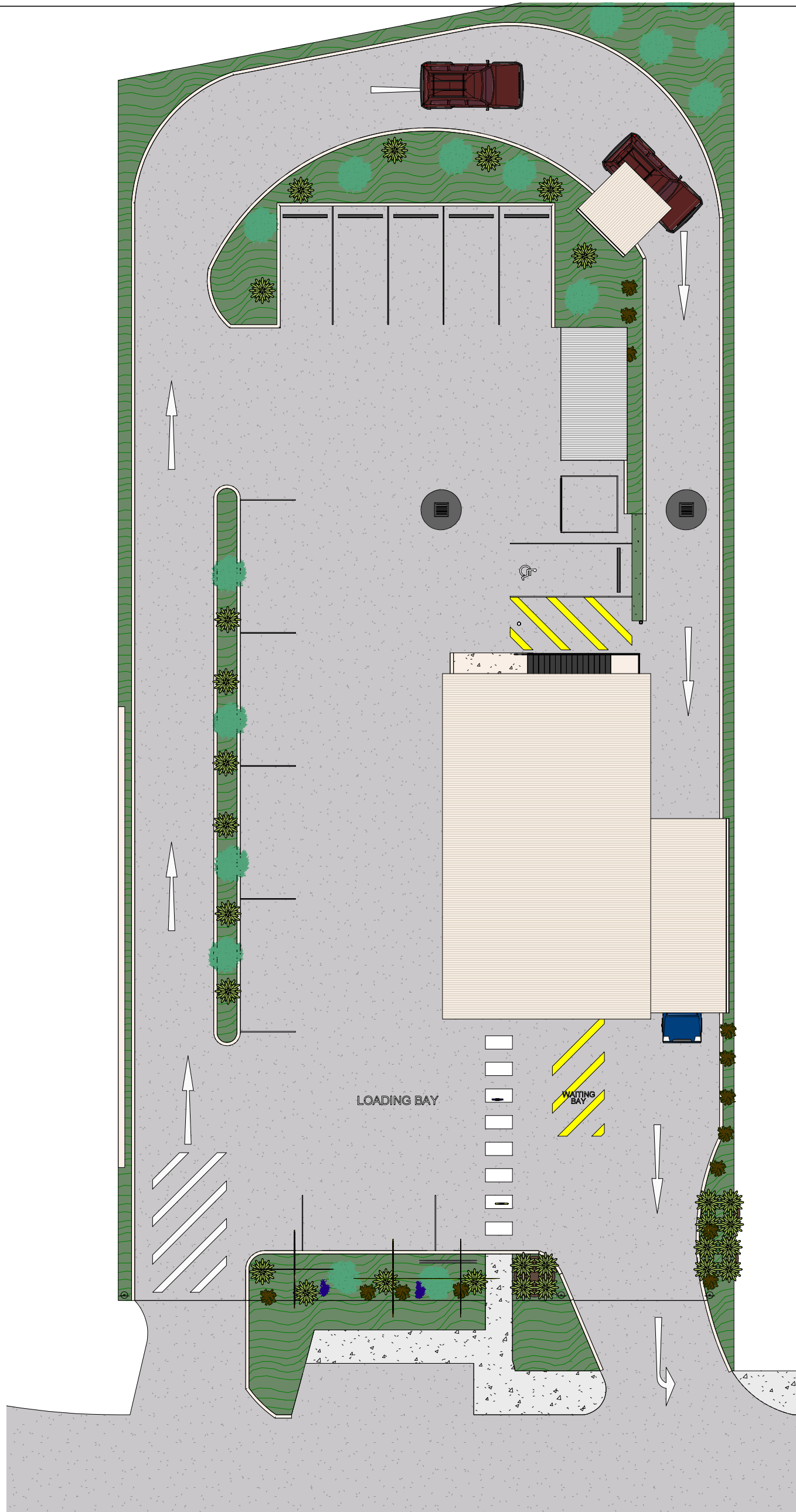


**LANDSCAPING NOTE**  
 ONSITE LANDSCAPING = 246M2 = 15.3%

Site Plan  
 1 : 200

**General Notes**  
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Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			Site Plan	
	REV	DATE	DESCRIPTION	Sheet number	A01
	3	12/1/24	ISSUED FOR DA	Project number	2202-31
	4	18/1/24	REVISED FOR DA	Date	31/03/2022
	5	9/2/24	REVISED FOR DA	Drawn by	JG
	6	5/3/24	REVISED FOR DA	Scale	1 : 200
				 Phone : 97217471 Fax : 97217471 Mobile : 041894579 Email : ghasseb@westnet.com.au Address : 9b Wittenoom Street Bunbury WA 6230	



Overhead View

General Notes

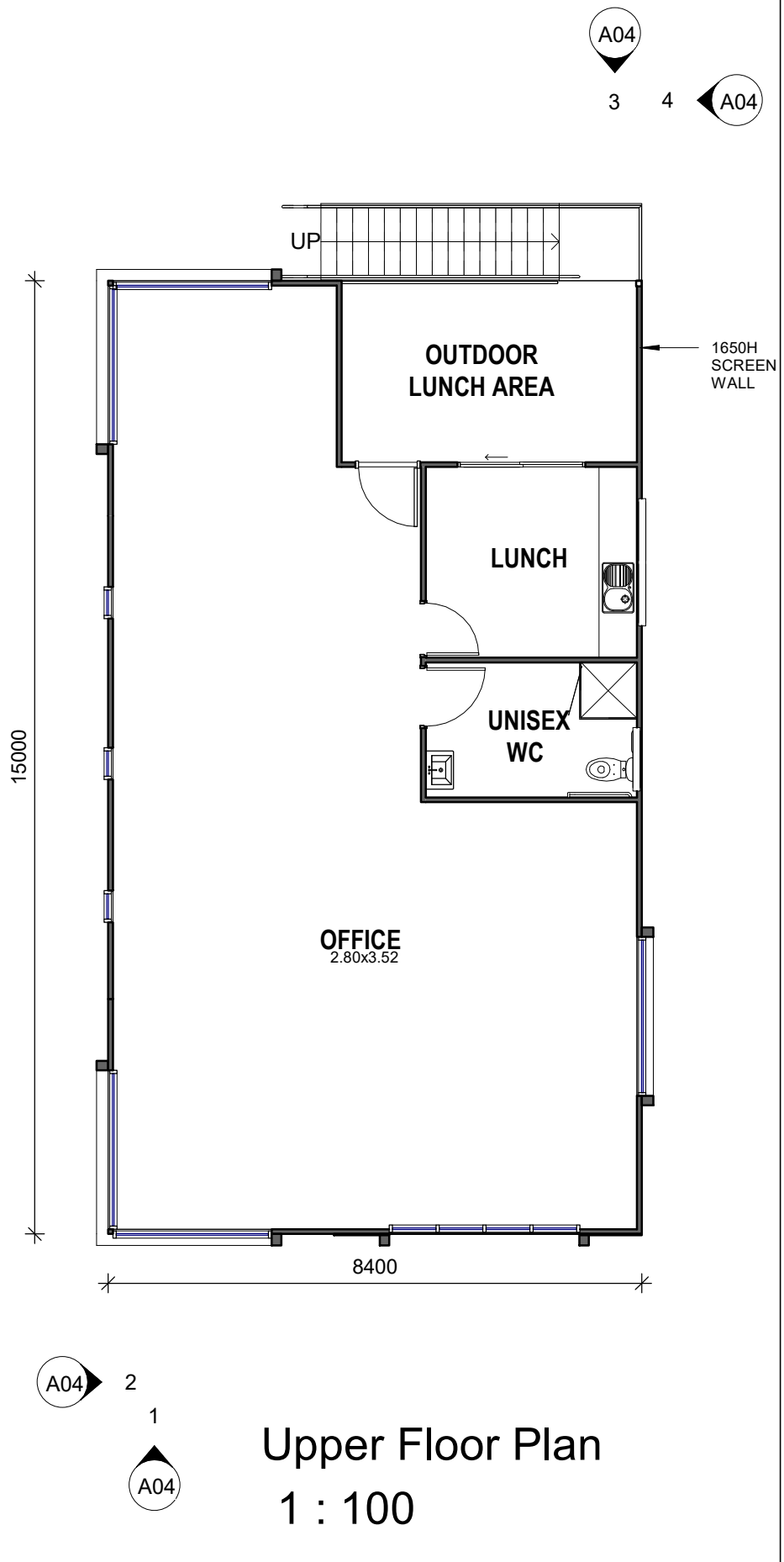
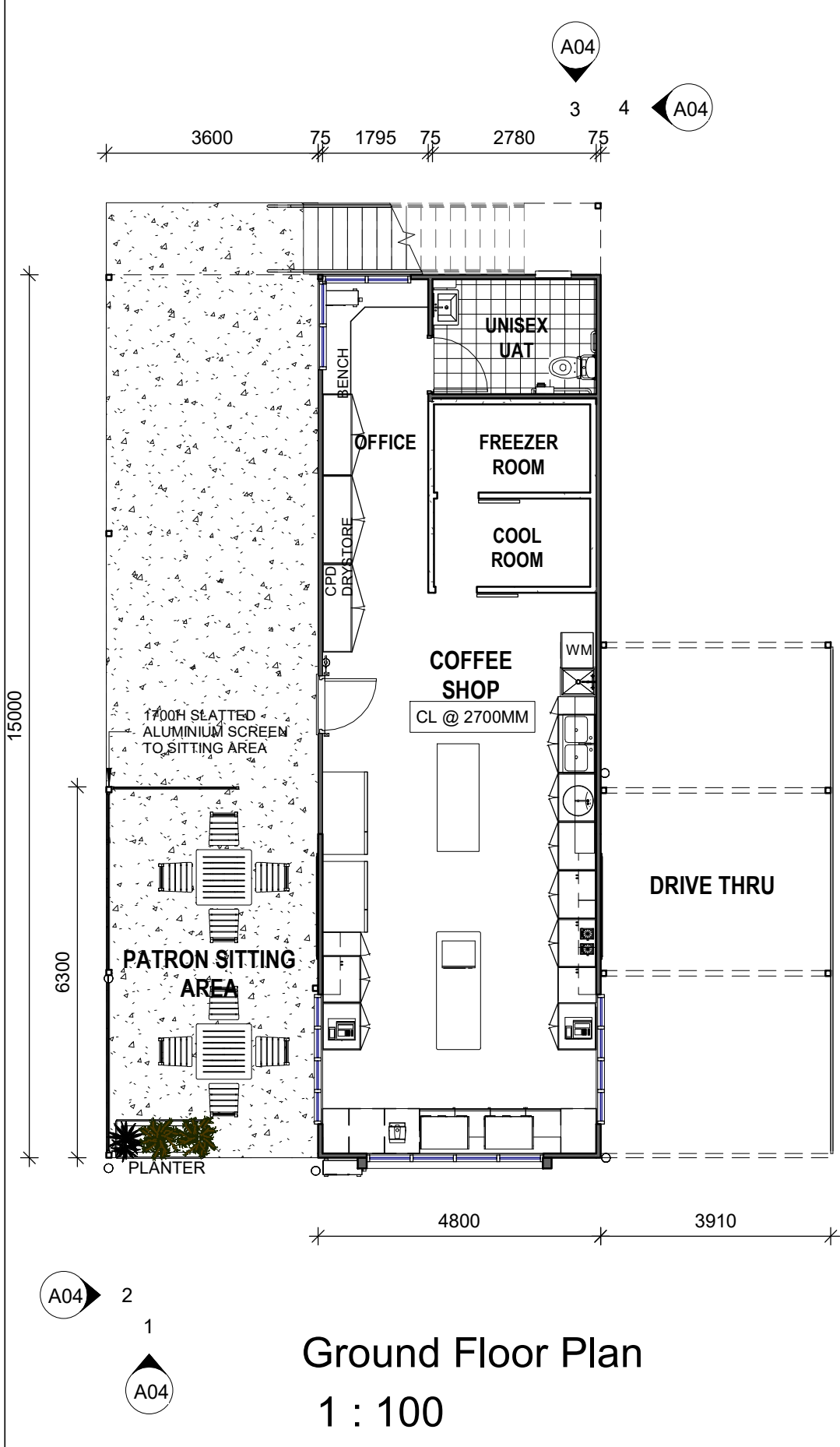
All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards. All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			Overhead View	
	REV	DATE	DESCRIPTION	Sheet number	A02
	2	9/1/24	ISSUED FOR DA	Project number	2202-31
	3	12/1/24	ISSUED FOR DA	Date	31/03/2022
	4	18/1/24	REVISED FOR DA	Drawn by	JG
	5	5/3/24	REVISED FOR DA	Scale	



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**AREAS**  
GROUND FLOOR = 72M2  
UPPER FLOOR = 126M2

**General Notes**  
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Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			Floor Plans	
	REV	DATE	DESCRIPTION	Sheet number	A03
	2	9/1/24	ISSUED FOR DA	Project number	2202-31
	3	12/1/24	ISSUED FOR DA	Date	31/03/2022
	4	18/1/24	REVISED FOR DA	Drawn by	JG
	5	5/3/24	REVISED FOR DA	Scale	1 : 100

**GHASSEB DRAFTING**  
DESIGN & DRAFTING PRACTICE

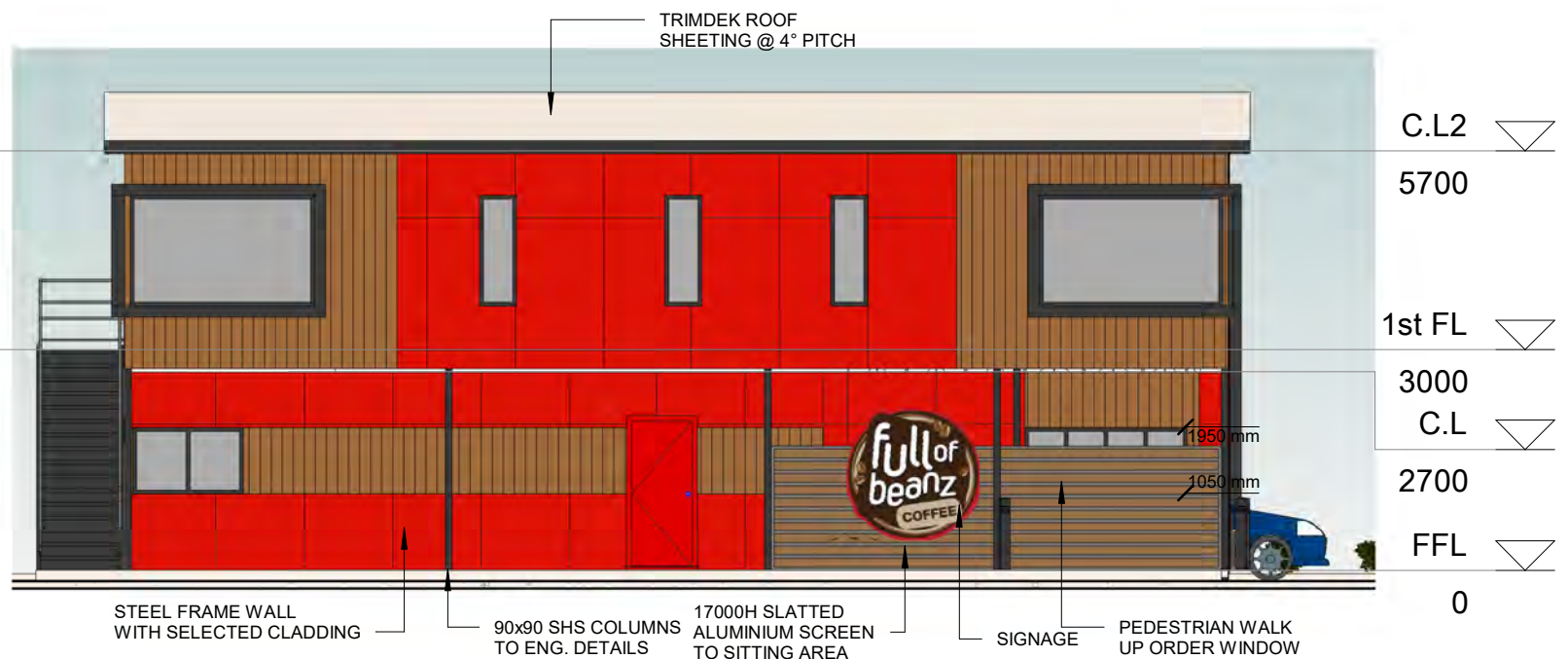
Phone : 97217471 Fax : 97217471 Mobile : 041894579  
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Address : 9b Wittenoom Street Bunbury WA 6230

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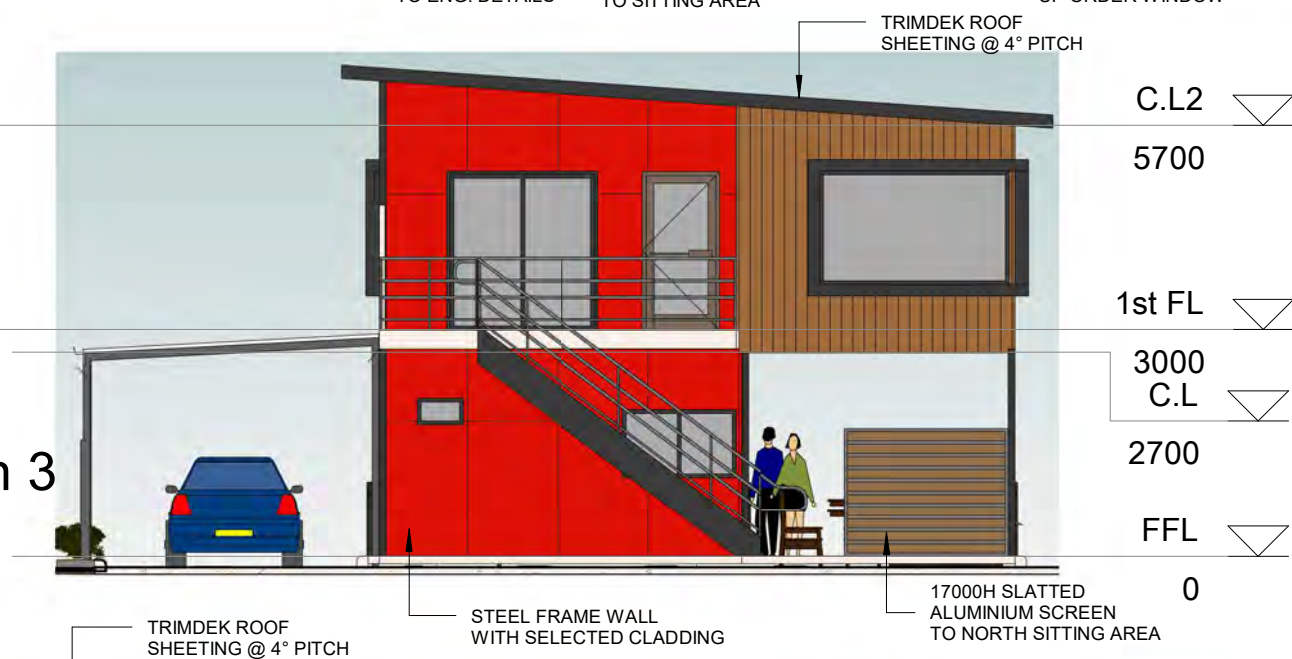
Elevation 1  
1 : 100



Elevation 2  
1 : 100



Elevation 3  
1 : 100



Elevation 4  
1 : 100



General Notes

All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards. All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

ALL FLOOR WASTES TO HAVE BASKET TRAPS  
SINK TO HAVE BASKET WASTE TRAP.

Proposed Coffee Shop Drive-Thru		Revision Schedule		Elevations	
Lot 335 (#10) Broadway Pelican Point, For M. Fink	REV	DATE	DESCRIPTION	Sheet number	A04
	2	9/1/24	ISSUED FOR DA	Project number	2202-31
	3	12/1/24	ISSUED FOR DA	Date	31/03/2022
	4	18/1/24	REVISED FOR DA	Drawn by	JG
	5	5/3/24	REVISED FOR DA	Scale	1 : 100



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3D View 1



3D View 2



3D View 3



3D View 4

**General Notes**

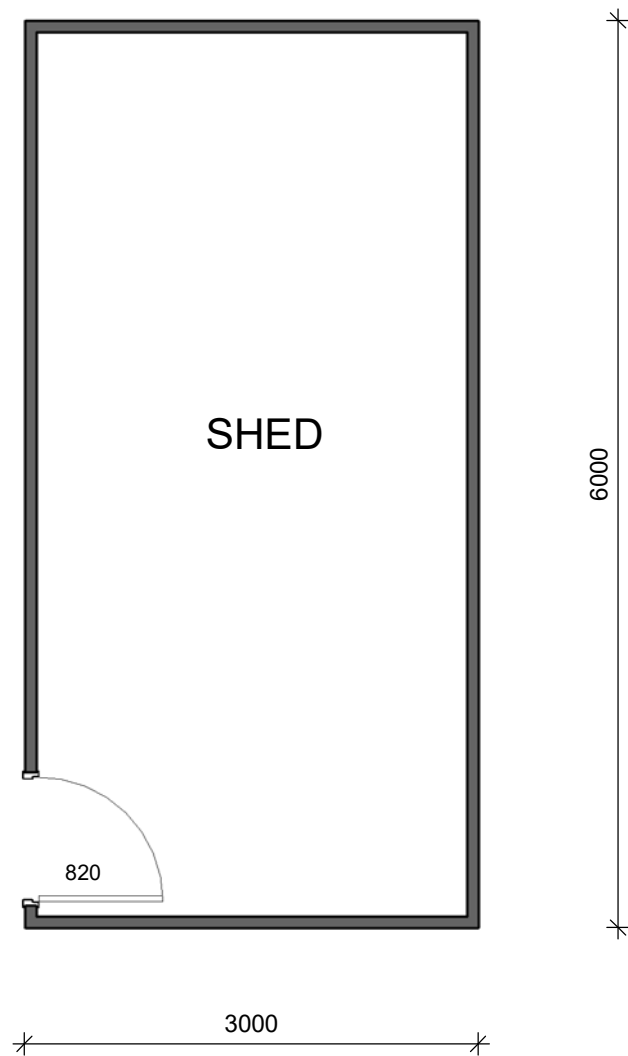
All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards.  
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Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			3D Views	
	REV	DATE	DESCRIPTION	Sheet number	A05
	2	9/1/24	ISSUED FOR DA	Project number	2202-31
	3	12/1/24	ISSUED FOR DA	Date	31/03/2022
	4	18/1/24	REVISED FOR DA	Drawn by	GG
	5	5/3/24	REVISED FOR DA	Scale	

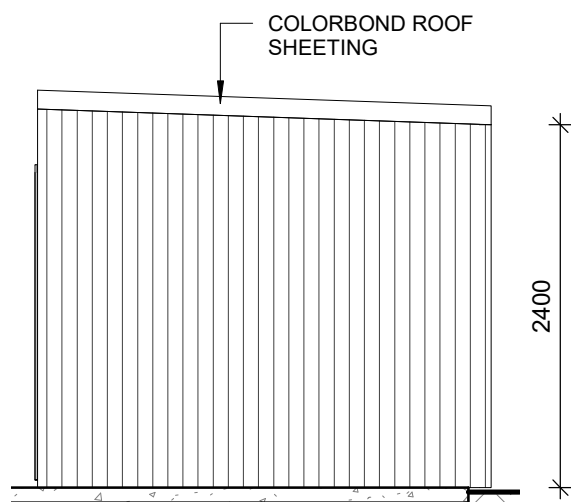


Phone : 97217471 Fax : 97217471 Mobile : 041894579  
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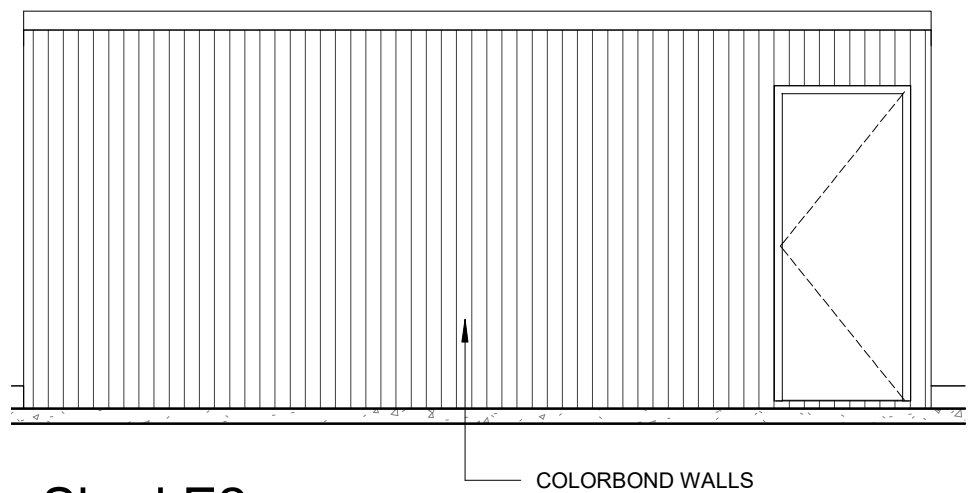
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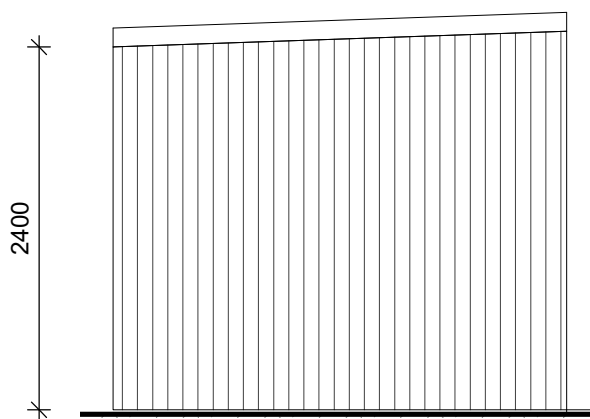
Shed Plan  
1 : 50



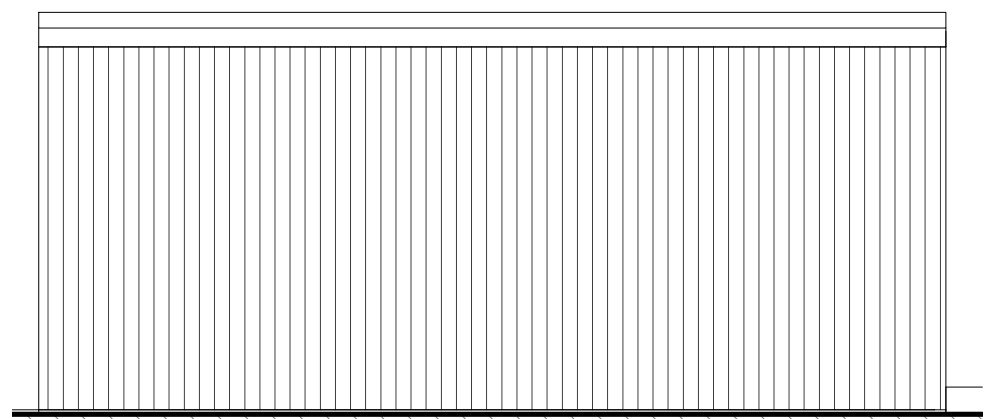
Shed E1  
1 : 50



Shed E2  
1 : 50



Shed E3  
1 : 50



Shed E4  
1 : 50

**General Notes**  
All materials and work practices shall comply with the Building Code of Australia 2019 and all relevant current Australian Standards.  
All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works. The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

Proposed Coffee Shop Drive-Thru  Lot 335 (#10) Broadway Pelican Point, For M. Fink	Revision Schedule			Shed Plan	
	REV	DATE	DESCRIPTION	Sheet number	A06
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	6	5/3/24	REVISED FOR DA	Date	31/03/2022
				Drawn by	GG
				Scale	1 : 50



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<b>SPP 7.0 – Design of the Built Environment</b>		
<b>Design Principle</b>	<b>Statement</b>	<b>Assessment</b>
Context and Character	Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.	<p><i>Satisfies</i></p> <p>Full of Beanz is a successful family business that has grown to expand across Greater Bunbury. They are a proud supporter of Bunbury and local community and sporting events.</p> <p>The proposed additions of a second story office are considered consistent and complimentary to the existing approved development and add vitality to the currently under utilised Pelican Point Local Centre Area.</p> <p>The existing approved alfresco patron seating area is not only designed to accommodate pedestrian orientated customers, but also provides a space for office workers to sit outside (for breaks or lunch etc) providing social interaction, vibrancy and contributing to a sense of place.</p>
Landscape quality	Good design recognises that together landscape and buildings operate as integrated and sustainable system, within a broader ecological context.	<p><i>Satisfies</i></p> <p>Consistent with LPP 3 and LPP 48, the site provides for extensive landscaping and softening across the whole of the site equating to approximately 246m<sup>2</sup> and over 15% of the site.</p> <p>Landscaping has also been effectively used in the control of vehicle movement across the site associated with the drive through component.</p>

<p>Built form and scale</p>	<p>Good design ensures that the massing and height of the development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area</p>	<p><i>Satisfies</i></p> <p>The proposed second story additions are considered relatively minor in nature yet make effective use of the site. It results in approx. 95m<sup>2</sup> NLA of office space on a 1600m<sup>2</sup> block.</p> <p>The total height and mass created with the addition is suitable for the location and would not impact on adjoining land owners or the locality generally.</p> <p>The height is well below the permissible height per LPP 3.</p> <p>All elevations provide articulation in the form of different openings and materiality, with no large blank walls.</p>
<p>Functionality and build quality</p>	<p>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life cycle.</p>	<p><i>Satisfies</i></p> <p>Use of the upper storey as office provides effective use of the site and provides for longevity of the use of the site – ie doesn't just become a drive through site.</p> <p>The development is architecturally designed with high amenity in mind.</p> <p>The proposed build will be undertaken using materials that are complimentary to existing development in the area and the construction / finish will be of a high quality.</p>
<p>Sustainability</p>	<p>Good design optimises the sustainability of the built environment, delivering positive environmental,</p>	<p><i>Satisfies</i></p> <p>The proposed addition of the second story office provides positive environmental,</p>



	social and economic outcomes.	<p>social and economic outcomes in that it:</p> <ul style="list-style-type: none"> <li>- Provides for a place of local employment, supporting the Pelican Point local area without the need for travel to and from the CBD or surrounds.</li> <li>- Provides for social connection in the Pelican Point local area</li> <li>- Walkability to local area and connection to existing extensive pedestrian network.</li> </ul> <p>The proposed development will be undertaken using materials that achieve a high level of environmental efficiency for occupants.</p>
Amenity	Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy	<p><i>Satisfies</i></p> <p>Provision of a second story enables a variety of uses for the site.</p> <p>Visual amenity of the area is not impacted by the proposed development. Landscaping is proposed as per the requirements. Signage is compliant. The site is intended for commercial development and does not exceed any height or bulk requirements.</p> <p>There is no evidence to suggest that air, noise or light pollution will result from the proposed development.</p> <p>Design of the proposal is setback from street frontage and boundaries to minimise any impact on nearby neighbours.</p> <p>Traffic impact has been</p>

		<p>extensively covered as part of the previous approval and determined that any increase would be at the very low end of the “low to moderate impact”. Additional site layout considerations have been implemented to ensure that traffic would not impact on the safety and amenity of the local area.</p> <p>The addition of a second storey office would not alter this position.</p>
<p>Legibility</p>	<p>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help find their way around.</p>	<p><i>Satisfies</i></p> <p>Legibility is clear. Fully accommodating safe pedestrian and cyclist access with a painted zebra walk up path with signage. The primary pedestrian network runs along Estuary Drive, past the northern boundaries of the car wash and subject lot, with a dedicated crossing including median rest point directly north of the proposed lot. No impact to this formalised pedestrian network is proposed by the development.</p> <p>Access to the second story component is clearly legible from the stairs located at the rear of the alfresco area and directly accessible from the parking area.</p> <p>The drive through and vehicle access arrangements component has not altered from the original approval and is well separated from any pedestrian movement to and through the site.</p>

<p>Safety</p>	<p>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</p>	<p><i>Satisfies</i></p> <p>Traffic and pedestrian safety was extensively examined as part of the original approval and has not changed as a result of the proposed amendment of a second story.</p> <p>Internal traffic movement and pedestrian accessibility has not been compromised by the addition of compliant parking spaces attributed to the “office” component. The loading bay location has been altered to ensure no conflict between vehicles and pedestrians.</p>
<p>Community</p>	<p>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</p>	<p><i>Satisfies</i></p> <p>The addition of a second story office space provides for varied use of the site that compliments the Pelican Point Local Centre and the Mixed Use Residential properties adjacent the site. The opportunity for social interaction is facilitated by the provision of an alfresco area for use by the pedestrian users of the fast food outlet (coffee ) or by the occupiers of the second story office component.</p> <p>The mixture of uses provides a diversity of land uses that compliment each other and add to the vibrancy and intent of the strategic planning outcomes for the locality.</p>
<p>Aesthetics</p>	<p>Good design is the product of a skilled, judicious design process that results in attractive and inviting</p>	<p><i>Satisfies</i></p> <p>This site was subdivided over 18 years ago and has remained a vacant sand</p>

	<p>buildings and places that engage the senses.</p>	<p>block since. Our client has invested in Bunbury by purchasing this property to develop a high quality, architecturally designed development to service the Local Centre and compliment the surrounding area.</p> <p>The use of an alfresco area and substantial landscaping of the site will further enhance an attractive and inviting building.</p> <p>The design has been prepared based principles as identified in SPP 7.0 and consistent with the intended use and objectives of the zone.</p>
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