

January 2011

# Greater Bunbury Region Scheme Amendment 0010/41



## Bunbury Waterfront Marlston North

Report on Submissions and Hearings  
Transcript of Hearings

City of Bunbury



GOVERNMENT OF  
WESTERN AUSTRALIA



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# Greater Bunbury Region Scheme Amendment 0010/41

## Bunbury Waterfront Marlston North

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## Introduction to Greater Bunbury Region Scheme major amendments

The Western Australian Planning Commission (WAPC) is responsible for keeping the Greater Bunbury Region Scheme (GBRS) under review and initiating changes where they are seen as necessary.

The GBRS sets out the broad pattern of land use for the whole Greater Bunbury region. The GBRS is constantly under review to best reflect regional planning and development needs.

An amendment proposal to change land use reservations and zones in the GBRS is regulated by the *Planning and Development Act 2005*. That legislation provides for public submissions to be made on proposed amendments.

For a substantial amendment, often referred to as a major amendment (made under section 41 of the Act), the WAPC considers all the submissions lodged, and publishes its recommendations in a report on submissions. This report is presented to the Minister for Planning and to the Governor for approval. Both Houses of Parliament must then scrutinise the amendment before it can take legal effect.

In the process of making a substantial amendment to the GBRS, information is published as a public record under the following titles:

### **Amendment Report**

This document is available from the start of the public advertising period of the proposed amendment. It sets out the purpose and scope of the proposal, explains why the amendment is considered necessary, and informs people how they can comment through the submission process.

### **Environmental Review Report**

The Environmental Protection Authority must consider the environmental impact of an amendment to the GBRS before it can be advertised. Should it require formal assessment, an environmental review is undertaken and made available for information and comment at the same time as the amendment report.

### **Report on Submissions and Hearings (including Transcript of Hearings)**

The planning rationale, determination of submissions and the WAPC's recommendations for final approval of the amendment, with or without modification, is documented in this report.

A person who has made a written submission may also choose to appear before a hearings committee to express their views. The hearings proceedings are recorded and transcribed, and the transcripts of all public hearings are reproduced in this volume.

### **Submissions - Volumes 1 and 2**

These documents contain a reproduction of all written submissions received by the WAPC on the proposed amendment.

**REPORT ON SUBMISSIONS  
AND HEARINGS**

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## Transcript of Hearings

# AMENDMENT 0010/41 TO THE GREATER BUNBURY REGION SCHEME

## Marlston North

### REPORT ON SUBMISSIONS & HEARINGS

#### 1. INTRODUCTION

At its meeting on 11 December 2009 the Western Australian Planning Commission (WAPC) resolved to initiate Amendment 0010/41 to the Greater Bunbury Region Scheme (GBRS) in accordance with the provisions of Section 41 of the *Planning and Development Act 2005*.

The proposed amendment is to rezone various portions of land and waterway in the area known as Marlston North, shown in **Schedule 3** of this report, from Regional Open Space and Waterways reservation to Regional Centre zone and Regional Open Space reservation. This land is one of three sites of the proposed Bunbury Waterfront Project, as detailed in the report prepared by the Bunbury Waterfront Project Taskforce (Taskforce).

The proposal is described in the WAPC's amendment report published in February 2010 and detailed below.

#### 2. THE PROPOSED AMENDMENT

The amendment proposes to introduce land zoned as Regional Centre to an area currently reserved for Regional Open Space and Waterways. A Regional Open Space reservation will be maintained on the northern and eastern sides of the new Regional Centre zone to ensure continuity of the foreshore.

The area proposed to be rezoned is just over 1.3 hectares, and includes approximately 0.7 hectares of land and 0.6 hectares of waterway.

The GBRS amendment will necessitate an amendment to the City of Bunbury Town Planning Scheme No. 7, which will provide for detailed planning such as structure plans and incorporate development guidelines, such as building height, design details and provisions to manage the hazard risks associated with climate change.

The Marlston North location is immediately adjacent to and provides a logical extension of the existing Marlston Waterfront development. The proposed building heights of up to 7 storeys will provide for a visual termination point to the development area.

The development objectives established by the Taskforce for the Marlston North Precinct are:

- Establish a vibrant activity node and destination at the northern end of Marlston Waterfront;
- Provide pedestrian boardwalks along the water's edge to establish the continuity of the public reserve around the development;
- Facilitate the development of a mix of retail/hospitality uses on the ground floor with active edges to the public domain;
- Establish a quality residential environment on the upper floors which responds to the inherent potential of the location; and

- Establish building heights which, while providing a clear and legible conclusion to the Marlston Waterfront, establish appropriately scaled interfaces with the foreshore walkway and existing development to the south.

The preferred land uses outlined by the taskforce for the Marlston North Precinct are:

- Hospitality/Retail/Commercial uses on the ground floor facing both the external boardwalks and the internal public parking area.
- Residential/Hospitality development on the upper floors of the development. This could comprise hotels, short stay accommodation or permanent residential development.

### 3. ENVIRONMENTAL PROTECTION AUTHORITY ADVICE

The proposed amendment was referred to the Environmental Protection Authority (EPA) for advice on whether environmental assessment would be required.

The EPA has advised that the proposed amendment does not require formal assessment under Part IV of the *Environmental Protection Act 1986*. It has however provided advice on the key environmental factors for the amendment. A copy of the notice from the EPA is published in the WAPC amendment report.

### 4. CALL FOR SUBMISSIONS

The proposed amendment was advertised in the *Government Gazette* and remained open for public submissions from 16 February 2010 until 17 May 2010, a period exceeding three months.

The proposed amendment was made available for public inspection during ordinary business hours at:

- i) Department of Planning, 469 Wellington Street, Perth.
- ii) Department of Planning, 61 Victoria Street, Bunbury.
- iii) The municipal offices of the City of Bunbury, Shires of Capel, Dardanup and Harvey.
- iv) State Reference Library, Northbridge;
- v) Bunbury City Library.

During the public inspection period, notice of the amendment was published in *The West Australian* and *The Sunday Times* newspapers and local newspapers circulating in the district.

A public information forum was held for community members on 3 March 2010 at the Lord Forest Hotel in Bunbury. Stakeholder briefing sessions were also held for specific interest groups. The public forum was attended by approximately 40 people.

All of the owners of land, the subject of and surrounding the proposed amendment, were forwarded a copy of the amendment report and advised of the opportunity and procedure for making submissions.



## 5. SUBMISSIONS

A total of 190 submissions were received relating to this amendment by the close of advertising. One late submission was also received. An alphabetical index of all persons and organisations who lodged submissions is attached at **Schedule 1**.

128 submissions supported the amendment, 38 submissions objected to the amendment and 25 submissions contained neutral comments, non-objections or general comments on the amendment or other matters. 9 submissions requested a hearing (7 of objection, 2 of comment). 1 person cancelled their appointment with the Hearings Committee.

The main issues raised in the submissions are discussed further in Section 7 below - "Main Issues raised in Submissions". A summary of the submissions is attached at **Schedule 2**. A full copy of the submissions is contained in a separate publication.

## 6. HEARINGS

The *Planning and Development Act 2005* provides that any person who makes a submission is to be offered the opportunity of being heard by a committee formed by the WAPC for that purpose.

Following preliminary consideration of the matters raised in the submissions, the WAPC resolved on 18 July 2010 to form a committee to hear submissions.

The Hearings Committee comprised:

Ms Rosanne Pimm OAM	South West Region Planning Committee (SWRPC), Presiding member
Mayor David Smith	Mayor of the City of Bunbury
Mr Jake Davidson	Independent, with planning expertise

All persons who made submissions, whether supporting or objecting to the amendment, were invited to present their submissions to the Hearings Committee. A total of 8 hearings were held relating to this amendment.

The hearings were held on 23, 24 and 25 August 2010 at the All Seasons, Sanctuary Golf Resort, Pelican Point, Bunbury 6230. A transcript of the hearings is contained in this publication.

## 7. MAIN ISSUES RAISED IN SUBMISSIONS

### 7.1 Supporting Comments

The following comments of support were received from submitters and are summarised as follows:

#### Reasons for Support

- The success of the amendment and ensuring development is critical for the future of Bunbury as a vibrant second city for Western Australia.

- Bunbury neglected due to vocal opposition of a few.
- WAPC attempting to increase residential density around existing infrastructure.
- City of Bunbury have adopted Amendment 38 to Town Planning Scheme No. 7.
- The three waters investigation is in line with the amendment.
- Commend LandCorp on the project.
- Proposal will make Bunbury more user friendly.
- Proposals long overdue.
- Concerns about urban sprawl.
- Amendment provides a balanced development outcome.
- Need for a more progressive Council.
- Economic benefits.
- Employment benefits.
- Like the Marlston Hill developments.
- Will make Bunbury an attractive destination and attract tourists.
- There is a need for short stay and residential accommodation.
- Will promote Bunbury as a second city.
- Will facilitate activation of open space areas.
- Attractive views.
- Proximity to the water, other development and the Central Business District.
- Will provide a family friendly development.
- Opportunity for an iconic landmark.
- Appropriate location for high-rise buildings.
- Opportunity to link with and restore the Bunbury Jetty.
- Area is currently underdeveloped, underutilised and an eyesore.
- By providing additional shopping and entertainment opportunities it will reduce the need for people to travel to other places such as Perth for these services.
- Reduced demand for additional residential land.

#### *WAPC Response*

The submissions in support of the amendment are noted.

#### **Submissions Noted**

#### **7.2 Objecting Comments**

The following comments of objections were received from submitters and are summarised as follows:

##### Zoning and reservation issues

- Once Regional Open Space is lost it is never reclaimed.
- Some developments currently on Regional Open Space are not accessible to the general public (i.e. boardwalk, tennis courts).
- Regional Open Space narrower than existing boardwalk which will affect visual and ambulatory amenity of walkways.
- Area of Regional Open Space too small should be increased.
- Current reservations can accommodate public purpose buildings.

#### *WAPC Response*

The matters raised in relation to access of particular areas of Regional Open Space have been raised by the Department of Planning with the relevant agencies and it is anticipated

that access arrangements will be rectified. It should be noted that the City of Bunbury have advised there is a surge barrier constructed near the proposed Marlston North amendment site which could be mistaken for a boardwalk. Design and construction of the boardwalk in this vicinity is proposed to be incorporated into any subsequent planning stages should this amendment be finalised.

Public purpose buildings and Public Open Space can be located within the Regional Centre zone. Subsequent detailed planning stages will determine what developments occur at the site.

### ***Submissions Dismissed***

#### Height, density and design issues

- Concerns with high-rise developments on the waterfront including height, wind, shadows, impact of storms, lack of detailed design, dirty doors and windows.
- 3D model does not show buildings on the amendment areas.
- Clarification needed on how development will relate to the ROS/Waterfront interface, concern that space could be lost.
- 20 metre buffer insufficient and will not solve loss of amenity and views for owners of Lots 5 and 6, who purchased their lots from LandCorp believing they had uninterrupted views, and legal action is being considered.
- No provision for fishing platform/wharf, infrastructure for cruise ships, boat ramps, community access or public purpose buildings.
- Develop should be like that near Jetty Baths and for community benefit in accordance with City Vision 2.1 and 7.2. Include facilities - ski beach, BBQ, lawns, shade, public toilets, parking, park, kiosk, harbour museum, sculpture park.
- Does not consider multiculturalism, heritage and the arts.
- Development will cause "boxing in" which will not be visually appealing.
- Setbacks should be at least 500m or as a minimum have no shadow on the water.

#### *WAPC Response*

The detail raised in the above matters is beyond the scope of the GBRS amendments. Subsequent detailed planning stages, including local planning scheme amendment, structure planning, subdivision and development applications will enable these issues to be addressed, and will provide further opportunity for public consultation. The WAPC has been advised of the intention of some submitters to pursue legal action in respect to the potential loss and degradation of views.

State Planning Policy No. 2.6 - State Coastal Planning Policy, amongst other things, details building height limits for developments within 300 metres of the horizontal setback datum. The area subject of this amendment is affected by this policy and as such development within this site will need to give due regard to the requirements of this policy.

### ***Submissions noted and partly dismissed***

#### Car Parking and Traffic Issues

- Traffic and parking issues including lack of modelling, congestion, safety and concerns over cash in lieu arrangements.

### *WAPC Response*

Traffic and parking issues are beyond the scope of the GBRS amendments. Subsequent detailed planning stages, including local planning scheme amendment, structure planning, subdivision and development applications will enable these issues to be addressed, and will provide further opportunity for public consultation.

### ***Submissions Dismissed***

#### Impact of proposed development

- Loss of family friendly lifestyle.
- Limit tourism opportunities.
- High-rise affecting wind movements potentially leading to the capsizing of boats.
- Impact on fishing and the aquatic recreation area (Water skiing etc).
- Loss and degradation of views, will be challenged legally.
- The activity node will be congested and frustrating not vibrant.
- Buildings are not needed to create a vibrant activity node.

### *WAPC Response*

Some of the detail raised in the above matters is beyond the scope of the GBRS amendment. Subsequent detailed planning stages, including local planning scheme amendments, structure planning, subdivision and development applications will enable these issues to be addressed, and will provide further opportunity for public consultation. The WAPC has been advised of the intention of submitters to pursue legal action in respect to the potential loss and degradation of views.

Whilst concerns such as the lifestyle and vibrancy are better addressed through the detailed design process of subsequent planning stages, WAPC policies such as Liveable Neighbourhoods provide guidance to enable developments to be designed so that they foster a sense of community in safe, sustainable environments.

The proposal extends slightly into the western side of the area identified for water skiing activities. Given the small size of the encroachment and the proximity of the proposal to the area of shallow water to its north it is not anticipated that there will be a significant impact upon water skiing activities should the rezoning be finalised. Subsequent planning stages may provide opportunity for the incorporation of facilities that will benefit and enhance aquatic recreational activities and opportunities such as water skiing.

### ***Submissions noted and partly dismissed***

#### Justification for proposal

- Goes against the public interest criteria by decreasing public domain and it will not activate waterfront as the waterfront is diminished.
- Does not address the community concerns and wishes.
- Failure to consider a broad range of options, more options needed.
- Lack of overall broader planning and connections with a marina.
- Lack of justification.
- Inconsistent with planning by City of Bunbury including; City Vision, TPS Amendment No. 38 (R-code Omnibus Amendment) and Local Planning Strategy for Activity Centres and Neighbourhoods.

- Not consistent with Councils visiting group report.
- Documents contradictory and too technical.
- Not in accordance with State Planning Policy 2.6 State Coastal Planning Policy.
- Lack of community consultation, questions not answered at public forums.
- Short stay occupancy rate 65% (submitter data), as such development will be largely empty if short stay.
- No real benefits to the city.
- Increasing population in CBD will not improve Bunbury.
- Many Bunbury people don't want to live in Perth.

#### *WAPC Response*

The proposed GBRs amendments constitute the first step in the Bunbury Waterfront project, in accordance with the recommendations of the Bunbury Waterfront Taskforce, established by the Minister for Planning. The Bunbury Waterfront project is a State Government commitment.

Marlston North (portion of) has been identified for a significant period of time to be developed under the Central Business District or Regional Centre zoning (see Greater Bunbury Structure Plan 1995). Rezoning of the subject site would facilitate a broader range of development options than are available under the Regional Open Space and Waterways reservations.

Under the Regional Centre zone development could include high density mixed use development which may include a residential component. Increasing densities and mixed uses within and near already developed urban areas is strongly supported by the WAPC, as it reduces the pressure on the demand for housing on urban fringes. This type of development also provides diversified employment and social opportunities which have the potential to contribute to the activation of the Bunbury Waterfront.

The amendment was advertised in excess of statutory requirements and information forums were held for the general public, public interest groups and stakeholders. In addition the City of Bunbury produced a scale model for public viewing. The format of the report was consistent with other region scheme amendment documents. Staff from the Department of Planning were available during the submission period to respond to questions from the public.

The Council of the City of Bunbury have resolved that they support the proposed amendment.

#### ***Submissions Dismissed***

##### Environmental issues

- Concerns raised over climate change, sea level rise and Tsunamis, specifically the cost to ratepayers and the liability and insurance issues.
- Concerns with Acid Sulphate Soils.
- Cumulative impact of development in Koombana Bay - not quantified, potential impact, impact on tidal cleansing, impacts on general geological vegetation and animal stress (dolphins).
- Carbon minimisation not addressed.
- Embodied energy of the development has not been considered.
- Urban Heat Island (UHI) effect which will lead to drought.
- Noise and Air pollution from high density and high traffic volumes.

- Presence of unidentified black soot in Dolphin Bay apartments.
- Issues in relation to the provision of public health, welfare of animals and the environment need to be addressed prior to development.

#### *WAPC Response*

The Department of Planning in partnership with the Commonwealth have commenced sea level rise/storm surge modelling from the top of the Leschenault Inlet to Dalyellup to assess coastal vulnerability and prepare for imminent sea level rise associated with global warming. This study will inform the preparation of a response to assist development decisions likely to affect the coastline, including the subject land.

The EPA has assessed the amendment and provided advice that the environmental issues raised by the proposed amendment will be manageable during the design and construction of the reclamation.

Any development proposals will be required to comply with relevant statutory requirements.

#### ***Submissions Dismissed***

##### Location of proposal

- Suggestions that as an alternative the underdeveloped areas of Bunbury's Central Business District (CBD) and other areas (i.e. Old St John of God Hospital site, Centrepoint precinct, Victoria Street, Wittenoom Street, the old licensing centre, land adjacent to the Silos) should be the focus of any development.
- This type of development should be located away from the CBD, potentially in a 'green' satellite town.
- The proposal area already sufficiently developed.
- There is no need to reclaim land from the waterway, develop the land that is already available.

#### *WAPC Response*

Marston North (portion of) has been identified for a significant period of time to be developed under the Central Business District or Regional Centre zoning (see Greater Bunbury Structure Plan 1995). The WAPC recognises throughout its policy framework the need for increased urban densities particularly within inner suburbs, central business districts, activity centres and public transport nodes. The proposed amendment, located near Bunbury's central business district and the Marlston Waterfront, will facilitate increased and diversified development in an appropriate location.

As outlined in *State Planning Policy No. 3 - Urban Growth and Settlements* "New settlements are only likely to prove to be a sustainable development option where they address a significant shortfall of available housing land in the region, have a secure employment base, are large enough to support a range of local services including schools, shops and employment and there is no more sustainable alternative". As such the development of new satellite towns is not a proposal considered necessary or sustainable at this time, nor is it relevant to this amendment.

#### ***Submissions Dismissed***

## Project management and development issues

- Concerns with LandCorp including: this being a money making project, the involvement of Government in private development, distortion of the property market, no provision that any revenue generated will be reinvested in Bunbury.
- Short-term gain for developers.
- Expense of the proposed development.
- Loss of public control over development.
- Project too risky.
- Concern about lack of external (non-government) involvement in the project.
- No further development should be allowed until City can demonstrate that it has the capacity to manage existing waterfront infrastructure as Marlston Hill properties are poorly kept and have a regular turn over of occupants and not fully occupied.
- Rezoning will cut off road access to Bunbury Jetty allowing developers to regulate vehicular access to the jetty and marina.
- The proposal is a disguise for housing estate for the wealthy and the public will lose access.
- Poor quality of existing waterfront developments.

### *WAPC Response*

The GBRS amendment only forms part of the proposed Bunbury Waterfront Project, a State Government commitment, and is in accordance with the recommendations of the Bunbury Waterfront Taskforce. Issues in respect to project management and financing are beyond the scope of the amendment, and as such it is not appropriate to comment on these arrangements.

In the event that the proposed amendment to the GBRS is finalised the City of Bunbury and LandCorp will be best placed to provide advice on the project management and financial arrangements of subsequent planning stages, such as local planning scheme amendment, structure plan, subdivision and development applications.

Issues pertaining to current developments and their management is beyond the scope of the GBRS amendment. Any concerns in respect to this matter should be raised with the City of Bunbury.

Subsequent detailed planning stages such as structure planning and subdivision will define access to the Bunbury Jetty and marina as well as public access to the proposed amendment area. The WAPC would not support proposals that facilitated access to these areas becoming privatised.

### ***Submissions Dismissed***

## **7.3 General Comments**

### Provision of Dual Use Paths

A number of submissions were concerned about the standard and provision of dual use paths in any development subsequent to the finalisation of the proposed amendment. Some of these submissions raised particular concerns for cyclists.

### *WAPC Response*

The Regional Open Space reservation along the foreshore in the proposed amendments is in excess of 6 meters and as such could accommodate a major recreational dual use path, the width of which is prescribed at 4 meters. The provision of pathways is not limited to the reservation and it is not unforeseeable that pathways and other public uses could extend into the Regional Centre zoning, this detail will be addressed in subsequent detailed planning stages.

A draft Bicycle Plan commissioned by the City of Bunbury indicates that the main proposed recreation and commuter dual use path route would travel along Casuarina Drive and not along the foreshore areas near the proposed amendment.

### ***Submissions dismissed***

#### Bunbury timber jetty

A number of submissions raised issues in respect to the Bunbury timber jetty. Submissions varied in opinion suggesting it should be both removed and restored.

Concern was also raised in respect to the colonial relics associated with the Bunbury timber jetty.

### *WAPC Response*

The issues raised in respect to the Bunbury timber jetty are beyond the scope of the amendment, however subsequent detailed planning stages have the capacity to give consideration to the future of the Bunbury timber jetty.

The Heritage Council of Western Australia has requested that any development subsequent to the proposed amendment that could be considered to impact on the jetty be referred for them for advice.

### ***Submissions noted***

#### Modifications

A number of submissions suggested modifications for the proposed amendment including:

- Area of Regional Open Space be increased, with a concurrent reduction in the Regional Centre zone.
- A larger total area be rezoned, extending northward from the proposed amendment.
- Restricting the rezoning to the current land area and not rezoning the waterway.
- Rezoning to be either Regional Open Space or Private Recreation to facilitate the development of a water activities centre.

### *WAPC Response*

The Regional Centre zone has the capacity to provide for Public Open Space along with other uses. The proposed Regional Open Space reservation is considered sufficient and provides for continuity with and public access to the foreshore.

Increasing the area of the proposed amendment is likely to increase the impact of any subsequent development. Given that the EPA have advised that any further development



from that already proposed may require further investigation, an increase in area is not supported at this time.

Given the land area available, limiting the rezoning to only the land portion is unlikely to achieve the objectives for the Marlston North precinct as outlined in the Bunbury Waterfront Taskforce report.

The objectives of the Bunbury Waterfront Taskforce would not be achieved under a zoning of only Regional Open Space or Private Recreation.

### ***Submissions dismissed***

#### **Improved public transport**

It was suggested that public transport should be improved.

#### *WAPC Response*

The WAPC through its policy framework encourages development that supports public transport. Subsequent planning stages will have the capacity to provide appropriate urban form to support public transport usage.

### ***Submissions noted***

#### **Suggestions for land uses and development**

- Entertainment/Hospitality (nightclubs, food outlets, restaurants, cafes, underwater restaurant).
- Recreational (minigolf, parks, playgrounds, walkways, dual use paths, boardwalks, water fun park).
- Infrastructure (marina, fishing platform).
- Accommodation (hotels, short stay, residential).
- Retail (specialty shops, supermarket, shopping centre, banks).
- Development to extend along the breakwater.
- Examples cited (Busselton foreshore, Harbourtown, Wet n Wild (QLD), Hilary's Boat Harbour).

#### *WAPC Response*

Whilst it is noted that the majority of suggested land uses could be accommodated within the proposed rezoning it is beyond the scope of the amendment and should be addressed during subsequent detailed planning stages, taking into account the objectives outlined in the Bunbury Waterfront Taskforce report for the Marlston North precinct.

### ***Submissions noted***

## **8. GOVERNMENT AGENCIES AND LOCAL GOVERNMENT**

Submissions of no objection or comment on the proposal were received from the Fire and Emergency Services Authority (Submission 1), Main Roads Western Australia (Submission 3), Department of Education and Training (Submission 4), Department of Mines and Petroleum (Submission 62), Public Transport Authority (Submission 186).

Submissions objecting to the amendment were received from the Department of Transport's Coastal Infrastructure Business Unit (Submission 79) and the Department of Water (Submission 187).

As the Bunbury Waterfront Project is an initiative of the State Government it is anticipated that the issues raised in respect to potential management and tenure implications can be resolved during subsequent planning stages.

The issues raised by the Department of Transport's Coastal Infrastructure Business Unit in respect to access to the Bunbury jetty and marina will be addressed through subsequent detailed planning stages such as structure planning and subdivision. These will define access to the Bunbury Jetty and marina as well as public access to the proposed amendment area. The WAPC would not support proposals that facilitated access to these areas becoming privatised, as such this part of the submission has been dismissed.

The issues raised by the Department of Water have been dismissed on the basis that the EPA has advised that the environmental issues raised by the proposed amendment will be manageable during design and construction. In addition subsequent planning stages will address issues relating to detailed design and development control, including setbacks, Water Sensitive Urban Design and opportunities for rehabilitation, and will provide opportunity for further consultation.

Some of the submissions (Department of Health (Submission 2), Department of Indigenous Affairs (Submission 6) and the Heritage Council of Western Australia (Submission 42), Be Active WA Physical Activity Taskforce (Submission 185)) also provided advice regarding matters which should be considered in the implementation phase. These comments have been noted and can be considered when more detailed planning processes are undertaken.

The City of Bunbury (Submission 45) amongst other things, requests WAPC provide expert advice on the extent to which the impacts of climate change need to be incorporated in development control measures. This component of the submission has been upheld, as the Department of Planning in partnership with the Commonwealth have commenced sea level rise/storm surge modelling from the top of the Leschenault Inlet to Dalyellup to assess coastal vulnerability and prepare for imminent sea level rise associated with global warming. This study will inform the preparation of a response to assist development decisions likely to affect the coastline, including the subject land. Both the Department of Planning and WAPC will work with the City of Bunbury to assist them in the preparation of any development controls required as an outcome of the abovementioned study.

Bunbury Port Authority (Submission 14) amongst other things, requested their proposed office facility be recognised in the GBRS amendment, this request whilst noted, was dismissed on the basis that the GBRS does not provide this level of detailed planning, and as such the matter should be addressed in subsequent planning stages.

The submissions are summarised in **Schedule 2**.

## 9. DETERMINATIONS

The determinations on the individual submissions are contained in **Schedule 2**.

## 10 COMMENTS ON THE HEARINGS COMMITTEE REPORT

The WAPC may adopt the Hearings Committee report as its report and response to the submission received on the amendment. Alternatively, the WAPC may, if it thinks fit, submit a report that varies from the views of the Hearings Committee. It is open to the WAPC to form a different view from the Hearings Committee, taking into account relevant government policies and other strategic planning considerations.

The Hearings Committee report (**Attachment 1**) provides a thorough summary of the issues that were raised from people who put forward their views. The WAPC has resolved to note the recommendations of the Hearings Committee in respect to this amendment (Marlston North), and recommend that they are given due consideration during any subsequent planning stages.

## 11. CONCLUSION AND RECOMMENDATION

This report summarises the history and background to the amendment and examines the various submissions made. The Western Australian Planning Commission thanks all those who made submissions and attended hearings.

The WAPC, after considering the submissions, is satisfied that the amendment as advertised and shown generally on **Figure 1** in **Schedule 3**, and in detail on the GBR Amendment Plan lists in **Appendix 1** should be approved and finalised.

Having regard to the above, the WAPC recommends that the Minister for Planning presents the amendment to His Excellency the Governor for his consideration and approval and subsequently commend the amendment to both Houses of Parliament.

## ATTACHMENT 1

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# REPORT OF HEARINGS COMMITTEE

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## GREATER BUNBURY REGION SCHEME

### Bunbury Waterfront Amendments:

0010/41 Marlston North  
0011/41 Koombana North  
0012/41 Koombana South



January 2011

**AMENDMENT 0010/41, 0011/41 & 0012/41  
TO THE GREATER BUNBURY REGION SCHEME  
Marlston North, Koombana North & Koombana South**

**REPORT OF HEARINGS COMMITTEE**

**1. INTRODUCTION**

The Western Australian Planning Commission (WAPC) established a Hearings Committee in June 2010 to hear submissions on the Greater Bunbury Region Scheme Amendments No. 0010/41 (Marlston North), 0011/41 (Koombana North) and 0012/41 (Koombana South). The membership of the Hearings Committee comprised of:

Ms Rosanne Pimm OAM	SWRPC, Presiding member
Mayor David Smith	Mayor of the City of Bunbury
Mr Jake Davidson	Independent, with planning expertise

The Hearings were held on 23, 24 and 25 August 2010 at the All Seasons Sanctuary Golf Resort, Pelican Point, Bunbury 6230.

The amendments cover three sites in the proposed Bunbury Waterfront Project, as detailed in the report prepared by the Bunbury Waterfront Project Taskforce (Taskforce), and generally propose land to be rezoned to the "Regional Centre" zone.

The Hearings Committee has heard and considered a wide range of oral and additional written submissions during the hearings process.

In this report each amendment is considered separately, however some issues of a more general nature have been grouped at the start of the report.

**2. GENERAL ISSUES RELATING TO ALL THREE AMENDMENTS**

**General approach to the project and these Amendments**

There was concern that the proposals had been presented for comment without prior consultation by LandCorp, that it did not sufficiently address concerns raised previously by the community, and did not relate to any overall plans that were publicly available.

Another concern raised was that LandCorp will not develop the freehold lots itself, rather will sell them after the rezoning and subdivision, as such any built form shown in sketches can only be considered as conceptual, and may not reflect the final built form.

The third concern was that the matter surrounding cost neutrality was driving planning issues which is not considered to be appropriate.

The Hearings Committee was of the opinion that LandCorp should have made a greater attempt to explain to the public why the project had to be in stages (i.e. some areas of land are still being used by other agencies such as the port), and the difficulty of identifying what would be in the ultimate plan, and to explain the cost neutrality required as the project proceeded through its various stages.

The Hearings Committee noted that there could be improvements in the way the State agencies work together on major projects such as the Bunbury Waterfront, particularly by developing a strategy to deal with consultation with the public and other stakeholders involved.

## **Detailed planning**

Whilst the Hearings Committee noted that the GBRS does not incorporate mechanisms to provide for detailed development control provisions, they felt that it was important that the following broad issues were highlighted and given due consideration in the early stages of any subsequent planning, such as the local planning scheme amendment, structure planning and development. Further comments relating to the individual amendments are included under the relevant amendment headings below. The Hearings Committee believes that further consideration should be given to the following:

- suitable routes for bicycles and pedestrians;
- public access to the foreshore is maintained;
- appropriate controls applied in respect to design and architectural detailing of buildings (i.e. minimise tilt-slab facades, protect vistas to the water); and
- detailed consideration of parking and traffic issues.

The Hearings Committee noted that issues regarding social, cultural and economic studies were raised particularly for Koombana South and recommends that if this amendment was to proceed these studies be undertaken as part of any subsequent planning stages.

The Hearings Committee noted that a number of submissions raised concerns about the impact of climate change on the subject sites. However the Hearings Committee noted in respect to this matter that the Department of Planning in partnership with the Commonwealth have commenced sea level rise/storm surge modelling which encompasses these areas and will inform a preparation of a response to assist development decisions likely to affect the coastline. It is expected that any future development complies with the proposed requirements as a result of this modelling.

## **Region Scheme Amendment Process**

The Hearings Committee has provided some general feedback on the GBRS amendment process above and would add the following points.

The Hearings Committee raised concern that the process was too fragmented. As the amendment to the GBRS only considers the proposed change in zoning or reservation and does not provide for specific design detail and as such does not enable the public to consider the detail of the proposal, which many sought to do, and that this process may result in "fatigue" from the community by the time that the detailed planning is commenced.

It is important to note that the Hearings Committee did explain to people attending the hearings that this process is only an amendment under the GBRS and that other concerns are to be addressed at the time of an amendment to the local scheme and at structure planning and development stages.

### **3. MARLSTON NORTH (0010/41)**

The Hearings Committee noted that submissions were generally in favour of the Marlston North. However a number of concerns raised by submissions should be considered in subsequent planning stages.

The Hearings Committee noted the concerns raised in submissions in respect to the proximity of the development to where the historical timber jetty had originally begun and the likely presence of historical artefacts beneath the fill in the area, and therefore recommends that either an archaeological survey be conducted and/or that appropriate management controls are implemented for any excavation works at the site.

A number of submissions emphasised the need for the Marlston North development to be incorporated with, or take into account future planning for the development of the entire outer harbour area (i.e. the causeway to the Timber Jetty, Timber Jetty, land backed wharf, Casuarina Harbour and Koombana Bay). Planning for improved cruise ship facilities and marinas were specifically highlighted. The Hearings Committee noted these points and recommends that these matters are given due consideration in subsequent planning stages. In addition the Hearings Committee recommends that further investigation into the need for the incorporation of flushing mechanisms for Casuarina Harbour (i.e. via a channel under the causeway) is undertaken.

The Hearings Committee noted that the impacts of the buildings as proposed in the Taskforce report were of concern to some submitters and recommends that consideration of alternative configurations be considered during subsequent planning stages.

Subject to the above the Hearings Committee recommends that proposed amendment No. 0010/41 to the GBRS to rezone various portions of land and waterway in the area known as Marlston North from Regional Open Space and Waterways reservations to Regional Centre zone and Regional Open Space reservation, should proceed as it was advertised.

However there is also an apparent need for further consultation with the Department of Transport and the Bunbury Port Authority.

### **4. KOOMBANA NORTH (0011/41)**

The Hearings Committee noted that submissions were generally in favour of the Koombana North. However a number of concerns raised by submissions should be considered in subsequent planning stages.

A number of submissions expressed concerns with the height of the two proposed buildings located on the northern side of the subject site as depicted in the Taskforce report. The Hearings Committee suggests that a reduced height would be more appropriate, and recommends for consideration of this in subsequent planning stages.

The Hearings Committee considered the suggestion provided by Submission 86 of taller towers, one located near the plug and one near the Koombana Drive and Blair Street intersection, with lower and less bulky built form in between to be worthy of further consideration in future planning at the site.

The Hearings Committee noted the need for subsequent planning stages to ensure that any development along Koombana Drive has appropriate architectural design and orientation to be both aesthetically acceptable and to retain vistas to the water. A visual landscape assessment may be appropriate. In addition the Hearings Committee noted that the setback from the foreshore at the Silos was an acceptable distance and recommends that similar setbacks should be applied to any future development.

The Hearings Committee recommends that proposed amendment No. 0011/41 to the GBRS to rezone various portions of land in the area known as Koombana North from Regional Open Space, Railways, Other Regional Roads and Waterways reservations to Regional Centre zone and Regional Open Space and Waterways reservations, should proceed as it was advertised.

## **5. KOOMBANA SOUTH (0012/41)**

The Hearings Committee noted the majority of submissions objected to the Koombana South amendment. Submission suggested that any development should be in accordance with the current reservation and the ownership of the land should remain public.

The Hearings Committee noted that previous consultation in respect to planning at the site through public meetings, surveys, petitions and submissions had indicated an ongoing public preference for the area to remain in public ownership.

The Hearings Committee noted that many submissions were not against development at the site, and many supported low-rise public use development such as cafes and restaurants, and as such recommend that this type of development be considered in future planning at the site.

A number of submissions raised concerns that the Koombana South development was being used by LandCorp to fund the development of the other precincts, Marliston North and Koombana North and the strong emphasis on the need for the project to be cost neutral. In noting this Hearings Committee questioned why this project had to be cost neutral as it does not appear to be a criteria applied to other similar regional projects.

The Hearings Committee noted a number of specific suggestions which could be considered in future planning at the site:

- Pedestrian overpasses/over roads (Blair Street and Koombana Drive);
- Pedestrian bridge over the entrance from the Inlet to the Bay (that is at the inlet end);
- Passive activities;
- Incorporation/retention of the history and culture of the area.

The Hearings Committee recommends that GBRS amendment No. 0012/41 should not proceed at the current time or in its current format. In addition the Hearings Committee notes that Koombana South forms an integral part of the Bunbury Waterfront development and recommends that public open space amenity upgrades as part of the project are essential and that there is a need to balance the built form proposed for Koombana North with the open/green spaces of Koombana South.



## 6. CONCLUSION

The Hearings Committee recommends that:

1. Amendment No. 0010/41 (Marlston North) should proceed as advertised;
  - (a) Should the amendment proceed to finalisation, the issues raised in the Report of the Hearings Committee and in the public submissions as recorded should be considered as part of any subsequent planning stages.
2. Amendment No. 0011/41 (Koombana North) should proceed as advertised;
  - (a) Should the amendment proceed to finalisation, the issues raised in the Report of the Hearings Committee and in the public submissions as recorded should be considered as part of any subsequent planning stages.
3. Amendment No. 0012/41 (Koombana South) should not proceed at the current time or in its current format and the area should retain its current reservation as Regional Open Space.
4. Issues raised in regard to appropriate public open space upgrades for the Koombana South area as detailed in the Report of the Hearings Committee form part of any subsequent planning stages.



Rosanne Pimm OAM  
Chairperson

Hearings Committee for GBRS Amendments No. 0010/41, 0011/41 & 0012/41

**SCHEDULE 1**

**ALPHABETICAL LISTING OF SUBMISSIONS**

# Alphabetical Listing of Submissions

## GBRS Amendment 0010/41

### Marlston North

Submission Number	Name
75	Adamson Lesley
133	Ahearn Liam
57	Andel Len
60	Ansell Mike
113	Asser Louis
167	Ayton Alex
51	Baker Katrina
37	Baldwin Den
132	Barningham Anna
22	Barrett Tarryn
185	Be Active WA Physical Activity Taskforce
82	Bele John
93	Bell John
49	Bowyer Gavin
101	Boyle Gaye
38	Brasher Nicholas
95	Bromley Peter
88	Brown Meryl
90	Brown Ross
129	Buckner Aiden
45	Bunbury City of
169	Bunbury Bicycle User Group Rob Neal
14	Bunbury Port Authority
119	Bunbury Wellington Economic Alliance Attn: Matt Granger
118	Campbell Lorraine
48	Carroll Glenn
91	Cates Mark
76	Clarke Sheryl
126	Condon Kathryn
29	Connolly Helen Carole
30	Connolly Laurence John
160	Cook Clarinda
128	Coote Jennifer
127	Coote Terry
65	Costello Cherie
142	Coxall Jean
138	Coxall Judith
144	Cronshaw Scott
164	Culph Emma
77	Davis Lynne
153	Dillon Brittany
139	Dodrogai Dot
177	Doherty David
168	Doust Amanda
56	Down Stephen
148	Doyle Lachlan
16	Drummond James Richard
182	Drummond Sarah
184	Dwyer Claire

Submission Number	Name	
179	Eddoverio	Aprille Marie
4	Education	Department of
154	Edwards	Kieran
23	Ellenberg	Thomas C.
104	Evans	Shandelle
10	Ewen	Craig
53	Ferguson	Beth
1	FESA UXO	
174	Fitzgerald	Kate
124	Fitzgerald	Lauren
55	Flatt	Joanne
36	Fogarty	Dermott
17	Fullwood	Norman
25	Gallagher	Antony
115	Gard	Ron
152	Gardiner	Hannah
12	Gillespie	Cameron
157	Goerlze	Jacinta
161	Gould	Morgan
59	Greater Bunbury Progress Group	
120	Groom	Catherine
122	Guidera	Hayden
166	Haines	Kiandra
80	Harrop	Juliet
165	Hawley	Aleisha
35	Hayes	Peter
2	Health	Department of
145	Henriksen	Ashley
42	Heritage Council of Western Australia	
131	Hetherington	Preah
11	Holdcroft	Greg
68	Hopkins	Chris
69	Hopkins	Kathy
9	Horan	Andrew
175	Howden	Jonathan
149	Hynes	Roseanne
6	Indigenous Affairs	Department of
162	Jackson	Esther
151	Jones	Brayden
130	Jones	Breshan
140	Jones	Kathy
5	Kalbfell	John
43	Kelly	Brendan
98	Kerr	David
103	King	Garth
105	King	Jason Victor
109	Kings	Holly
123	Kinkella	Emillie
141	Lewis	Aliesha
137	Lewis	Frazer
18	Liaros	Stan
41	Littlewood	Robert
121	Long	Casey
147	Lovitt	David
181	MacDonald	Michael
20	Maguire	Colleen
34	Maguire	Jacob
21	Maguire	John

Submission Number		Name
66	Maher	Darren Peter
52	Maher	Leanne
3	Main Roads Western Australia	
146	Mathieson	Michael
183	Mayhew	Louise
114	McClements	James
86	McCormack	Julie
26	McDonnell	Hugh
150	McDougall	Alyce
33	McLean	Rebecca
85	McLeod	Ann
97	McRobert	Caron
158	Minards	Helen
62	Mines and Petroleum	Department of
64	Moran	David
63	Moran	Kaye
170	Morgan	Bob
40	Morgan	Richard
31	No Name or Details Supplied 1	
32	No Name or Details Supplied 2	
171	Noonan	Kieran
70	Oakes	Rick
111	O'Callaghan	Leanne
106	O'Callaghan	Shaun
188	O'Connell	D. (and family)
176	O'Connor	Terry
15	O'Dea	Joanne M.
74	Overgaard	Inga H.M.
44	Overgaard	Sven Jorgen
87	Parin	Alan
163	Parisella	Matthew
78	Parker	Ray
99	Pearce	Yasmin
39	Pearse	Tarryn
71	Pearson	Arthur Clive
54	Perkins	Dan
94	Prosser	Geoff
172	Prowse	John
173	Prowse	Robyn
186	Public Transport Authority	Infrastructure Planning & Land Services
81	Ravering	Hugh Michael
28	Roberts	Julie
92	Roberts	Laurence Rowland
27	Roberts	Peter
13	Rowe	Greg
136	Saleh	Shatha
58	SDEA Nominees Pty Ltd	
108	Shalders	Hannah
116	Sieradzki	Henry
159	Skinner	Janice
102	Smith	Marna
156	Smith	Philip
143	Soul	Tarryn
7	Spence	David Norman
96	Steck	Cr. Michelle
84	Steele	Thomas
67	Stubber	Alice
89	Swansen	R.

Submission Number		Name
19	Sydney-Smith	John
125	Taylor	Krystle
61	Taylor	Sydney GW & Jocelyn A
100	Testrow	Dawn
79	Transport	Department of (Attn James Holder)
73	Turner	Elsie Joyce
83	Valli	John Francis
72	Van Gent	Domenique
46	Veen	Roger
47	Veen	Roger H.
50	Veen,	Margo J.
Late	Venables	Chris
155	Vincent	Leah
190	Wagstaff	Dennis
8	Wallace	Paul
187	Water	Department of
135	Welsh	Eloise
117	Whittle	Noel
178	Williams	Alana
180	Williams	C.
112	Wimsett	Graham
110	Wojtowicz	Amanda
24	Woods	Cameron
107	Wright	Peter
189	Wrobel	Richard
134	Zacher	Raegan-Jean

## SCHEDULE 2

### SUMMARY OF SUBMISSIONS AND DETERMINATIONS

**Submission:** 1  
**Submitted by:** Fire & Emergency Services Authority Unexploded Ordnance Services (FESA UXO)  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Comment

1. FESA UXO has no objection to the amendment and advises that there are no known reports of UXO or records of any areas of possible or potential UXO contamination within the Bunbury Waterfront area.

**Planning Comment:**

1. Comments noted

**Determination:**

Submission noted

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**Submission:** 2  
**Submitted by:** Department of Health (DoH)  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Conditional Support

1. All developments will need to comply with the draft *Country Sewage Policy* and be connected to sewer.
2. Need to confirm that land use intensification can be accommodated by the Water Corporation.
3. Any development or land reclamation should be planned to minimise detrimental impacts on water quality in Koombana Bay and Leschenault Inlet.
4. Prior to finalisation of the amendment the proponent should undertake a mosquito risk assessment for the sites and develop an appropriate management plan, comprising (but not limited to) the following components:
  - Risk assessment for nuisance and disease-carrying mosquitoes for the subdivision (baseline mosquito surveying of mosquito populations to establish their presence, extent and likely impact on or adjacent to the subject land);



- Identification of major sources (breeding sites) of mosquitoes affecting the subject land;
- Methods and feasibility of mosquito control;
- Environmental impacts and acceptability of proposed control options;
- Cultural approaches to mosquito control;
- Ensuring ongoing (indefinite) resourcing of management and control programs;
- Adequate warning for new residents of identified risks via an appropriately worded notification on property titles.

5. Noted that the City of Bunbury may already have relevant information.

**Planning Comment:**

1. Comments noted: Matters relating to the detailed design, including servicing, should be addressed by DoH during subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications.
2. The proposed amendment has been assessed by the EPA who advised that the environmental issues raised by the proposal will be manageable during the design and construction phase of the development.
3. The City of Bunbury has sufficient mosquito management systems in place to adequately address this issue.

**Determination:**

Submission noted

**Submission:** 3

**Submitted by:** Main Roads Western Australia (MRWA)

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** No Objection

1. MRWA has no objection to the amendment.

**Planning Comment:**

1. Comment noted

**Determination:**

Submission noted

**Submission:** 4  
**Submitted by:** Department of Education & Training (DET)  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** No Objection

1. DET has no objection to the amendment.

**Planning Comment:**

1. Comment noted

**Determination:**

Submission noted

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**Submission:** 5, 7, 88, 90, 151  
**Submitted by:** See Schedule 1  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Comment

The following comments, in which support or opposition to the amendment was not stated, were received from the above 5 submitters and can be summarised as follows:

- The need to incorporate the provision of sufficient car parking facilities.
- Incorporate the restoration of the timber jetty and tourist infrastructure into the project.
- Concern as to the loss of open space.
- Desire for development of foreshore area to be family friendly and to include facilities such as seating, shade, barbeques, fishing, entertainment, fun park, water park.
- Provision of dual use paths.
- Building heights as detailed in the Taskforce report are to be adhered to.
- Building heights to be restricted to 3 storeys.
- The area known as the Bunbury water ski area is to be retained.

**Planning Comment:**

1. Comments noted. Subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications, will address issues relating to detailed design and

development control, and will provide further opportunity for public consultation.

2. Some of the comments relate to matters which are beyond the scope of the proposed amendment, such as the restoration of the timber jetty, these matters should be raised with the relevant local and/or state agencies.
3. Refer to Part 7 of the Report on Submission for further planning comments

**Determination:**

Submissions noted

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**Submission:** 6  
**Submitted by:** Department of Indigenous Affairs (DIA)  
**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Conditional Support

1. A search of the electronic portion of the Register of Aboriginal Sites has been undertaken, the result of which indicate that the proposed amendment area is close to a number of Aboriginal Heritage sites.
2. It is possible that there are further sites that have not yet been entered on the Register of Aboriginal Sites. The *Aboriginal Heritage Act 1972* protects all Aboriginal sites in Western Australia whether they are known to DIA or not.
3. Prior to any detailed plans and/or development Aboriginal heritage issues should be addressed, and where necessary are modified to avoid damaging or altering any site.
4. DIA does not consider matters in respect to native title.

**Planning Comment:**

1. Matters in respect to Aboriginal Heritage should be addressed by DIA during subsequent detailed planning stages. Any development is required to be in accordance with the *Aboriginal Heritage Act 1972*.
2. LandCorp are working with relevant Native Title Claimant groups.

**Determination:**

Submission noted

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**Submission:** 8, 65, 66, 73, 93, 97, 113, 148, 175, 177

**Submitted by:** See Schedule 1

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Support

The following comments, in which support for the amendment was stated, were received from the above 10 submitters and can be summarised as follows:

1. The amendment is supported.

**Planning Comment:**

1. Support noted

**Determination:**

Submissions noted

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**Submission:** 9

**Submitted by:** Andrew Horan - Bunbury Chamber of Commerce and Industries

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Support

1. The Bunbury Chamber of Commerce and Industries supports the amendment.
2. The success of the amendment and ensuing development is critical for the future of Bunbury as a vibrant second city for Western Australia.

**Planning Comment:**

1. Support noted
2. Comment noted

**Determination:**

Submission noted

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**Submission:** 10 - 12, 15 - 39, 41, 46 - 57, 60, 77, 98 - 101, 103 - 112

**Submitted by:** See Schedule 1

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Support

The following pro forma comments, in which support for the amendment was stated, were received from the above 58 submitters and can be summarised as follows:

1. Supports the amendment.
2. The success of the amendment and ensuing development is critical for the future of Bunbury as a vibrant second city for Western Australia.

**Planning Comment:**

1. Support noted
2. Comment noted

**Determination:**

Submissions noted

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**Submission:** 13, 40, 58, 127, 128, Late

**Submitted by:** See Schedule 1

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Support

The following pro forma comments, in which support for the amendment was stated, were received from the above 6 submitters and can be summarised as follows:

1. Supports the amendment.

2. The success of the amendment and ensuing development is critical for the future of Bunbury as a vibrant second city for Western Australia.

The following additional comments, were also received from the above 6 submitters and can be summarised as follows:

3. Reasons for support

- Bunbury neglected due to vocal opposition of a few.
- WAPC attempting to increase residential density around existing infrastructure.
- City of Bunbury have adopted Amendment 38 to Town Planning Scheme No. 7.
- The three waters investigation is inline with the amendment.
- Commend LandCorp on the project.
- Proposal will make Bunbury more user friendly.
- Proposals long overdue.
- Concerns about urban sprawl.
- Amendment provides a balanced development outcome.
- Need for a more progressive Council.

4. Suggestions for land uses and development

- Support for the removal of the timber jetty.
- Development to include fishing platform.
- Need for improved marina and boating facilities, as current facilities are not adequate and the proposal will attract people with boats.

**Planning Comment:**

- 1, Support noted.
2. Comments noted. Subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications, will address issues relating to detailed design and development control, and will provide further opportunity for public consultation.
3. Some comments relate to matters which are beyond the scope of the proposed amendment, such as the removal of the timber jetty, these matters should be raised with the relevant local and/or state agencies.
4. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submissions noted

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**Submission:** 14  
**Submitted by:** Bunbury Port Authority (BPA)  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Conditional Support

1. The BPA has control over a portion of the subject land, specifically the Crown Land identified as Lot 793 by way of the vesting powers under Section 25 of the Port Authorities Act 1999.
2. The BPA intends to build a new office facility on Lot 793 to cater for the current and future growth in the port and accommodate additional staff.
3. The BPA is happy to work with the planning body of the *Waterfront Development Taskforce* [title from submission] to ensure the style of the office development is in keeping with the overall development of the area.
4. Requests that BPA be granted the ability to continue with its plans to develop a new office and that this development be recognised in the proposed GBRS planning amendment.

**Planning Comment:**

1. Comment noted, Section 25 of the Port Authorities Act 1999 does not remove the requirement for development to comply with relevant requirements of both the GBRS and City of Bunbury Town Planning Scheme 7.
2. Comment noted
3. Urban design detail will be determined through subsequent detailed planning stages. The willingness of the BPA to work with the relevant agencies is noted.
4. The proposed Regional Centre zoning, if finalised, would provide an appropriate zoning for the BPA's new office. However, the GBRS does not provide the level of detail that would result in any such proposal being identified within the amendment documentation, as such the request for it to be included in the amendment is dismissed. The matter should be addressed by the BPA during subsequent detailed planning stages such as amendments to the local planning scheme and/or structure planning.

**Determination:**

Submission partly dismissed

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**Submission:** 42  
**Submitted by:** Heritage Council of Western Australia  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Conditional Support

1. No objection to the amendment.
2. Due to proximity of amendment area to the Bunbury Jetty and development that could be considered to impact on the jetty should be referred to the Heritage Council for advice.

**Planning Comment:**

1. Noted
2. Comments noted, the matter should be addressed by the Heritage Council during subsequent detailed planning stages.

**Determination:**

Submission noted

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**Submission:** 43, 59, 75, 76, 114, 119 - 125, 129 - 134, 136, 137, 143 - 147, 149, 150, 152 - 154, 156, 157, 160 - 165, 167, 169, 171, 174, 179, 183, 190.

**Submitted by:** See Schedule 1

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Conditional Support

The following comments, in which support for the amendment was stated, were received from the above 45 submitters and can be summarised as follows:

1. Reasons for support
  - Economic benefits.
  - Employment benefits.
  - Like the Marlston Hill developments.
  - Will make Bunbury an attractive destination and attract tourists.
  - There is a need for short stay and residential accommodation.
  - Will promote Bunbury as a second city.
  - Will facilitate activation of open space areas.



- Attractive views.
- Proximity to the water, other development and the Central Business District.
- Will provide a family friendly development.
- Opportunity for an iconic landmark.
- Appropriate location for high-rise buildings.
- Opportunity to link with and restore the Bunbury Jetty.
- Area is currently underdeveloped, underutilised and an eyesore.
- By providing additional shopping and entertainment opportunities it will reduce the need for people to travel to other places such as Perth for these services.
- Reduced demand for additional residential land.

## 2. Concerns raised

- Cumulative environmental impacts on Koombana Bay and the environmental impacts of the development.
- Traffic and parking issues.
- Building heights.
- The project should be cost neutral.
- The expense of the project.
- The impacts on colonial relics associated with the Bunbury Jetty.
- Proximity of the development to the pipe between Koombana Bay and Casuarina Harbour.
- Wind tunnel effects.
- Building shadows.
- Insufficient allocation of Regional Open Space.

## 3. Suggested conditions of approval

- Physical and biological study of Koombana Bay.
- Public access to the water.
- Dual use paths to be best practice design.
- Removal of the Bunbury Jetty.
- Restoration and redevelopment of the Bunbury Jetty.
- Preservation of any relics associated with the Bunbury Jetty.
- Height restrictions ranging from 2 stories up to the height of the Silos.
- Increased area of Regional Open Space.
- Improved public transport.
- Provision of adequate parking.
- Development to be environmentally sensitive and take into account the impact of sea level rise, wind and shadows.
- Development to be public not private or for residential.

4. Suggestions for land uses and development

- Entertainment/Hospitality (nightclubs, food outlets, restaurants, cafes, underwater restaurant).
- Recreational (minigolf, parks, playgrounds, walkways, dual use paths, boardwalks, water fun park).
- Infrastructure (marina, fishing platform).
- Accommodation (hotels, short stay, residential).
- Retail (specialty shops, supermarket, shopping centre, banks).
- Development to extend along the breakwater.
- Examples cited (Busselton foreshore, Harbourtown, Wet n Wild (QLD), Hilary's Boat Harbour).

**Planning Comment:**

1. Support noted.
2. Comments noted. Subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications, will address issues relating to detailed design and development control, and will provide further opportunity for public consultation.
3. Some of the comments relate to matters which are beyond the scope of the proposed amendment, such as the removal/restoration of the timber jetty, these matters should be raised with the relevant local and/or state agencies.
4. Refer to Part 7 of the Report on Submission for further planning comments.

*Submissions 156 and 169 were supported by a Hearing*

**Determination:**

Submissions noted

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**Submission:** 44, 63, 64, 67, 71, 72, 74, 78, 80 - 82, 84, 87, 92, 95, 96, 116, 118, 135, 155, 158, 159, 172, 173, 182, 188, 189

**Submitted by:** See Schedule 1

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Objection

The following comments, in which opposition to the amendment was stated, were received from the above 27 submitters and can be summarised as follows:

1. Zoning and reservation issues

- Once Regional Open Space is lost it is never reclaimed.
- Some developments currently on ROS are not accessible to the general public (i.e. boardwalk south of proposed amendment, tennis court).
- ROS narrower than existing boardwalk which will affect visual and ambulatory amenity of walkways.
- Area of ROS too small should be increased.
- Current reservations can accommodate public purpose buildings.

2. Height, density and design issues

- Concerns with high-rise developments on the waterfront including height, wind, shadows, loss of views, impact of storms, lack of detailed design, dirty doors and windows.
- 3D model does not show buildings on the amendment areas.
- Clarification needed on how development will relate to the ROS/Waterfront interface, concern that space could be lost.
- No provision for fishing platform/wharf, infrastructure for cruise ships, boat ramps, community access or public purpose buildings.
- Develop should be like that near Jetty Baths and for community benefit in accordance with City Vision 2.1 and 7.2. Include facilities - ski beach, BBQ, lawns, shade, public toilets, parking, park, kiosk, harbour museum, sculpture park.
- Does not consider multiculturalism, heritage and the arts.
- Development will cause "boxing in" which will not be visually appealing.
- Setbacks should be at least 500m or as a minimum have no shadow on the water.

3. Car Parking and Traffic Issues

- Traffic and parking issues including lack of modelling, congestion, safety and concerns over cash in lieu arrangements.

4. Impact of proposed development

- Loss of family friendly lifestyle.
- Limit tourism opportunities.
- High-rise affecting wind movements potentially leading to the capsizing of boats.
- Impact on fishing and the aquatic recreation area.
- Loss and degradation of views, will be legally challenged.
- Buildings are not needed to create a vibrant activity node.

5. Justification for proposal

- Goes against the public interest criteria by decreasing public domain and it will not activate waterfront as the waterfront is diminished.
- Does not address the community concerns and wishes.
- Failure to consider a broad range of options, more options needed.
- Lack of overall broader planning and connections with a marina.
- Lack of justification.
- Inconsistent with planning by City of Bunbury including; City Vision, TPS Amendment No. 38 (R-code Omnibus Amendment) and Local Planning Strategy for Activity Centres and Neighbourhoods.
- Not consistent with Councils visiting group report.
- Documents contradictory and too technical.
- Not in accordance with State Planning Policy 2.6 State Coastal Planning Policy.
- Lack of community consultation, questions not answered at public forums.
- Short stay occupancy rate 65% (submitter data), as such development will be largely empty if short stay.
- No real benefits to the city.
- Increasing population in CBD will not improve Bunbury.
- Many Bunbury people don't want to live in Perth, don't turn Bunbury into Perth.

6. Environmental issues

- Concerns raised over climate change, sea level rise and Tsunamis, specifically the cost to ratepayers and the liability and insurance issues.
- Concerns with Acid Sulphate Soils.
- Cumulative impact of development in Koombana Bay - not quantified, potential impact, impact on tidal cleansing, impacts on general geological vegetation and animal stress (dolphins).
- Carbon minimisation not addressed.
- Embodied energy of the development has not been considered.
- Urban Heat Island (UHI) effect which will lead to drought.
- Noise and Air pollution from high density and high traffic volumes.
- Presence of unidentified black soot in Dolphin Bay apartments.
- Issues in relation to the provision of public health, welfare of animals and the environment need to be addressed prior to development.

7. Location of proposal

- Suggestions that as an alternative the underdeveloped areas of Bunbury's Central Business District (CBD) and other areas (i.e. Old St John of God Hospital site, Centrepoint precinct, Victoria Street, Wittenoom Street, the old licensing centre, land adjacent to the Silos) should be the focus of any development.

- This type of development should be located away from the CBD, potentially in a 'green' satellite town.
- The proposal area already sufficiently developed.
- There is no need to reclaim land from the waterway, develop the land that is already available.

8. Project management and development issues

- Concerns with LandCorp including; this being a money making project, the involvement of Government in private development, distortion of the property market, no provision that any revenue generated will be reinvested in Bunbury.
- Short-term gain for developers.
- Expense of the proposed development.
- Loss of public control over development.
- Project too risky.
- Concern about lack of external (non-government) involvement in the project.
- No further development should be allowed until City can demonstrate that it has the capacity to manage existing waterfront infrastructure as Marlston Hill properties are poorly kept and have a regular turn over of occupants and not fully occupied.
- Rezoning will cut off road access to Bunbury Jetty allowing developers to regulate vehicular access to the jetty and marina.
- The proposal is a disguise for housing estate for the wealthy and the public will lose access.
- Poor quality of existing waterfront developments.

9. Conditions suggested if amendment proceeds to finalisation

- No higher than 3 stories.
- Provision of best practice dual use paths.

**Planning Comment:**

1. Objections noted
2. Comments noted. Subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications, will address issues relating to detailed design and development control, and will provide further opportunity for public consultation. Some of the matters raised can be addressed by the proponents during the more detailed planning stages, should the amendment proceed. Concerns expressed by submitters will be forwarded to the Bunbury City Council once the Report on Submissions has been considered by the WAPC and the Parliament.

3. Some of the comments relate to matters which are beyond the scope of the proposed amendment, such as the removal/restoration of the timber jetty, these matters should be raised with the relevant local and/or state agencies.
4. Refer to Part 7 of the Report on Submission for further planning comments.
5. Several submissions refer to the potential loss of views as a result of the proposed development at the site and have advised that legal action will be initiated should the amendment proceed and be approved. The WAPC have been advised of the intention of these submitters.

*Submissions 44, 71, 74, 96 were supported by hearings*

*Submission 78 initially requested a hearing, but the request was subsequently withdrawn.*

**Determination:**

Submissions noted and partly dismissed

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**Submission:** 45  
**Submitted by:** City of Bunbury  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Conditional Support

1. The City of Bunbury supports the proposed amendment.
2. The City of Bunbury would be prepared to initiate an Amendment to Town Planning Scheme 7 that provides for an appropriate zone, structure plan, development plan and development control provisions consistent with the Region Scheme (as amended).
3. Requests the WAPC to provide expert advice on the extent to which the impacts of climate change need to be incorporated in development control measures.

**Planning Comment:**

1. Support noted
2. Comment noted

3. The Department of Planning in partnership with the Commonwealth have commenced sea level rise/storm surge modelling from the top of the Leschenault Inlet to Dalyellup to assess coastal vulnerability and prepare for imminent sea level rise associated with global warming. This study will inform the preparation of a response to assist development decision likely to affect the coastline, including the subject land.

Both the Department of Planning and WAPC will work with the City of Bunbury to assist them in the preparation of any development controls required as an outcome of the abovementioned study.

**Determination:**

Submission Upheld

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**Submission:** 61  
**Submitted by:** Sydney GW and Jocelyn A Taylor  
**Proposal:** Other  
**Summary of Submission:** Comment

1. Requests that the zoning of the property at 20 Wellington St, Bunbury be rezoned to removed the height restriction, or be amended to be the same height as the height restrictions on the properties to the north and south.

**Planning Comment:**

1. The subject land is zoned Urban under the GBRS, additionally it does not fall within the 300 metre setback datum as outlined in SPP 2.6 State Coastal Planning Policy.

The GBRS does not provide for development control provisions, and as such any height restrictions on the property would be imposed through the City of Bunbury Town Planning Scheme 7.

The submitters are advised to discuss the matter with the City of Bunbury, a letter to this effect has been sent to the submitters.

**Determination:**

Submission dismissed

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**Submission:** 62  
**Submitted by:** Department of Mines and Petroleum (DMP)  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** No Objection

1. The proposal does not raise any issues with respect to access to mineral, petroleum or geothermal resources.

**Planning Comment:**

1. Comment noted

**Determination:**

Submission noted

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**Submission:** 68 - 70  
**Submitted by:** See Schedule 1  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Unstated

1. No comments provided.

**Planning Comment:**

1. Not applicable

**Determination:**

Not applicable

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**Submission:** 79  
**Submitted by:** Department of Transport - Coastal Infrastructure Business Unit  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Objection



1. Portion of proposal is under the jurisdiction of the Marine and Harbours Act, with authority assigned to the Minister for Transport, as such the Minister's office will need to be fully briefed on the intent of the proposal including any management implications before the proposal could be accepted or further comment provided.
2. The Department of Transport anticipates significant future opportunities for harbour expansion, marina facilities and commercial development along the length of the causeway, as such has concerns that the development will place severe limitations on that access.
3. The encroachment of the Marlston North proposal into the water ski area may be controversial.

**Planning Comment:**

1. Comments noted. The Bunbury Waterfront Project of which this amendment is part of is an initiative of the State Government. The Minister of Transport has provided advice on other aspects of the proposal and as such should be aware of the proposal. LandCorp have advised that they have met with staff from the Coastal Infrastructure branch, including the submitter during the preplanning stages. It is anticipated that any issues as raised in the submission in respect to management and tenure implications can be resolved during subsequent planning stages.
2. Comments noted. Subsequent detailed planning stages such as structure planning and subdivision will define access to the Bunbury Jetty and marina as well as public access to the proposed amendment area. The WAPC would not support proposals that facilitated access to these areas becoming privatised.
3. Comments noted. The proposal extends slightly into the western side of the area identified for water skiing activities. Given the small size of the encroachment and the proximity of the proposal to the area of shallow water to its north it is not anticipated that there will be a significant impact upon water skiing activities should the rezoning be finalised. Subsequent planning stages may provide opportunity for the incorporation of facilities that will benefit and enhance aquatic recreational activities and opportunities such as water skiing.

*Submissions 79 was supported by a Hearing*

**Determination:**

Submission noted

**Submission:** 83, 94, 115  
**Submitted by:** See Schedule 1  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Objection

The following pro forma comments, in which opposition to the amendment was stated, were received from the above 3 submitters and can be summarised as follows:

- Proposal is illogical and not consistent with good planning policy.
- Proposal is inconsistent with the report.
- Plan in the report does not show sufficient car parking.
- Concerns with cash-in-lieu parking arrangements.
- 20 metre buffer insufficient and will not solve loss of amenity and views for owners of Lots 5 and 6, who purchased their lots from LandCorp believing they had uninterrupted views, and legal action is being considered.
- The activity node will be congested and frustrating not vibrant.
- Inconsistent with planning by City of Bunbury including; TPS Amendment No. 38 (R-code Omnibus Amendment) and Local Planning Strategy for Activity Centres and Neighbourhoods.
- Any development should be consistent with an overall plan for the area which should include a small boat harbour, infrastructure for cruise ships, Fisherman's Warf style food and restaurant outlets and a decision on the Bunbury Jetty.
- Proposal will limit or prevent further development as detailed above.

**Planning Comment:**

1. Objection noted
2. Comments noted. Subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications, will address issues relating to detailed design and development control, and will provide further opportunity for public consultation.
3. Some of the comments relate to matters which are beyond the scope of the proposed amendment, such as a decision on the timber jetty, these matters should be raised with the relevant local and/or state agencies.
4. Refer to Part 7 of the Report on Submission for further planning comments.
5. Several submissions refer to the potential loss of views as a result of the proposed development at the site and have advised that legal

action will be initiated should the amendment proceed and be approved. The WAPC have been advised of the intention of these submitters.

*Submission 94 was supported by a Hearing*

**Determination:**

Intentions noted and Submissions dismissed

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**Submission:** 85, 86, 89, 91,102  
**Submitted by:** See Schedule 1  
**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Objection

The following comments, in which an objection to the amendment was stated, were received from the above 5 submitters and can be summarised as follows:

1. Object to the amendment.

**Planning Comment:**

1. Objection noted. No reason for objection were submitted.

**Determination:**

Submission dismissed

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**Submission:** 117  
**Submitted by:** Noel Whittle  
**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Conditional Support

1. The overall footprint of the proposal should not expand beyond that proposed.
2. The area proposed to be Regional Centre should be reduced to accommodate additional Regional Open Space that is at least double

the path width provided along the current Marlston Waterfront development.

3. Path design should provide for segregated pedestrian and cycle ways similar to that near the Raffles hotel along the Swan River.

**Planning Comment:**

1. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submission noted

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**Submission:** 126  
**Submitted by:** Kathryn Condon  
**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Conditional Support

1. Concerns about the financial transparency of the proposal and development.
2. Concerns of the cost of land reclamation.
3. Concern with how the proposal may affect coastal processes.
4. The proposal provides for a pedestrian link, not a place to stay or congregate.
5. Suggests that the a circular pedestrian node or public space should be located on the eastern corner of the development. Buildings should surround the public space, and car parking contained behind this.

**Planning Comment:**

1. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submission noted

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**Submission:** 138 - 142, 180  
**Submitted by:** See Schedule 1  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** No Objection

The following comments, in which no objection the amendment was stated, were received from the above 6 submitters and can be summarised as follows:

1. No objection to the proposal.

**Planning Comment:**

1. Comment noted

**Determination:**

Submissions noted

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**Submission:** 166, 181  
**Submitted by:** See Schedule 1  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Comment

The following comments, in which support and opposition to the amendment were stated, were received from the above 2 submitters and can be summarised as follows:

1. Reasons for support
  - Great location for hotel, restaurant, retail outlets.
  - The development would provide for both locals and tourists.
2. Reasons for opposition
  - Concerns with cost of development.
  - Concerns with pollution and amenity.
  - Existing area could be landscaped with grass.

**Planning Comment:**

1. Support noted

2. Objection dismissed. Objections raised are beyond the planning scope of the proposed amendment.
3. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submissions noted, objections dismissed

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**Submission:** 168  
**Submitted by:** Amanda Doust  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Conditional Support

1. Opposes the rezoning of the portion currently zoned Waterways to Regional Centre.
2. Does not oppose the rezoning of the portion of Regional Open Space to Regional Centre.

**Planning Comment:**

1. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submission partly dismissed

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**Submission:** 170  
**Submitted by:** Bob Morgan  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Conditional Support

1. Increase the proposed area of Regional Centre by extending the area further to the north.

2. Increase the width of the proposed Regional Open Space reservation to be equal to the existing reservation adjoining the proposal.

**Planning Comment:**

1. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submission noted

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**Submission:** 176

**Submitted by:** Terry O'Connor

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Comment

1. Bunbury not having a marina is an embarrassment and a disgrace.

**Planning Comment:**

1. Comment noted

**Determination:**

Submission noted

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**Submission:** 178

**Submitted by:** Alana Williams

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Comment

1. Suggests the area should remain as Regional Open Space or be rezoned to Private Recreation to facilitate the development of a water activities centre.

**Planning Comment:**

1. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submission noted

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**Submission:** 184

**Submitted by:** Claire Dwyer

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Objection

1. Objects to the proposed amendment.
2. Concerns about land reclamation.
3. Supports development of the land portion of the proposal.
4. Supports development of multi-story buildings that will accommodate tourists and residents.

**Planning Comment:**

1. Refer to Part 7 of the Report on Submission for further planning comments.

**Determination:**

Submission partly dismissed

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**Submission:** 185

**Submitted by:** Be Active WA Physical Activity Taskforce

**Proposal:** Marlston North (0010/41)

**Summary of Submission:** Conditional Support

1. Supports the intent of the amendment, and sees it as a positive measure in reactivating the site and providing opportunities which promote physical activity.
2. Accessibility is critical for vitality, sense of purpose and focus. Design considerations should address improved pedestrian accessibility, with recognition of the needs of vulnerable road users, such as people with



disabilities, older people, youth and should include provision for accommodating motorised wheelchair vehicles.

3. Consideration needs to be given to the movement network and the development of an integrated local transport strategy in conjunction with the City of Bunbury which acknowledges various modes of transport particularly cycling and walking.
4. Cycling and walking can increase physical activity and improvements in walkability can reduce crime and improve community cohesion.
5. Necessity for a balanced approach to managing the environmental assets and environmental impacts along the Bunbury Waterfront area.

**Planning Comment:**

1. Support noted
2. Comments noted. The WAPC through its policy framework encourages development to have appropriate movement networks that encourage walking and cycling in accessible and safe environments. Subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications, will address issues relating to detailed design and development control, and will provide opportunity for further consultation.
3. Refer to Part 7 of the Report on Submission for further planning comments.
4. The EPA has assessed the amendment and provided advice that the environmental issues raised by the proposed amendment will be manageable during the design and construction of the reclamation.

**Determination:**

Submission noted

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**Submission:** 186  
**Submitted by:** Public Transport Authority (PTA)  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** No Objection

1. The PTA has no comments or objections to make

**Planning Comment:**

1. Comment noted

**Determination:**

Submission noted

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**Submission:** 187  
**Submitted by:** Department of Water (DoW)  
**Proposal:** Marlston North (0010/41)  
**Summary of Submission:** Objection

1. DoW recommends a 100 metre buffer for all coastal and estuary waterways. Given the highly modified environment DoW would preference would be for the foreshore areas to reflect the maximum practical setback.
2. The Leschenault Inlet is a Conservation Category Wetland, and as such a suitable buffer should be afforded to the high water mark from potentially impacting development and land uses.
3. The proposals will reduce the amount of grassed area, garden beds and natural fringing vegetation and increase the area of hard surfaces, which has the potential to increase the amount of litter and pollutants discharged into the Inlet, and reduces natural infiltration and recharge to groundwater affecting the fresh ground water - saltwater interface.
4. The reduced foreshore reduces the capacity for additional Water Sensitive Urban Design drainage facilities to manage and treat stormwater discharges.
5. Remnant patches of soft edges and fringing vegetation are likely to be negatively impacts by the proposals. There is potential for soft areas to become weak spots and erode. The reduced foreshore widths will potential for rehabilitation and protection of these areas.
6. The soft edge areas provide the only access for passive recreation in the waterway.
7. The proposed amendments are not associated with any consolidated structure plan or strategy. DoW does not support ad hoc amendments.

**Planning Comment:**

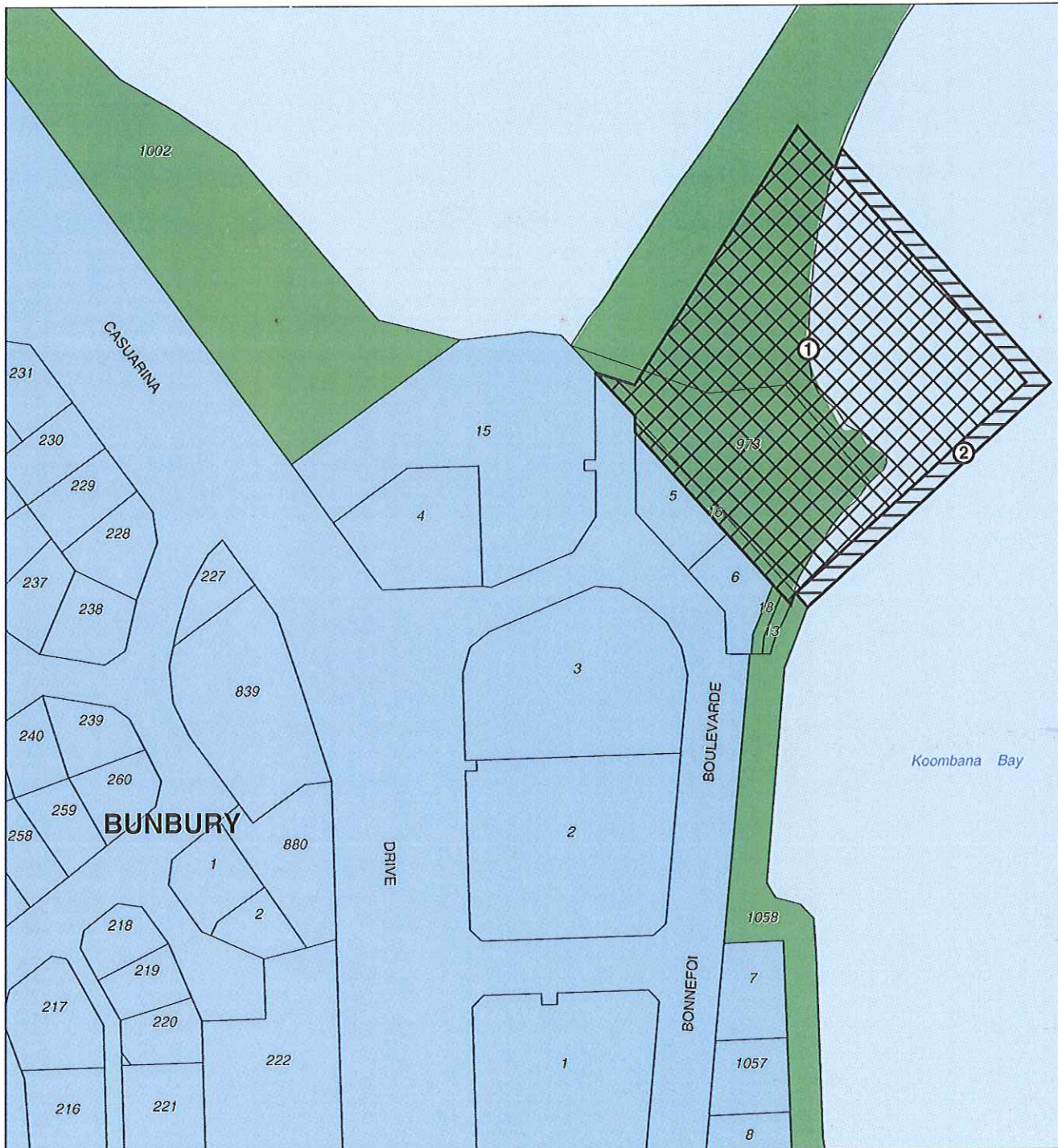
1. The EPA has assessed the amendment and provided advice that the environmental issues raised by the proposed amendment will be manageable during the design and construction of the reclamation.
2. Subsequent planning stages, including local scheme amendment, structure planning, subdivision and development applications, will address issues relating to detailed design and development control, including setbacks, Water Sensitive Urban Design and opportunities for rehabilitation, and will provide opportunity for further consultation.
3. The proposed amendment forms part of the proposed Bunbury Waterfront Project, a State Government commitment, and is in accordance with the recommendations of the Bunbury Waterfront Taskforce.

**Determination:**

Submission dismissed

**SCHEDULE 3**

**THE AMENDMENT FIGURE AS ADVERTISED**



## Bunbury Waterfront Project - proposed amendment to GBRS Marlston North Site

### Greater Bunbury Region Scheme Legend

**Proposed:**



regional centre zone



regional open space reservation

**Existing:**



regional open space reservation



waterways reservation



regional centre zone



## **APPENDIX 1**

### **LIST OF DETAIL PLANS AS ADVERTISED**

**Marlston North**  
**Proposed major amendment**  
**Amendment 0010/41**  
**as advertised**  
**3.2358**

**Detail plans**

3.2359

Western Australian Planning Commission

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Greater Bunbury Region Scheme  
Bunbury Waterfront Amendments:  
0010/41      Marlston North  
0011/41      Koombana North  
0012/41      Koombana South

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City of Bunbury

**TRANSCRIPT OF PUBLIC HEARINGS**

Conducted 23 - 25 August 2010

January 2011

PERTH  
WESTERN AUSTRALIA





### **Recording and Transcription**

This transcript is produced from live audio recordings. Whilst every care is taken in its preparation absolute accuracy cannot be guaranteed. No changes are made to grammar and syntax.

**MINUTES OF THE COMMITTEE HEARING SUBMISSIONS ON GREATER BUNBURY REGION SCHEME AMENDMENTS (0010/41, 0011/41 AND 0012/41)**

**DAY ONE - held Monday, 23 August 2010, at the Sanctuary Golf Resort Bunbury.**

The Committee was established by resolution of the Western Australian Planning Commission (WAPC) on 18 June 2010.

CHAIRPERSON	Ms Rosanne Pimm OAM Mayor David Smith Mr Jake Davidson	Chairperson Member Member
IN ATTENDANCE	Ms Marion Gartrell Ms Kath La Nauze	Department of Planning Department of Planning

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Hearings commenced at 9am.

The proceedings were recorded by Sparks and Cannon Australia Pty Limited.

The following people made presentations to the Hearings Committee:

- (a) Mr Philip Smith  
Amendment 0010/41 submission number 156  
Public hearing - see transcript
- (b) Mrs Inga Overgaard  
Amendment 0010/41 submission number 74  
Amendment 0011/41 submission number 73  
Amendment 0012/41 submission number 86  
Public Hearing - see transcript
- (c) Mr Sven Overgaard  
Amendment 0010/41 submission number 44  
Amendment 0011/41 submission number 45  
Amendment 0012/41 submission number 58  
Public Hearing - see transcript
- (d) Mr Clive (Arthur) Pearson  
Amendment 0010/41 submission number 71  
Amendment 0011/41 submission number 70  
Amendment 0012/41 submission number 83  
Public Hearing - see transcript

- (e) Mr Peter Eckersley  
Representing Mr Rob Neal on behalf of the Bunbury Bicycles Users  
Group  
Amendment 0010/41 submission number 169  
Amendment 0011/41 submission number 124  
Amendment 0012/41 submission number 156  
Public Hearing - see transcript

Ms Pimm declared the first day of Hearings closed at 10:58 am.

The following people cancelled their appointment with the Hearings  
Committee and did not reschedule.

- Mr Ray Parker  
Amendment 0010/41 submission number 78
- Mr David Kerr  
Amendment 0012/41 submission number 497

Chairperson Rosanne Pimm OAM.

Date 15 / 10 / 2010

**MR PHILIP SMITH  
AMENDMENT 0010/41**

MS PIMM: Welcome, everybody, to this first hearing of the Greater Bunbury Region Scheme amendments. Our first submitter is Philip Smith, from Bunbury. Welcome, Phil. We'd just like to advise that this is a recording, that everything that's said today will be recorded, so you're aware of that. Welcome. It's your opportunity to enlarge upon the submission that you have already submitted.

MS OVERGAARD: Excuse me, the microphone doesn't work.

MR SMITH: It's not a loudspeaker I think.

MS GARTRELL: No, it's for recording purposes.

MS PIMM: It's for recording purposes only. Can you not hear me?

MS OVERGAARD: No.

MS PIMM: Sorry, I'll try to speak a bit louder then. The microphone is for recording purposes only, so it's a transcribing of everything that is said here today. So each one will have their submissions recorded so that we can go through them again later on if required. Phil, it is your opportunity to enlarge upon your submission.

MR SMITH: Thank you.

MS PIMM: Please start.

MR SMITH: Thanks very much, committee. I do have an interest in all three areas but it's only the Marlston North, I think it's called, that I want to comment on. I'm connected with the Bunbury Timber Jetty but I'm also a historian and collector of historical artefacts, and the thing that concerns me about Marlston North is right through the middle of it runs the old 1864 jetty and the extensions from it. The 1864 jetty finishes about where the land is now and then the extensions on - I think it was about 1870 or thereabouts, 1880s.

Why I'm interested in this is that alongside of jetties are artefacts, and I wave my arms around a bit for you, but what happens with a jetty is a ship moors alongside, and also fishermen, but in transferring stuff across, things fall in the water and seldom get recovered, so you're looking at an 1870s, 1880s museum. Also, on the other side of the jetty they throw things overboard - old plates, cups, knives, things they don't want - and of course that's on both sides of the jetty. At the moment they're entombed in mud. I'd say the mud is at

least six feet deep there, and that's where they're going to stay.

My concern if you then decide to develop it is at some stage - and if you're going to use the same system as the last time where they put a big bund wall around it, basically got the water out and then built walls and sealed it all off. At some stage they're going to dig around where the old jetty is, and what happened, going back to the previous Marlston extension - there was an old jetty there, totally timber, with square piles. They knew where the piles were. They took the piles out and that was all right. They preserved some, got rid of the rest, but once everything was sealed and then subdivided, they came in to build and then they've got to put down a foundation, so what happens then is you dig a hole down, and so you're digging down through artefacts wherever that jetty was or where the ships might have been.

I didn't hear of any artefacts being dug up during those excavations even though they went quite deep, and that's of concern to me, so I think you have a choice of two things. You either have to do an archaeological dig along the old jetty area before you allow any buildings on there or else when the buildings are allowed on, you have the old jetty and the artefact areas outlined, so you say if you're going to put down foundations here, you have to be careful, and if you strike artefacts, you have to stop and, you know, there has to be somebody from the museum, or someone like that, at least examine what's going on. So that's really my major concern.

The historical artefacts concerned with Bunbury and with shipping are there, and the best thing you can do is to just seal them all off and don't touch them, and sometime in the next 1000 years, if someone wants to, then they can go and look for them, but that's impossible if you're going to have buildings on the site because they're going to need foundations. So you work out what you'd recommend. My recommendation was that when they're digging near that area, they take care when they get down to that layer of mud where the artefacts may or may not be located.

MS PIMM: Thank you, Phil.

MR SMITH: That's not all. I have one more point I did make on this submission. In the early LandCorp future 100 years of development there, they had a drain, a channel of some sort, which would allow the water in Casuarina Harbour and Koombana Bay to circulate. It is a problem at the moment. I'm intimately connected with the jetty and there's a lot of spillage of oils and so forth in that Casuarina Bay and they tend to swirl around and eventually go out past the jetty and kill off the wildlife. I saw that that original theory of putting either a six foot, say, wide pipe or a channel of some sort connecting the area closer to what's called Vat 2 these days would be an ideal way to let the water circulate and to let some of those oils and so forth get out

to keep the Casuarina Bay area clear.

There's no mention of it here, and originally I thought it was around about through the middle of this they were looking at. I do feel that if we're going to do it, we need to do it at some stage soon so that everyone knows where that channel is and we work out whether it's going to need a bridge over it to get out to the jetty and the causeway or whether it's just going to be a big drain that will let the water circulate.

MS PIMM: Thanks, Phil. Could we defer to our planning people who I think have had difficulty in finding any reference to it. Is that correct? Yes - so far.

MR SMITH: The original plan that came out from LandCorp - and probably for the last election I'd say, or thereabouts - where they said, "Look, this is what we see for the future," it included all sorts of canals and filling in right out along the causeway and things like that. I know it was there and it was definitely - because it was hotly debated by lots of people, particularly the Timber Jetty Society, those who said no, that would be disastrous. You know, people would have to go over a bridge to get to it and so forth. So I don't know if it was actually planning or whether it was one of those concept plans that come up for people to look at and comment on.

MS GARTRELL: Yes, there have been a number of concept plans.

MR SMITH: Yes.

MS GARTRELL: So we'll certainly have another look at those.

MR SMITH: To me it seemed like a pretty good idea, because as the jetty is developed or not developed, I could only see more and more boats and motorboats and so forth in that area. No matter what you try, there's always more and more spillage.

MS GARTRELL: Through you, madam chair, what you'll find is that, like, the overall project that LandCorp was originally anticipated to do - - -

MR SMITH: Yes.

MS GARTRELL: They still have all that background information. They still have all those plans.

MR SMITH: I see.

MS GARTRELL: What these amendments are doing is they're doing different stages - - -

MR SMITH: Yes.

MS GARTRELL: - - - of the overall development, but LandCorp, they still wish to proceed with the overall project to some degree, so it will be done in stages.

MR SMITH: I understand that, but the longer you wait - - -

MS GARTRELL: Yes.

MR SMITH: - - - the further out along the causeway you get, so you've got more and more of an area in near the Vat 2 area and that beautiful little beach where pollutants will just accumulate and won't be able to be flushed.

MS GARTRELL: We can certainly take the issues that are raised at the hearings on board - - -

MR SMITH: Yes.

MS GARTRELL: - - - and present them to the commission. Everything that's, you know, being submitted and being said today is recorded, so we'll have a record of it.

MR SMITH: Yes, thank you.

MS GARTRELL: Thank you.

MR SMITH: That's all I have to say, thank you, unless you have questions for me.

MS PIMM: Thank you, Phil. Any particular question?

MR SMITH: No, thank you.

MS PIMM: No questions? Thank you very much for your submission.

MS GARTRELL: Thank you. Ray Parker is not here.

MS MARTIN: The next person, Mr Ray Parker, has not arrived yet and it's 9.15, so I'm not sure (indistinct) Mr and Mrs Overgaard are next after that (indistinct) wish for them to go first?

MS PIMM: We are just a little bit early, so perhaps we should wait another few minutes.

**MRS INGA OVERGAARD**  
**AMENDMENTS 0010/41, 0011/41 & 0012/41**

MS PIMM: We'll just wait a few minutes and see whether Mr Parker does arrive, and then if not, you're welcome to have your submission.

MS OVERGAARD: (indistinct) the microphone doesn't work.

MS PIMM: The microphone is for recording purposes only. It's not an amplification, so I will try to speak more loudly.

MS OVERGAARD: (indistinct)

MS LA NAUZE: (indistinct) so you can hear in the meantime, would you like to sit a little bit closer down here?

MS OVERGAARD: Yes, thank you.

MS PIMM: Very well. We would just like to note that Mr Ray Parker, whose appointment was 9.15, has not arrived, so with that in mind, Mr and Mrs Overgaard, who are here - - -

MS OVERGAARD: Yes (indistinct)

MS PIMM: We will proceed with your submission if you wouldn't mind, please.

MS OVERGAARD: Yes.

MR OVERGAARD: Yes.

MS PIMM: But you'll need to go up to the microphone, thank you.

MS OVERGAARD: Sorry.

MS PIMM: So, Mrs Overgaard, you are submitting on both the Marlston Hill North, Koombana North and Koombana South.

MS OVERGAARD: Koombana Beach.

MS PIMM: Yes.

MS OVERGAARD: Koombana South.



MS PIMM: Yes.

MS OVERGAARD: Yes.

MS PIMM: Okay.

MS OVERGAARD: I have my paper here. Good morning, ladies and gentlemen.

MS PIMM: Good morning.

MS OVERGAARD: My name is Inga Overgaard, from Bunbury. I and my husband moved to Australia for 20 years ago from the cold Scandinavia. I want to talk about Koombana Beach. In my submission, I've said that I'm not in favour of the amendments and suggest they will be rejected. I want to expound my views in five points: (1) in housing, (2) the open view towards the sea, (3) living very close to the sea, (4) future development and (5) only one planning proposal.

(1) The proposed house constructions seem to be very clumsy and ponderous. In the report it said that it does not represent the ultimate built form, page 28.6 in the report. Probably there might be more in how your house is built. In other words if I accept the proposal it means that I buy the pig in a poke. I don't want that. The houses are too high and will block the view over sea and shores.

(2) The view we have now over Koombana Beach with the big ships coming in and leaving is fantastic. Seldom can the public find such a view. For an increase in population and tourists we need Koombana Beach with its Dolphin Centre, playgrounds, and swimming facilities. We have of course our fine nice beaches along the coastline. In the afternoons when the breeze is coming waves and currents may be too strong for parents with small children and for elderly people like me. We have to use Koombana Beach.

(3) People want to live close to the ocean but is that so wonderful. I have had the privilege to live very close to the Pacific Ocean in the south of Chile. It was noisy, the waves were roaring, salt covered everything, seaweed blew up around the windows and doors, there will be lots of cleaning after the strong wind. After a while the risk is that the inhabitants become tired of the noise and dirt, and want to move. Soon we will probably get new empty houses which may give the set of problems like that we have now with the old hospital.

(4) A few years ago another option was discussed regarding the waterfront. It

was a poor quality job and was dismissed by the public. In that proposal it was also taking up a lot of house constructions on the eastern side along Koombana Beach swimming area. If this new project will be accepted probably we will in a few years time get new suggestions to build even in that area. It means that the south-west will lose one of the best recreation areas, better than Copacabana Beach in Rio de Janeiro. We need Koombana Beach for the increase in population.

Instead of this waterfront project I will recommend to build a new separate town on hard soils suitable for house constructions not too far from Bunbury centre. The free unoccupied land ought to be used as a park with special Australian trees and native shrubs. If you want to do this, to come to Bunbury, you should show them I think the amazing nature of Australia, animals, trees, and shrubs so different from other parts of the world, not to show them the big concrete buildings they have at home.

To the last point, (5) else of Scandinavia, I'm very surprised that only one organisation is presenting a plan for the waterfront. One of my brothers and his wife are both architects. I have heard them speaking about the many competitors they have when they plan work and deliver projects similar to this town planning. I would prefer to have at least three options to choose from. More competition is needed. That's democracy. Finished.

MS PIMM: Thank you very much, Mrs Overgaard. Thank you for your submission. Your comments will be noted and the planning commission will certainly take them on board, so thank you.

MS OVERGAARD: Thank you.

MS PIMM: Thank you very much. Are there any questions from you?

MR SMITH: No.

MS PIMM: No questions. Thank you.

**MR SVEN OVERGAARD  
AMENDMENTS 0010/41, 0011/41 & 0012/41**

MS PIMM: Yes, Mr Overgaard, please. You are also for - - -

MR OVERGAARD: Yes, I'm sorry, we have a been a little too old of age, but that is nothing to do about - - -

MS PIMM: Would you go through the microphone?

MR OVERGAARD: Yes.

MS PIMM: Thank you.

MR OVERGAARD: I will do.

MS PIMM: Thank you.

MS OVERGAARD: That's my husband.

MS PIMM: Yes.

MR SMITH: There is nothing wrong with a bit of aged wisdom, Mr Overgaard.

MR OVERGAARD: Yes.

MS PIMM: There is nothing wrong with that.

MR OVERGAARD: And she happens to be my wife since 57 years.

MS PIMM: Thank you, Mr Overgaard.

MR OVERGAARD: Yes.

MS PIMM: Your submission is also - - -

MR OVERGAARD: Yes, first, one thing. In my age it very often happens that hearing is out more or less and that is for me. So I know that I will get a birthday card that is three men walking on the street, and one of them is saying, "It is windy today." "No, it is not" - said the other one, number 2 - "it is Thursday," and the third one, he was thinking a little bit, "Thirsty - yes, that is a good idea. Let's go and have a drink."

MS PIMM: Thank you.

MR OVERGAARD: That is, if you will answer me - maybe I will give you some stupid answer - if you will answer me you will give - I will give you a stupid answer. So that is the line. Yes, we know that our government, they have been strict to follow the rules of IPCC, the UN Climate Panel, that carbon dioxide is the main cause of what was called global warming or climate change, when temperature after 1998 levelled off and maybe dropped a little bit, and organisations like Sensirion who had a very good name early on and the BOM, the Bureau of Meteorology, they have produced lists of people, of scientists, of - a black list, well known and very knowledgeable, and if their work is in contradiction, well, what I perceive is they would come on that list, and we have here in Australia professors that - Ian Plimer and Robert Carter are on that list.

This list, remember may you (indistinct) Stasi, the East German policy - police in East Germany, and we have the same thing in Communist Russia and other countries. I persist results are in many cases dubious. We have the so called hockey stick, that is a scientist who was working not for but with IPCC, he gave - he faked the temperature data from year 1000 up to now, and the warm period we had, that disappeared in his figures. But what he did, it was in the 1990s, the temperature went very high up in the air, and it was frightening, and I remember when I saw it the first time, I think, "This is terrible."

Now, we have found - they have found that that is fake, everything. That is what we can wait - expect of IPCC. There are also emails between IPCC and scientists, and the CRU, the Climate Research Unit of the university of East Anglia. I have seen very little of it here in Australia in the papers. The IPCC chairman, Dr Pachauri, he is notorious. He has published letters from worldwide fund members, as peer reviewed scientific articles, and that is not good, because they have been very much critics for him. We know also that our government is very keen to stop emission of carbon dioxide because IPCC says it's a main reason for global warming and climate change, and with that sea level rise, and that, "I am a little afraid of those constructions we have close to the sea." Well, some of them are partly out in the ocean.

I think that what the planning organisation, that is stepping aside for the principle - the government, in another thing the government is completely wrong - it is another thing that the government is completely wrong according to the - free and independent scientists. You have to remember that carbon dioxide is a very trace gas. Only 39 molecules of carbon dioxide - there are only 39 in 100,000 molecules of air. So I don't think it can do very much really. In 1990 IPCC said the sea level rise would be about 300 to 1000 millimetre a year. Sorry - a century, of course. A century, of 300 to 1000 millimetres a century. The last prediction from IPCC in 2007, that was 180 to 590 millimetres a century.

Of course, Sensirion, and also all the newspapers, they are exaggerating. We had in the newspapers very scaring articles about sea level rise in November 2009, and of course that was the time when Mr Rudd, he wants to, or wanted to get his emission trading scheme up in, go through as law, and they wanted to scare us. I am afraid that even I have read that our mayor, he has written, "Don't panic about sea level rise." I agree totally with him, but if I say it, I am an old man, and I think they are wrong, I don't have a big decision in the society. But if the mayor says that this is to panic - that it is not to panic, then I think it's - will be more weight to it, because it is wrong, it is wrong.

But what we have, I think the mayor and you are right in that thing you've said - but what we - what is wrong is that the real - the free independent scientists, they say it can't be more than one or two millimetres a year. That is 100 to 200 at most. I just saw in the paper here a fellow from Bunbury, Mr Plause, he said if the average was 1.03 millimetres, that is 103 millimetres a year. That is about carbon dioxide. But we have also the sun. The sun is seldom mentioned, and you have the solar cycle we are in now, number 24. It has very big similarities with solar cycle number 5 that we had during the so-called Dalton Minimum, a very cold period that started about in the 1790s and lasted till 1825.

In that time we had 1815, the so-called Year Without Summer. It was a very cold period. That is what many solar physicists are predicting, that we will get a cold period in another 10 or 20 years ahead. That is the good thing for the planning organisations. That means that we will not have any high - much water coming from the Antarctic and Greenland, it will not melt very much and that means less water to the oceans. So that is good from their point of view, but I think you have to be honest what you're saying and that's what I'm trying to do.

The great risks for this construction you have, that is not that the sea level is increasing two millimetres a year, that is hardly anything, and 103 millimetres, that is more or less my finger here. I used to have it when I measured lumber. That was good chance to get an idea. The great risk is when we have the alignment of the earth, sun and moon. That will give an extra push of the water up to the shores and then we may get some problems, especially if comes a storm at that time. I can tell you that my grandfather's childhood home was destroyed in such an event.

We have also the wind. If we have a windy period that means also that the sea water is coming closer to the sea and it will increase and with a storm then you can get damages on the houses. I think there we have the big thing. We have also local tectonic uplifts and subsidence, both when the water is leaving and the land is sinking. Volcanic eruptions, earthquakes can cause tsunamis. We remember that from Bunbury Boxing Day - no, sorry here in Bunbury.

From the Boxing Day 2004. We had that very big tsunami. We hardly get anything at all. It was a little bit bigger waves than normal. I was a little surprised because I was down at the beach at that time and I had one friend who had put towel close to the sea and suddenly that one was floating out, but that was nothing if you compare with what happened in India and Salem, for instance.

With a little change of this tectonic plate we have then the waves could have come our way and you never know what could happen. Maybe the subsidence of land may be one of the problems they have in Mandurah with the rising sea levels. It is maybe not the rising sea levels, the subsidence of the land. I don't know but we have all that all over the world. London and East Anglia, they subside, and in London they have had to make very big job to avoid inundation and that will be til 2030. Northern Scandinavia, that rises and Scotland - no, Holland I mean, is sinking and there they're digging dikes or such things.

Yes, that is so in fact the only thing. It is not the local sea level. It is the local sea level changes that count, not the averages of the world, and you have to think of those things that can happen with storms and such things. I think that is important. My main objection to this house, that is what my wife, Inga, mentioned here, that we have to want to see the shores, we want to see the sea, we want to have the swimming area, we want to see the ships coming, going into the city and we see it beautiful from Koombana Beach. I know that is not exactly in the project today but if we say yes to the project you have today then I would guess that we will have that in a few years' time. Thank you.

MS PIMM: Thank you. Thank you very much, Mr Overgaard. A very interesting submission. Thank you. Any questions?

MR SMITH: No. I do need to tell Mr Overgaard that my advice not to panic does not mean that we should not be concerned. We've got to get the science right. We've got to get the risk analysis right.

MR OVERGAARD: Sorry, mayor.

MR SMITH: That's okay.

MR SMITH: I was just saying that my advice not to panic doesn't mean not to be concerned. It's a question of getting the science right, the risk analysis right and the adaptation if need be right.

MR OVERGAARD: That I think is very important that the science is right and I'm afraid the government is not there. Thank you.

MS PIMM: Thank you once again. We're ahead of time. Morning tea.

MR SMITH: Has Mr Parker arrived or?

MS PIMM: No.

MR SMITH: Who is the other man at the back (indistinct) is Mr Parker coming?

MS GARTRELL: No, Mr Parker has got a broken foot and can't get around at the moment so he said he'll try and get here tomorrow if he can get someone to get him here and if there's a time slot on the bits we can do. But you might want to say when we start again after morning tea that we've been advised that he has been unable to attend because of a broken foot. At least then it's in the record.

MS PIMM: Yes.

MS PIMM: Then if he can get here tomorrow we'll slot him in because we've got two time slots tomorrow where we can fit him in.

MS PIMM: Yes. Very good.

MS GARTRELL: We've asked people to arrive 15 minutes prior to the allotted time so instead of having a break from 10.00 to 10.30 we might as well go to morning tea (indistinct) morning tea.

**ADJOURNED**

**[9.39 am]**

**RESUMED**

**[9.58 am]**

**MR CLIVE (ARTHUR) PEARSON**  
**AMENDMENTS 0010/41, 0011/41 & 0012/41**

MS PIMM: Morning. Just for the recording, Mr Ray Parker who was a submittee with an appointment earlier this morning, was unable to attend because he actually has a broken foot, but we are hoping that we will be able to make arrangements for him to be here tomorrow to fulfil his commitment to his submission. So, Mr Pearson, welcome to this hearing. We're here to listen to your submission and for you to enlarge upon any aspects of your submission that you would like to put to us. For your information this hearing is being recorded. So if you would just like to start your submission then thank you for coming and please start.

MR PEARSON: Okay. Well, thank you for giving me the opportunity. I really only have several points to make and I guess I'll start with what I see here is a somewhat inappropriate planning process in terms of going to the public. All of the areas around the harbour are currently public open space and yet here it would appear that we've picked on three small areas without any idea at all of what the grand plan is going to be. There's been rumour and innuendo of what's going to happen around the Bunbury harbour which, you know, I've got an interest in, but it seems here that we haven't been given the opportunity to see what the greater plan is.

I'm very supportive of the development happening, but I'd like to know what it is. So as a matter of principle I'm saying, "Hang on. Why are you guys saying, 'Let's rezone these three areas,' without showing us what other rezoning you're going to put in place?" I guess, you know, I could be cynical and say if we get these areas rezoned and then we may end up, from my point of view, with inappropriate zoning next door because we've already bugged those areas up. The point I'm just trying to make, I'd like to see the big picture before I could give you sensible comment, which I'm prepared to do.

In terms of the three developments themselves, the development Marlston North, I'm totally against filling in any more of the harbour. When you go around the rest of Australia - just for example you take Brisbane, the Brisbane River, where you've got property that's down the water they're now going to the trouble to put boardwalks actually out in the water so the public can get around. When you look at the way we've developed Marlston Hill, if you were to, as it is now, lop that off, I think it would be much better if you had water access all the way around that area rather than creating some private land which the public won't have access to. So I'm totally against that.

What you call Koombana North, in principle I don't have a problem with that because there's already high-rise buildings there and I guess providing that's properly integrated that's fine. Koombana South, I'm just worried about how



that whole area will develop. I believe it should be developed and you need a focus which needs some commercial development to get people there. But with the type of zoning that you're talking about there with the potential for high-rise, I think it's inappropriate with regard to having the entertainment centre and all that there.

I don't have a problem if the - you know, as my understanding as far as the zoning is concerned, you can actually go to eight storeys or whatever. I just think that's inappropriate there. One or two storeys I'd probably be comfortable with. I do believe it requires some commercial development there, but not some I guess development that would lead to residential. I just don't think that's appropriate. So they're really just all the points I want to make, is that I'm unhappy having to comment on a rezoning application when I don't know what the grand plan is, and that's really my main point. But as you can see, I do have views on the other three in isolation.

MS PIMM: Thank you. Any particular question? Anything from the planning staff? Any - no? Okay.

MR PEARSON: Okay.

MS PIMM: Yes. Thank you very much.

MR PEARSON: That's all right.

MS PIMM: We will certainly take your comments on board and, as I say, this has been a recording so everything that you have said will be available for us to review, so thank you.

MR PEARSON: Yes. All right.

MS PIMM: Thank you very much.

MR PEARSON: Okay. Thank you.

MS PIMM: So we've got a bit of time then.

MR SMITH: Peter Eckersley hasn't arrived?

MS MARTIN: No.

MS PIMM: Okay. All right. So we need to have a break til 11.00.

**ADJOURNED**

**[10.05 am]**

**RESUMED**

**[10.50 am]**

**MR PETER ECKERSLEY**  
**AMENDMENTS 0010/41, 0011/41 & 0012/41**

MS PIMM: Good morning, thank you very much for coming in.

MR ECKERSLEY: Hi, Rosanne.

MS PIMM: How are you?

MR ECKERSLEY: Haven't seen you for ages.

MS PIMM: No, so - anyway, thank you very much for coming and we're very interested to hear you enlarge upon your submission and ask us any questions that you wish, thank you.

MR ECKERSLEY: I might - - -

MS PIMM: So just for your information, this is recorded.

MR ECKERSLEY: Yes.

MS PIMM: Okay.

MR SMITH: It's not an application - - -

MR ECKERSLEY: I'm here deputising for Rob Neal who's the - - -

MS PIMM: Yes.

MR ECKERSLEY: Yes.

MS PIMM: That's correct, thank you. Yes, we understand that, that you're here for Rob Neal. So you have the submission, have you?

MR ECKERSLEY: Yes.

MS PIMM: If you wish to enlarge upon it at all - to any issues that your particularly want us to note.

MR ECKERSLEY: Well, in relation - they're slightly different for each of the areas involved. But basically overall it's about reminding planners of the need to accommodate future cycling as a really important part of transport infrastructure. In addition to, of course, a very important recreational area, that whole precinct. You will see a very high rate of pedestrian and bicycle

traffic in that area around the Plug either side during the week as well as weekends of course.

That's only going to increase. Clearly the proposed increased development in the area is desirable from a sustainability point of view - decrease urban density. But it's not going to be socially sustainable unless there is also adequate space for people to move outside their dwellings and outside the buildings. I - you know, I think the detail is in here, so I don't want to waste your time duplicating that. I'm really just here in case you wanted to ask for any clarification.

MS GARTRELL: Yes, any clarification from anyone?

MS PIMM: The - certainly with the - once the amendments, if they go through - things like cycleways, all that, that type of thing, will certainly have picked up in the later stages with planning.

MR ECKERSLEY: Yes.

MS PIMM: There will be opportunities then, at a further stage, to also - for comment from interested parties.

MR ECKERSLEY: Yes.

MS PIMM: So certainly we are aware that these issues need to be addressed and that will happen - - -

MR ECKERSLEY: Yes. I mean, and the example of why this sort of thing needs to be anticipated in the earlier stages of planning is that it can, you know, affect groups of different forms of traffic. I mean, it perhaps was premature but it would have been 25 years ago I think - at least 20 years ago - that the - even Australind Bypass was in the planning stages and I recall making a submission to Main Roads, I don't know how that fitted in to the process exactly.

But pointing out with the planned future closure of Estuary Drive, which of course still hasn't happened, but there needed to be provision for cycling infrastructure because there's a lot of traffic, you know, between those areas. That's just an example of how you need to think ahead. Sometimes institutions don't have regard for that, at that time Main Roads' policy was quite different to what it is now. They just said it's not policy to have bicycle routes near main roads, and now we have one along side the Kwinana Freeway.

MR SMITH: Peter, Rob Neal made three different submissions.

MR ECKERSLEY: Yes.

MR SMITH: Have you any idea why?

MR ECKERSLEY: Well, they were specific to the different precincts. With Marlston North - that's a - where are we?

MR SMITH: I understand that.

MR ECKERSLEY: Okay, yes.

MR SMITH: The Bunbury Bicycle Users Group, how many members?

MR ECKERSLEY: I don't know the exact numbers but it would be approaching a hundred by now. If anyone would like to tell - our card - about the - I'm happy to leave it here, but you have probably got that information anyway.

MR SMITH: Have they developed any plan for the Marlston area itself in terms of - - -

MR ECKERSLEY: No, not specifically, not the group as such. But I guess where they're - we want to be there as a voice for a significant section of the community to interact with planners like yourselves but also with local government on - because there's a lot of aspects there all round the region. The Bunbury bike plan is an example where we've come out publicly in support of the main thrust of.

That's - we think that's important to remind local government staff that they're not only - councillors that they report to and who hand out policy, but there's also community out there watching how they actually implement that policy and not pay lip service to it. For example, that's really the thinking behind it, but the motivation behind that is not only about the warm and fuzzies of people being able to enjoy recreation, it's also about what's a more sustainable future for our society in lost of ways.

MR SMITH: You seem to be looking for both cycles on roads-type provision and secure dual-use paths along the water's edge. Am I right in that or - - -

MR ECKERSLEY: Yes, that's true. Dual-use paths is part of it, but if you look in other major cities of the world there - you will find best practices infrastructure for cycling, and that includes dedicated lanes. If you provide the infrastructure you will get increased possible usage. That has to be - it really does have to be embedded quite early in the process because it infects the

width of your transport corridors.

MR SMITH: Not left as narrow as one famous situation near waterway in Bunbury.

MR ECKERSLEY: Yes, that was - I was gobsmacked to hear that. I don't know if Rosanne understands, we won't go into the details.

MS PIMM: I'll find out later.

MR ECKERSLEY: Yes.

MS PIMM: Thank you. Anything else, David?

MR SMITH: No.

MS PIMM: Jake, you're fine?

MR DAVIDSON: Yes.

MS PIMM: Okay.

MR ECKERSLEY: Thanks very much.

MS PIMM: Thank you very much and we'll certainly - your comments will be taken into account. Thank you very much,

MR ECKERSLEY: Thanks.

**ADJOURNED**

**[10.58 am]**

MINUTES OF THE COMMITTEE HEARING SUBMISSIONS ON GREATER  
BUNBURY REGION SCHEME AMENDMENTS (0010/41, 0011/41 AND  
0012/41)

DAY TWO - held Tuesday, 24 August 2010, at the Sanctuary Golf Resort  
Bunbury.

The Committee was established by resolution of the Western Australian  
Planning Commission (WAPC) on 18 June 2010.

CHAIRPERSON	Ms Rosanne Pimm OAM	Chairperson
	Mayor David Smith	Member
	Mr Jake Davidson	Member
IN ATTENDANCE	Ms Marion Gartrell	Department of Planning
	Ms Kath La Nauze	Department of Planning

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Hearings commenced at 9:04 am

The proceedings were recorded by Sparks and Cannon Australia Pty Limited.

The following people made presentations to the Hearings Committee:

- (a) Mr John Kalbfell  
Amendment 0011/41 submission number 7  
Amendment 0012/41 submission number 8  
Public Hearing - see transcript
- (b) Mr Rory Carle  
Representing Mr Shane Carle  
Amendment 0011/41 submission number 107  
Public Hearing - see transcript
- (c) Prof Adrian Egan  
Amendment 0011/41 submission number 176  
Amendment 0012/41 submission number 575  
Public Hearing - see transcript
- (d) Mrs Joan Jenkins  
Amendment 0011/41 submission number 90  
Amendment 0012/41 submission number 562  
Public Hearing - see transcript
- (e) Mr Bernard Bischoff  
Amendment 0011/41 submission number 42  
Amendment 0012/41 submission number 55  
Public Hearing - see transcript

- (f) Mr Geoff Prosser  
Amendment 0010/41 submission number 94  
Amendment 0012/41 submission number 557  
Public Hearing - see transcript
- (g) Cr. Michelle Steck  
Amendment 0010/41 submission number 96  
Amendment 0011/41 submission number 91  
Amendment 0012/41 submission number 571  
Public Hearing - see transcript

Ms Pimm declared the second day of Hearings closed at 11:37 am.

The following person cancelled their appointment with the Hearings Committee and did not reschedule.

- Mr Stephen D. Bennetts  
Amendment 0011/41 submission number 78  
Amendment 0012/41 submission number 91

Chairperson Rosanne Pimm OAM

Date 15, 10, 2010

**MR JOHN KALBFELL**  
**AMENDMENTS 0011/41 & 0012/41**

MS PIMM: Well, good morning, everybody, and thank you for coming to our second day of hearings on the three amendments for the Koombana North, South and the Marlston North submissions. The first person to have a submission this morning is John Kalbfell and thank you, John, for coming in and so it's over to you and if you would - we've read your submission. We know what's in it and if you'd just like to enlarge upon any areas that you think that you need to enlarge upon, please have the floor. Thank you.

MR KALBFELL: Well, thank you anyway for the opportunity and good morning everyone. I would like to make a couple of observations just before I start and one is that I think there are three certainties that are going to happen in Bunbury over the next 10 or 20 years and one is that the outer harbour is going to disappear as a harbour and that will go, you know, further north to the inner harbour. The other one is that petrol prices will go up and that there will be a railway line from Mandurah will be extended down to Bunbury. I think those three things are inevitable.

So leading into that, you know, my opinion is that the current location of the Bunbury city railway station is a real Mickey Mouse affair and it should come into the centre of the city. The obvious place to do that, and I know I'm not the first one by any stretch of the imagination to suggest this, but is to put it where the currently - adjacent to the old silos so that the railway line extension from Mandurah could come in and utilise most of the existing infrastructure that's there and railway bridge, et cetera, and help to make that a central focus coming into a tourist precinct in the centre of Bunbury. So I feel very strongly that we should have a proper provision for a railway station coming in. I don't like the current location and I hear many, many comments about it, and if the development as it's proposed at Koombana North goes ahead, that would preclude the railway station coming in there.

I think the development of Rocky Point has been a huge success and as our city - and all the area there is utilised. You can go there any night of the week, particularly on weekends, and there's people everywhere, you know, utilising the picnic tables, the barbecues, et cetera, and as our city grows we need more areas that have got public access and amenities adjacent to waters. So the areas at both Koombana North and Koombana South as they are proposed with up to six-storey development is going to take away a lot of that amenity. I think if you have these structures that are fairly close to the road, it makes that road fairly narrow. I think you would have wind tunnel effects. I think it would destroy the view.

I would love to see Blair Street closed off and taken up Symmons Street and



all that area in front of the entertainment centre and cinemas, Grand Cinemas, opposite a railway station. I think it would - made into a tourist precinct, open space, low development. I'm not against there being tourist-type developments. I think it would be a good place for there to be things like a tourist bureau next to the railway station, and restaurants, you know, as long as they are low-impact, if you like.

I don't like anything more than two storeys there and certainly not residential accommodation. So Mandurah is a good example. Mandurah gets used a lot. All the area where the entertainment centre is in front of the - is on the water. So I think it would be a magnificent sight to come in on the rail into Bunbury and have that area that's visitor-friendly if you like. At the moment the existing railway station is certainly not visitor-friendly. It's out in the middle of nowhere.

I'd like to just make a point about Marlston North as well where, you know, there's not much parking around that area for anything. I think Marlston North is a good area for there to be high-rise development. There's already two or three storeys around that area at the moment. I don't have any problem with that area whatsoever. It would be even better if some of the old jetty was kept, you know. Anything up to 20, 25 per cent of the old jetty would certainly add to that amenity. I understand there's at least \$7 million available and I'd like to see something done there before it all gets gobbled up by even more consultants.

Right now a lot of that area - it comes back a lot to traffic, parking and things in the city. A lot of the area that's opposite the entertainment area and adjacent to it is being used for low-level carparking, ground level carparking, which takes up a lot of real estate and the sooner we get on - I know David is very involved in this and one of the reasons for the parking meters is raising funds to build proper parking area, but there's a lot of the real estate is being taken up by parking at those low levels.

I'd just like to conclude by saying that, you know, I'm against the high-rise development, and by high-rise my definition of that is anything over about two storeys. I don't like it being right against the highway like it is at the moment, like it's proposed. It would make it too narrow and take away a lot of the visual impact. But I do want to see some development down there in that area.

MS PIMM: Thank you very much, John.

MR SMITH: Mr Kalbfell, does the two-storey limitation apply to all three sites?

MR KALBFELL: Sorry?

MR SMITH: Does the two-storey limitation apply to all three sites?

MR KALBFELL: No. I don't care what Marlston North is to be quite honest, David. I don't think it matters. I think down there it's not high visual impact but the Koombana North and South proposals have high visual impact.

MR SMITH: What do you propose would be done in relation to parking if there was to be a station on Koombana Drive - a railway station?

MR KALBFELL: The area where the old traffic office and the current Bunbury Hotel is an ideal site for there to be some sort of high parking. It's right next door to it. It's away from the waterfront. I don't know what's proposed there or what the developers plan to do with it, but I think, you know, a four or five-level carpark there would be very good.

MS PIMM: Thank you. Any further questions? Anything further, John?

MR KALBFELL: Okay.

MS PIMM: Okay. Thank you very much for coming in.

MR KALBFELL: Thanks for the opportunity.

MS PIMM: Thank you.

MS GARTRELL: Madam chair, I know we're supposed to have a break because there was a bit of a gap in our program, but the next two people that want to present are actually here so if you want to just continue.

MS PIMM: That's fine.

MS GARTRELL: Thank you.

**MR RORY CARLE**  
**Representing Mr Shane Carle**  
**AMENDMENT 0011/41**

MS PIMM: So the next submitter is happy to come forward, thank you. So that's - you're Rory Carle, are you?

MR CARLE: I am.

MS PIMM: Okay. Thank you very much. I did neglect to say that the microphone is for recording purposes. It's not an amplification so everything that's said here in the room today is actually being recorded. Thank you. So if you would like to do your presentation.

MR CARLE: Okay. Good morning, madam chair and other members of the panel. My purpose here today is to emphasise a number of aspects about the submission that we put in in respect to the proposed Koombana North development, and I'm also here to respond to any direct questions you may have about the submission. Firstly I need to emphasise that the submission related directly to Koombana North, not the two other parts of the development, but there are some aspects of the Koombana North submission that could relate to the other two as well.

I'd like to reiterate that we're not opposed to Koombana North development per se, just the preferred option. In fact option 4 in our minds presented in the report would appear to be the best outcome for the area. Options 1 to 3 we feel is a bit of under-development which leaves it open to possible development in the future which may even be more adverse, so we're quite keen that if we're going to develop the site we develop it fully in the first instance.

A number of observations are direct from the submission. Firstly the apparent scale of the buildings in the preferred option for Koombana North would appear to be more significant than the other options. So if you compare option 4, which is our preferred option, the residential parts of it are, assuming the scale and the pictures are comparable, about half the size of the preferred option. So we've got concerns about the actual scale of the buildings. We're aware that there are height limitations there, but the actual width and breadth of them is substantially more than option 4 and substantially more than the adjacent silos development. So there seems to be a scale issue there.

Without knowing how the submission moved from option 4 to the preferred option, because there's nothing actually in there that convinced us that the buildings should be so close to the foreshore, that's a major concern. You've retained the six-storey height in option 4, but it's moved forward substantially

towards the foreshore. That has direct impact on the silos development. We're quite keen that any development there be of similar proportions and also similar setbacks so that looking from the shore towards Bunbury that there's some consistency in how the development looks. I suspect also based on what I read of the Bunbury vision and Department of Planning guidelines that the proposed six storeys actually exceeds what it should be that close to the foreshore.

The third observation is the inclusion of commercial activities to enliven the precinct is supported. However, we do have reservations about the type of activity. That decision could be quite important. If you make the assumption that it's cafes and restaurants, that would be supported because that provides engagement with the local community and, as the submission talks about, engagement enticing people to come to the foreshore and enjoy the facilities. Our concern though is if you're talking about bars or nightclubs or establishments that can cause either noise or smell - like I wouldn't like to see a fish and chip shop there because that would be - might be good for the visitors but it wouldn't be good for the residents around the place based on experience in other developments throughout Australia.

Our fourth observation is I know this is a proposal but there's concern about the open nature of the approval process. It's all very well approving the development but things like, you know, how many dwellings are allowed. The height is quite clear but the floor dimensions are not. So how many dwellings, size and number of commercial establishments, how many parking bays will be required both within the building and also to enable use by visitors to the area. It seems to be unclear at this time to just give open endorsement to a development and then not put clear guidelines of what is available to do.

Finally, a development of this size will take time. Again there's no indications whether it's all going to happen at once or it's going to be over months, years or decades, and that will impact on the facility of people in the area from noise and also traffic, et cetera. So that's also a concern. I'm sure the panel has read our submission. Most of what I said today draws on some aspects of that submission. If the panel has some direct questions of me, I'm quite prepared to answer those at this time, but I'd like to thank you for the opportunity to come here and voice our concerns.

MS PIMM: Thank you, Rory, and we're pleased to have had you here this morning. Questions from anyone on the panel? David?

MR SMITH: Rory, the question of the setback, would that apply just as much to the two-storey restaurant-type development as to the residential currently proposed?

MR CARLE: I actually walked around the site this morning again just to see how it felt and I noticed there's a whole lot of natural vegetation there and from the path down to the foreshore there's very limited green. It tends to be all sand. So essentially the preferred option takes us right up to that footpath. It's removing a whole lot of natural green area and in fact doesn't leave much engagement for anybody visiting the area because as soon as you walk off that path towards the water you're in sand and I don't find that engaging.

So the setback from the foreshore is important. Whether it's one, two, four or six: I think six is way too high; four is questionable; two is a moot question because I think the closeness to the foreshore is of detriment to the area. If you look at the silo development, not the silos themselves but the adjacent building, that's set quite a way back and that to me seems to be quite reasonable. As we've said option 4, which is adjacent to the road and it's a defined area, doesn't encroach on any of the natural stuff there. So I guess the short answer is no, a two-storey building that close to the foreshore doesn't convince me that that's a better outcome than option 4.

MS PIMM: Thank you.

MR DAVIDSON: I'm sorry, just to further clarify that point, Rory, you don't have any objection to six storeys closer to the Koombana Drive? It's more so the height restriction question.

MR CARLE: When you see the silos development, it already is a six-storey set right back and that strikes me as being - well, obviously that's been approved and looking from the foreshore in that doesn't encroach on my outlook for the foreshore. It gives me space. I can't comment on, you know, closeness to the road or anything like that. I'm not a traffic expert. I think in the preferred option the carpark tends to be between the two sets of buildings. My preference would be to have the carpark in the front of the building towards the foreshore. Many people when they visit they like to just drive up and sit in their car and enjoy the view or, you know, step out of the car, the car is visible. All those sorts of things.

MR SMITH: You would expect there would be a boardwalk extension to the north if that northern section was developed?

MR CARLE: Yes. I think that was one of the things in appendix 6.

MR SMITH: Otherwise I actually congratulate you on the detail in your submission. Well presented.

MR CARLE: Thank you very much.

MS PIMM: Thank you. Any further - - -

MS GARTRELL: Would you like me to explain sort of the planning process?

MS PIMM: Yes.

MS GARTRELL: Yes. There's a couple of issues you raised, Rory, and I thought I'll just explain it to you. One of the issues was the six-storey height limit that you - height proposed that you referred to. The State Planning Policy that you were referring to about the five-storey limit, there is actually a five-storey height restriction as of right. Anything over and above that up to eight can be supported with strong public support. So it's not a given at this stage. Let's assume that the amendment will proceed to go to parliament. The following step we have to take then is then a structure plan will need to be prepared in conjunction with an amendment to the local scheme and at that point in time all the detailed planning will take place.

It's unfortunate the region scheme - because the region scheme is a layer that sits on top of the local scheme and it does not have any development standards. It doesn't have a zoning table to say which land uses are permitted. Basically all they're doing is taking away a regional open space reservation, turning it into a city centre or regional centre zoning which can have a range of uses. It's when it goes to the next stage that those sort of issues will be nussed out in detail and at that point in time it'll be put out to the public again.

MR CARLE: Excellent.

MS GARTRELL: A structure plan will be, as will be a local amendment, and if there's certain individual development applications for individual sites even they could be advertised for comment as well. So there's still a long process to go. I know the public like to see the final picture as this is what it's going to look like, but it's very hard for a proponent to go through all the detail and prepare all the documents if you don't even go past the first stage, because they could spend hundreds of thousands of dollars if something doesn't get past first base. So all those things will be done and I know the public is a bit hesitant about - or wanted a guarantee, but there are still lots of opportunities for public input past this point.

MR CARLE: Well, that's good for us.

MS GARTRELL: Yes.

MR CARLE: That would certainly provide the opportunity for us in the future, yes, about specific issues.

MS GARTRELL: Because where it goes from here, the three amendments will go to - we will present them to the Planning Commission with feedback from the hearing. It will then go to our commission and then the commission will refer it to the minister and it then gets tabled in parliament. So it's still got a while to go.

MR CARLE: Lovely. Thank you very much for the clarification.

MS GARTRELL: That's okay.

MS PIMM: Thank you.

MR CARLE: Thank you.

MS PIMM: Thank you very much for coming in. Right.

**PROF ADRIAN EGAN**  
**AMENDMENTS 0011/41 & 0012/41**

MR SMITH: Prof Egan is here.

MS PIMM: Adrian Egan? Adrian? Thank you. Thank you for coming in, Adrian.

PROF EGAN: Good morning.

MS PIMM: Just for your information as well, the microphones are for the actual recording or transcribing the hearing this morning. So just that you are aware that you are being recorded. So thank you for coming in and your submission is on Koombana North and Koombana South. So please go ahead. Thank you.

PROF EGAN: Thank you very much, and thank you for the opportunity to explain the basis of my submission. I've lived in Bunbury since January 2004 when I served on the City Vision Task Force from 2004 through til the final report and recommendations were received by the City of Bunbury in 2007. I am a member of Bunbury Port Authority Community Liaison Committee and I also serve on the boards of a number of not-for-profit community organisations that serve the greater Bunbury and South-West region.

Out of that background I have drawn on the knowledge that I gained in those various respect to make a submission which I oppose Bunbury Waterfront Amendment 0012/41, the rezoning of South Koombana under the current proposed development terms, that is concept plans and the various versions that have been put forward. I also express reservations in relation to the second amendment, the development of North Koombana and I wish to just put that in context and explain my position. I have a written statement that I can pass to the secretariat if that's appropriate.

First of all starting with City Vision, City Vision provided an all-embracing strategy for the development of the whole city of Bunbury and my experience there with the successive community consultations and the processes of City Vision gave me a strong understanding of the wider planning needs of Bunbury as a sustainable city. Those community consultations over three years established a clear and extremely consistent community preference in relation to what is now described as the South Koombana precinct and that was a core value for public open space, restricted height and bulk for built form for civic, cultural and recreational facilities only with all the substantial waterfront setbacks.

Now, in terms of the wider view of planning for the central business district



there is absolutely no question that substantial redevelopment is necessary. But that doesn't mean that in the absence of improvements within the CBD that the land on the waterfront not yet alienated to private hands should be developed in that way. To embrace the water doesn't mean to privatise the foreshores or encumber public open space and deny visitors from city to the waters. Waterfront developments in riverside, seaside and harbour cities have demonstrated criteria for desirable and successful development.

Built form and open space primarily serve community amenity through civic, cultural and recreational facilities and they conform to standards of human scale and connectivity. They range from a wide array of different approaches and what we are seeing here in Bunbury is perhaps not consistent with too many of those. For example you can look at Matilda Bay and you can look at the way in which the developments at Nedlands and the South Perth foreshore have gone ahead. You can look at the Domain and the Rocks in Sydney. Overseas you can look at the way in which the Chicago Lake Michigan waterfront has been developed. All of those have had consistent views on the social and cultural preservation in relation to those waterfronts.

I want to move now to, if you like, the rezoning issue, that is the amendments to the Greater Bunbury Regional Scheme. Rezoning of Koombana South has been sought principally on the basis of a proposed development that is, as far as I can see, not driven in the right way. It's driven principally by the need to derive by sale into private hands substantial income that will offset some of the costs of LandCorp's development in other precincts. Minister Grylls openly stated Koombana South is the essential project, the cash cow that the state government requires. "If the development is to be constrained by matters other than the amount of cash that will be generated up-front, there will be no development." That was a statement that was made.

My view on that is it's very poor policy for an investment for future generations. We can't look for short-term returns from development of infrastructure that will underwrite growth into the long-term future, particularly if we are to believe that the increase in value of the total package to Bunbury and to the state over the next 10 to 15 years will be in the order of three to five billion, and those are estimates that keep cropping up from time to time. So we're looking at a system that is driven by gaining a small amount of cash to drive something that is going to be very substantial. So my reason for denial, if you like, in relation to rezoning at the moment is that it prevents inappropriate development now and permits subsequent appropriate development to occur under conditions that are not cash cow driven but are long-term investment driven.

Supposing that the amendments proceed without modification, then what? Two of the previous presentations have had to do with ideas about what

people believe should be put where and I'm not going to get into that kind of detail. I believe that's a matter of the development of the structure plan. But I would point out that I had reviewed and also opposed the concept plan put forward by LandCorp under the initial Eastside proposal. I was in support of the development. It was much less overpowering in terms of height, bulk and density and spatial array of the built form, provided that it would always preserve spacious waterfront activity and areas as enduring public open space. My view remains just that, but the revised concept plan for South Koombana is still inconsistent with what I believe would be appropriate. First, the concept plans on view exceed in height, bulk and density the recommendations embodied in City Vision documents:

*Areas bordering on Koombana Drive and Blair Street should only contain built form that is limited in terms of bulk, height, and preserves wide visual corridors between the CBD, Leschenault Inlet and Koombana Bay. Built form as represented in the concept drawings will actually create a visual blockade at the entrance to the city. Furthermore it will provide for a mixed use that will create for any future private residents false expectations of preferential rights in relation to other users of the adjoining public open space and that's a matter for social impact assessment.*

The second is that there can't really be any confidence that the concept plans on public view in their various forms define the plans that will be submitted for planning approval and building approval by the City of Bunbury. Investors and developments are there for maximum profit and even if the concept plans were acceptable, there is no ironclad guarantee that the LandCorp sketches will in any way be resembled by those of the private developers who acquire rezoned land.

How will the City of Bunbury councillors deal with approvals for built form where submitted plans press for exemptions from whatever the new town planning scheme says about those limits either in height or bulk, and how easily will council's insistence on town planning conditions for height, bulk and density be overridden by a non-resident state planning authority regardless of the community's wishes? So these are things that will crop up until we have seen the structure plan and had an opportunity to deal with that.

I want to turn now to the core of my submission which was about social and cultural impacts. Social and cultural impact assessment hasn't been completed, or at least I haven't seen anything that resembles that kind of approach. It can be stated that that comes after the rezoning, but one of the problems about rezoning first and then seeing what happens is that you are already placed in the situation in which existing rules are up for modification and I think that an ex ante assessment is essential to ensure that the following

issues are given priority attention.

We have to forecast the expectations of individuals and groups that will utilise properly developed public open space. Here I'm principally talking about South Koombana. Other speakers before me have spoken about North and the Marlston North. Those expectations are the expectations of individuals and groups that will use the public open space and also the proprietors, residents and users of any built form and whether that's development for private or public use.

Social and cultural impact assessment will accommodate issues of historical and cultural significance. They will address sustainability and provide for an enduring prohibition on further infill developments. Those are the requirements really because once you start down a track in which you are starting to establish under a new zoning rule opportunities for people to come and fill in the gaps between the places, between the houses, without ensuring that the dominant public open space is preserved in an enduring fashion, you do run into significant planning and definitely council problems.

So issues of practicality now and in the future that have to be addressed I think are the ones in part that were discussed by the previous speaker. These include hours of public activity, use for public entertainment, traffic management and parking, accessibility, emissions, noise and noise management, odour, safety, privacy, public and private risk. What is proposed has not been subjected to assessment of the ability to satisfy necessary and sufficient social and cultural objectives.

Moving on to a much broader issue, and I think this is one that one certainly will need to see just exactly how the structure plan comes forward. Sustainability and risk analysis. Most coastal cities are not sustainably designed and managed. They lack resilience to effectively respond to threats of sea level rise and increased frequency and intensity of coastal storms. Bunbury is exposed, though it does have several advantages compared to some other West Australian seaside cities and suburbs. There's a need to take these advantages into account and resilience in the case of Bunbury means maintaining wide waterfront setbacks and avoiding inappropriate placement of susceptible infrastructure.

One of the things that I draw to the panel's attention and also to that of the secretariat is that the Third International Urban Design Conference in Canberra at the end of this month, 30 August to 1 September, is addressing coastal development issues and it's there I think that we will be able to see just exactly what will happen in terms of wind channels, in terms of all of those factors that are going to increase either the susceptibility of built form or, secondly, what needs to be done with built form in order to avoid the extremes

of threats that come with those weather, as well as if you like climate, events.

So I end my submission with those comments and certainly look forward to the outcome of the deliberations in relation to the amendments. But secondly, subsequent to that, exactly how those amendments lead forward into the secure decisions that will come out of a really effectively developed structural plan that takes account of those social and cultural, as well as economic, issues.

MS PIMM: Thank you very much, Adrian, for your very comprehensive submissions. Very good. Thank you. David, I'm sure you'll have a question.

MR SMITH: Professor, just for the sake of the record, can you tell us about your academic background?

PROF EGAN: I'm a professor of agriculture and environmental science. I was professor and dean of faculty in the University of Melbourne. I'm an adjunct professor at the University of Western Australia principally associated with the Water Research Centre. I am a fellow of the Australian Academy of Technological Sciences and Engineering and had the honour of being president of the West Australian division for the three years up until the beginning of this year. I was awarded a centenary medal for my services to environmental science in 2002.

MR SMITH: Thank you.

MS PIMM: Thank you.

MS PIMM: Any questions?

PROF EGAN: Is it appropriate for me to - - -

MS PIMM: Yes. No, I think certainly. Thank you very much.

PROF EGAN: I'm happy to do that.

MS PIMM: Yes and, Adrian, you heard what Marion said to the previous speaker about the process - - -

PROF EGAN: I did, yes, and thank you.

MS PIMM: - - - that's involved so there's no need to go through that again. So, look, we thank you very much for your presentation and we'll take on board the comments that you have made and certainly read again with great interest the paper that you have just delivered. So thank you very much.

PROF EGAN: Thank you.

MS PIMM: Thank you.

MS GARTRELL: Thank you for that.

MR SMITH: No-one else is here?

MS GARTRELL: Not at the moment, no. We've got now no-one til after morning tea.

MS PIMM: Okay. So we're a bit ahead of time again.

MS GARTRELL: We did have a gap for Ray Parker but he still hasn't - - -

MS PIMM: Yes. That would be good.

**ADJOURNED** **[9.52 am]**

**RESUMED** **[10.31 am]**

**MRS JOAN JENKINS**  
**AMENDMENTS 0011/41 & 0012/41**

MS JENKINS: Morning.

MS PIMM: Morning.

MS JENKINS: Sorry I'm late.

MS PIMM: No, you're fine.

MR SMITH: You're actually on time, we were on time.

MS PIMM: We were early, so that's fine, thank you.

MR SMITH: You're on time, we were early.

MS PIMM: Okay. We're ready to go? Thank you.

MS JENKINS: I've got one lung so I don't have much - speaking is not easy.

MS PIMM: Could I just mention that the microphone is for recording purposes.

MS JENKINS: Yes.

MS PIMM: So that it transcribes everything that's said hear this morning, so it's not an amplification, so it's just for recording purposes.

MS JENKINS: That's a shame.

MS PIMM: No, that's all right. So welcome to our hearing and please - I understand you're hear for the Koombana North and Koombana South amendments. If you would like to enlarge upon your submission, bring forward any particular areas that you would like to have us particularly note, please do so.

MS JENKINS: So is that - what does that actually mean?

MS PIMM: Well, we have read your submission, which we have before us, which is, you know, just a short submission, so if there's any areas within that submission that you would like to enlarge upon and make us aware of any issues that you feel very strongly about, then please do so.

MS JENKINS: Regarding Cycle Koombana North - actually I typed

something up and then I left it - I didn't print it out. But one of my big - I mean, apart from what I've said, is the fact that Koombana Bay itself is a very small area and it competes with a major thing like the port. I'm really quite concerned about the - you know, we've got the dolphins, we've got the port, we've got quite toxic materials going in and out of that port, there's - the sailing club are talking about building accommodation out into the water, there's a whole lot of impact on that small bay. You know, will it be safe for people to swim there ultimately? Which is what people mainly use it for, apart from the port.

I do believe that it's probably - it may not be relevant, but I think there needs to be a body that actually oversees - maybe an authority that oversees that bay because there's more and more impacts on it. The - competing with - I don't know what they call them, those little one person speedy boat that are dangerous and - but, sailing and motor boats, and - they're all - a whole lot of risks arise. But pertaining particularly to this Koombana North proposal, and I've got there that the forecast is that insurance companies will not insure, but the fact is that they're coming out and they are stating that they won't ensure buildings that are built too close to the foreshore because of the obvious risks from erosion and sea level rising and so forth.

You know, how long is this - are we looking for the next fifty years or the next hundred years? You know, these buildings are not very sustainable and will probably come down before then anyway. I guess the other thing is the buildings that would be likely to go on there will be slab concrete with big banging air conditioners that are not sustainable type buildings. The more and more we have of them is not very healthy for the overall environment. Regarding Koombana South, which was Luciana Park, I believe, we called it the Plug - it was Eastside, and the Koombana South - can I just read out what I've written?

MS PIMM: Yes, certainly.

MS JENKINS: "One must state that changing name referencing by the planning commission has been confusing and most of the local communities have been in part isolated from the planning because of this." I mean, most people just don't - don't know or don't understand what you're talking about or where you're talking about. The original submissions by the community appear to be seriously overlooked, I believe there was well over 800 submissions and most of them have been - most of them have called for the area to be kept as public open space and belong to the community and developed as a place for the people.

I was part of the people or the group that worked to save the silos and now their adjoining buildings - this sentence actually relates more to Koombana

North, I think. Slab concrete with sludge, power-hungry air conditioners, similar unsustainable building would no doubt be built on Lucian Park or Koombana South if this proposed planning went ahead. The recent South East Critical Horizons Conference had several high profile speakers making statements supporting the local integrity of place and space for this space - for this place.

Jeff Kennett said, "Do not surrender to developers your most precious spaces." Dr Peter Ellyard, about heritage, "Priceless aspects kept and nurtured, don't throw the baby out with the bath water." He also talked about consideration, listening and responding to the opinions and views of others and not to the views of those who have vested financial interests. Prof Robert Cumming talked about community connectedness and having space and place for that. Dr Lisa Wood from UWA talked about the built environment versus happiness, health, and wellbeing - a lot to say about this which is well worth reading.

We've recently had a paper out on - from the state government on mental health and we - I was part of a group that held a vigil for - last week running up to the election on mental health, and we have a lot of people that are homeless in this town and they're not included in community. We - you know, we really need to seriously think about the sort of spaces where we come together in far more nurturing ways. It's - a lot of the work that was done on City Vision was about appreciating our waterways and vistas and making these spaces people-friendly.

Anyway, any form of planning needs to take well into account impinging - on the health of the inlet. Like, there was sandworms and there's macro-species and there's a lot of loss of fish, crabs, and prawns and then there's the mangroves. So this adds up to looking after our foreshores. They don't need - we don't need to be building boardwalks over them, we need to - the fringing vegetation and the fringing species are really important to the overall health of the inlet.

These environmental aspect really seriously need to be looked at, we just can't - you know, if you just go ahead and say, "We'll put buildings here or we'll put concrete here." You know, we're taking up their habitat and changing the world in maybe minuscule ways but we are still doing that. With cities becoming high-rise places - and it's really quite interesting. In the Weekend magazine - there's a city in China of one and a half times the Australian population, but I see they've got their waterways clear, interestingly enough. It's also not a healthy place to live.

With cities becoming high-rise places, the high-rise needs to be tapered from the central city not high-rise in front of the city, this is an affront regarding



people's confidence in planning. I just brought up two examples of problems that can arise. These examples are of the building of the two large and rather costly roundabouts in this city, an example of people not giving enough forethought and skills to ensure good and safe planning and reasonable economy with people's money - the taxpayer.

One is the Eelup Roundabout as you come into the city which is severely accident-prone - now planning to spend a lot more of our money for an overpass because of that. The other is the roundabout and the sculptures adjacent to Luciana Park/Koombana South. This plan is to remove this costly-to-the-taxpayer roundabout and replace it with traffic lights. The associated plan to take land for building a wind tunnel, screening our precious water and parkland views, and encouraging the banking up of traffic and its associated link to people being stressed out does not make real sense.

The narrowing of roads is a theory that is not proven, it is suitable in some places. This in itself requires a lot more dialogue. Our waterway are probably our most important assets for now and into the future. Myself and - I can assure you that most people in this community agree that there is an overwhelming consensus that people want to retain our open spaces and water vista for people now and into the future. The importance cannot be stressed enough.

There are, for the importance of the communities, social and healthy wellbeing, a strong conviction in importance of this space as a place for the people. There are fears in the community that the self-interest and business lobby will have their way, we could all end up with another tavern and not a safe community place. In the south end of town it's not a safe place for a lot of people to go because of the amount of hotels and nightclubs and taverns, and you know, I was down there one Friday night and it was really scary. There was blood and guts all over the place, and it's going to get worse, and I don't think we need more of the same. I think that probably covers it for me.

MS PIMM: Thank you. Is there any questions? David?

MR SMITH: So, Joan, what would you do with Koombana South and Queens Gardens?

MS JENKINS: We're talking about Koombana South, aren't we, more specifically.

MR SMITH: If it's left as a regional open space, what would you do with it?

MS JENKINS: There was a group of councillors - went and looked at other models of - what people have done in Brisbane and Queensland more

specifically I believe.

MR SMITH: Townsville and Cairns.

MS JENKINS: There's plenty of examples - what you can do - wonderful things you can do with open spaces. I mean, you can plant vegetation for starters and you can build places that shelter people from the wind so that it becomes a comfortable place in the winter. It can be a place where there's events held. You know, the visions are just really quite easy I believe. I mean, I'm happy to write a list and send it in.

MS PIMM: Thank you.

MS JENKINS: You can have adult and children's gym - you know, places where people can really look after their health and get fit, and there's running tracks around there, there's cycling happening, there's rowing, there's a place to go and be healthy and be nurtured. You can have markets. It can be vibrant, absolutely vibrant.

MR DAVIDSON: Ms Jenkins, regarding Koombana North, reading through your submission, it appears to me - and perhaps you can correct me if I'm wrong - that you're supportive of buildings closer to Koombana Drive but oppose the buildings closer to Koombana Bay. Is that correct?

MS JENKINS: In particular I thought the two lots that were close to the beach were far too close. They seemed to be on the dunes for me.

MR DAVIDSON: So would it be fair to say that you're supportive of the other buildings proposed closer to Koombana Drive?

MS JENKINS: I didn't oppose them.

MR DAVIDSON: Okay.

MS PIMM: Thank you.

MS JENKINS: I don't think we need buildings at all on Koombana South. I mean, I feel quite clear about that.

MS PIMM: Thank you. Marion, do you wish to just run through the planning process for Ms Jenkins so that she understands what's next?

MS GARTRELL: Yes, I can do.

MS PIMM: Thank you.

MS GARTRELL: What happens from here is that a report on the submissions will be presented to the South-West Region Planning Committee, and also a transcript of the hearings that have been held, and the commission will then make a decision and make a recommendation to the minister for planning, and the minister will then table the amendments in parliament, and should the amendments proceed - either 1, 2 or all 3, or a different combination - the following process will then be amendments to the local scheme and structure plans, but that's further down the track, and there will be further opportunities for public consultation at that stage when they get into the more detailed planning.

MS PIMM: Thank you.

MS JENKINS: Thank you.

MS PIMM: Thank you very much for coming.

MS JENKINS: Can I sit and listen?

MS PIMM: Yes, you may, yes.

MS JENKINS: I've got one more thing to say.

MS PIMM: Would you come up to the microphone?

MS JENKINS: I have one more thing to say. I think when doing a hearing like this, it would be really wonderful to have people sit in a far more informal setting.

MS PIMM: Thank you. We are aware of that.

MS JENKINS: It's a little bit like a court.

MS PIMM: Yes, we are aware of that, and it's just unfortunate that with the recording, the way the recording is being done, it wasn't possible to sort of - - -

MS JENKINS: I mean, I feel okay but a lot of people would feel really freaked out.

MS PIMM: I know, look, and we are very conscious of that. Yes, thank you. Okay.

**MR BERNARD BISHCHOFF**  
**AMENDMENTS 0011/41 & 0012/41**

MR SMITH: Bernard.

MS PIMM: Bernard, thank you.

MR BISCHOFF: Good morning.

MS PIMM: Thank you. Bernard Bischoff, you are here on Koombana North and Koombana South, to talk about the amendments. Thank you very much. Please proceed.

MR BISCHOFF: As you've probably read from my submission, I'm principally in agreement with the amendments, even some buildings on Koombana South. One of my reasons for that is that I feel that the roundabout intersection with Blair Street and Koombana Drive is such an unused or unutilised area which really could be a new focus for the city. It could be created as a city space, and for that to be sort of an integrated plan, it does need some buildings on Koombana South, so that we create a space which unfortunately in the mid-80s, when the railways were removed, was not really created when there was the opportunity, between the city and the inlet.

It's just space that is used three, four times a year for special events, but people don't use spaces where there is no sort of limit to it. They like spaces like the Marlston area where it's a bit more compact, where they feel comfortable amongst each other, so I think something like that should be considered as part of an integrated plan that includes even the entertainment centre and this roundabout and the amendment areas. I've actually got here a couple of paragraphs which I might just show you. This is when the railway was still there (indistinct) we've got this lovely historic centre of the CBD and I think the process of amendments may be an opportunity to create a bit of a vision for that northern area that goes further than just roads and buildings.

I've got a European background and a fair bit of experience at looking at town squares and enjoying cities that have got sort of character and where people mill around and where they enjoy themselves just by being with other people, whether they communicate or not. I mean, the campaign to save the silos, which I was very much involved in, was sort of a strategic argument rather than an aesthetic, and it obviously has proved to be a big success, and I think the existence of the silos will in the future also somehow have an influence on the planning of this area, because there's a big structure and it's been accepted as a high-rise, not that I'm supporting necessarily high-rise just for the sake of it, but some interesting architectural features could certainly be created in those amendment areas.

I'm always a bit worried when the only thing for the architects to consider is the actual height, because I think little towers or little variations in the skyline makes buildings far more interesting than if it's restricted to a maximum height, as if that is the only sort of criterion for constructions. The foreshore of the inlet, unfortunately it's totally artificial, and that should be part of the consideration, that we really have changed the original landscape and landforms totally, and I am very concerned about the inlet, being such a small enclosed space - that with all the development, like foreshore promenades and so on - should be absolute minimum effect on the inlet itself because it just can't take it, but I do support an interesting foreshore with maybe, like, the Brisbane South Bank or something like that, with some playground and possibly a public building which doesn't need rezoning, like a museum.

That's sort of one of my dreams, to actually have a museum built in Bunbury and possibly there between Blair Street and the Plug, somewhere on that area. It doesn't have to be huge, but of course in the future there may be a need to extend a public facility like that, but the other thing which I think is really important is to build a pedestrian bridge over the Plug. I mean, Bunbury has got plenty of water and hasn't got one single decent bridge. That would be an opportunity to really create some interesting feature which would be very important for people, for pedestrian movement across to the north shore.

There was some complaint that the buildings might not allow views into town. I don't think that it's important for cars and the driving public to have views into town, but if people have got a bridge, maybe over the Plug, that would be an opportunity to also create some iconic photographs of the city with its background and the foreshore, from the Usher Foreshore, so I think that should be part of an integrated plan.

As I said, the foreshore land actually is totally artificial, and it is sort of a gift to the city to do something special, and I'm not too concerned about buildings as long as they are attractive and they have a purpose, for residential as well as other purposes, to bring people there and sort of create an entrance to the city as a contrast to the historic part which I think has got very limited potential for high-rise because of all its historic buildings. The narrowness between the house and the inlet hardly allows any high-rise to be further away from the beach than 300 metres. There's just not the space.

Also, I think that to have a real contrast between the historic part and the new part on the amendment areas should be a consideration. Also, to save the historic part as an historic area, even though we have lost a lot of buildings it has still got a character which is very valuable and which people appreciate. In terms of the rezoning of the Koombana North, I wonder whether a railway line can be accommodated underneath the new zoning.

Maybe even a railway station under cover, which is quite common in many other places, but I feel it would support the principle of increasing pedestrian movements - public transport - and make it not an outside facility but something that is integrated again in an area where people spend their time. It could also face towards that city space as a bit of a feature, I mean I hate the word. But I certainly think there is a potential to make a statement for public transport.

With the rampant increase of boats, I feel there shouldn't be too many facilities - or we shouldn't go over the top with facilities for boating. On the other hand marine reserves will counteract this demand on fishing and - so that we can save some of our marine life because it's really under threat will all this, more and more technology, and just this type of leisure pursuit is not sustainable. it's just another issue that really concerns me. I think that's almost it.

MS PIMM: Thank you, Bernard, for your presentation. Any questions from the panel?

MR SMITH: Bernard, when you referred to a bridge over the Plug, did you mean a bridge across the inlet or a bridge across the channel into the inlet?

MR BISCHOFF: I mean, the Plug is a channel, isn't it? So I would like it to be part of a foreshore - a path along the inlet across the plug and then to continue to the north shore so that not - pedestrians don't have to go to the traffic bridge to get across but make an opportunity for - - -

MR SMITH: For them to cross the beginning of the channel at the inlet end - - -

MR BISCHOFF: Yes, just a continuation of the actual promenade across the inlet - across the Plug.

MS PIMM: Thank you very much. Yes, very good, very interesting.

MS LA NAUZE: Bernard, would you like it if I took those and I made some copies and then got them back to you?

MR BISCHOFF: Yes.

MS LA NAUZE: Would that be - yes, no, we would like that, they're very interesting, thank you.

**MR GEOFF PROSSER**  
**AMENDMENTS 0010/41 & 0012/41**

MS PIMM: Thank you. Okay. Geoff, thank you. So, Geoff, you're aware that we are recording - - -

MR PROSSER: Yes.

MS PIMM: - - - this particular hearing, so the microphone is for recording purposes only, it's not for amplification. You're here in particular about Marlston North and the Koombana South amendments.

MR PROSSER: That's correct. Thank you, madam chair and members of the panel. I will firstly deal with the Koombana South before I move on to Koombana North. My concerns in regard to Koombana South is that I think it is unwise to put buildings on that area at - in any case, particularly I think that land should be set aside for public purpose. I agree with the former presenter in that any building that should go on there should be public-purpose building. I have a couple of concerns in regard to the submissions - or the plans put forward.

Firstly, the reference group ignored the concerns of the community's issues in regard to Bunbury Waterfront Eastside Precinct. In regard to the loss of public open space, the potential impact of high-rise buildings, and the concerns that a number of the submitters had in regard to the loss of public open space. I think if you also look at another concern in regard to the loss of the vista coming into - or the arc, as they talk about, into and out of Bunbury.

The, I guess, overshadowing wasn't looked at properly as well. I will present to you, madam chair, in a moment an aerial shot that was part of the submission and one only needs to look at the shadow of the pine trees that aren't very - the Norfolk Island Pines that aren't very large, and they cast a shadow over the entire of the width of the roadway coming into Bunbury. Yet the shadowing of the building that were put up were not looked at at all. I have had prepared, and I'll table with you in a moment, plans that will show the overshadowing, and of course the narrow-guttedness, of what will happen when those buildings are put and of course the wind tunnel effect.

To keep the open vistas when one comes over the Koombana bridge and into Bunbury the sweep view around past the entertainment centre and into the city - I guess we're looking at the entertainment centre and Symmons Street as what it is now, not what it can become. The plan put forward does not have a vision for Bunbury, it doesn't have vision for how suave you can place a look and to put up five and seven-storey buildings in this particular vicinity would lock out the opportunities for the future, would cause a wind-tunnel effect

down through those buildings, and the plans that I've had prepared indicated what it will look like in driving through there.

But more importantly the building scale will overshadow the park area. The plans also - the documents also did not realise that any parking behind those buildings will gobble probably up another 20 metres. If you look at landscaping, even a minimum of one-metre, two-metre, or three-metre set back from the buildings, carparking double-sided - 5.5, 5.5, and 6 metres, you're up to 20 metres into that park before you start. So the loss of areas in those - in that vicinity. You need areas for garbage collection and those sorts of things and there hasn't been any look as to where courtyards for people to hang their washing out, and a whole range of things - whether they're offices or accommodation.

I know we have talked a lot about extra accommodation. In the past there has been talk about all these high-rise buildings in the CBD, not one has got off the ground. I draw your attention to the City of Bunbury's local planning strategy amendment 38 that was advertised earlier this year. The council's own document, page 22 goes on to say, the second dot point, "The population of the City of Bunbury is projected to increase steadily by an average of" - wait for it - "145 persons per year until the year 2026, which thereafter it's expected to decline."

So their own document doesn't support where people are going to live in all these buildings, there won't be a market to put them up. I just think that that particular area should be kept for public purposes, a suave public building in that area so it's a community purpose - the community can enjoy those areas. We got a once in a lifetime chance to get that area when the rail Marlston yards were moved from the centre of Bunbury. I just think it would be criminal to throw that away. I have no objection with Marlston North - with the Koombana North, but the Koombana South I think is a very unwise move.

The plan put up for Marlston North, to use the Taylor and Burrell submission prepared for LandCorp, ignores the fact that - to use it as a book in, that the properties that are already built there will overlook the carpark. Again, a book in, well, you don't put offices down at one end, you put offices down where the catchment is. If you put A-grade offices at that point you will compete with CBD. The CBD is in desperate need of redevelopment for A-grade offices, not B-grade offices.

It's a bit like South Perth doesn't compete for offices with the City of Perth, it complements the City of Perth. What that plan will seek to will be to compete with any chance of a redevelopment, rejuvenation, of the Bunbury CBD, which is a touch tired. That area - just to fill the water in to plonk offices and accommodation there will cause a parking problem. That area should be set



aside for marine - for a marina to get a focus. There hasn't been a plan for what the focus should be down there.

If it's a marina, water-based thing, that will set the theme for food, entertainment, marine - Cicerello's and those sort of things. There is no way that the port authority is going to give the land at Perth, probably they shouldn't because there's too much investment. But we're not looking down the track that in future more and more cruise ships will pull in there and of course they want to lead into a suave, marina-style thing. We don't have a decent marina in Bunbury, there is an underdevelopment in that area and that area should be planned properly to create that sort of there.

To plonk offices down there will destroy the opportunity for that sort of theme to happen. It's inconsistent with the February Point Casuarina plan, ironically prepared by Taylor and Burrell on 12 February 1988. So offices is inconsistent with that area. So my submissions is relevantly short, as I said the one that I had the most concern with is Koombana South, but I do have concerns with filling a piece of the water to plonk offices and whack apartments, to use those flamboyant terms, madam chair.

Because it doesn't follow a plan, you have got to have a proper plan otherwise you destroy the opportunity for what can happen in the future. We destroy the opportunity for - where in years to come - the yacht club, the sailing club, the powerboat club, those sorts of things will be - water sport activities, eventually you do need boat lifts, you will eventually have boat stacking, they can look good, they don't have to look messy. We look upon as it is now, it's messy, it doesn't always have to be that way, it won't always be that way, the zonings are there to encourage better uses than what you see there now.

It's our back door, it doesn't have to be our back door, that can be our front door. The problem with, I guess, that end of the CBD - the CBD didn't open up until Koombana Bridge went in. When Koombana Bridge went in, and Koombana Drive, the CBD wasn't on a peninsula. The problem with the CBD before, you had to drive down to it. Ideally, I guess if we had our time over again, that would be ideal for residential and your office and business areas and commercial move further down so that it has a catchment. Unfortunately the fish don't shop and if you plonk everything out on the peninsula it wouldn't work from a retailing and marketing point of view. So panel and madam chair, I'll now table, if I may, so that you can appreciate what I'm talking about with the plans - - -

MS PIMM: Thank you.

MR PROSSER: If you look at the shadowing, that will tell you how the shadows are, and those trees aren't really tall. That's how the buildings will

look and they're the shadows almost of what those buildings will create. That's how the buildings will look again. That's the look driving through it, and it's not very friendly, and sure, they haven't got facades and whatnot, but again that's the sort of scale of what you're going to see when you drive down through, and I think that sort of detailing of planning is important to tidy this up - I mean, tidying this up to plonk buildings all the way around there.

I just believe that we should keep - when you come over Koombana Bridge to see the vista of Bunbury and all the way around the Pat Usher Promenade - is the important first impression when you drive into Bunbury from that way - likewise if you're driving out of Bunbury, down Blair Street to turn right onto Koombana Drive, again to get that vista from way out, and then at the top of the bridge to look out is also very important. First and last impressions, madam chair, are very important. Thank you for the opportunity to submit my views.

MS PIMM: You don't get a - what is it? You don't get a second chance - - -

MR PROSSER: You don't get a second chance.

MS PIMM: - - - with a first impression.

MR PROSSER: That's a very good point. In building terms, Bunbury got a second chance because the rail Marlston yards moved from the centre of Bunbury, and why? Because the then government commissioned what was called the SWTS, South-West Transport Study, and determined that goods didn't have to come from Perth to Bunbury by rail. Once that stopped, you didn't need Marlston yards in the centre of Bunbury and we got the opportunity to move the Marlston yard and to open up the area. I just think that if we let that chance now pass by, blocking that, we'll never get another chance.

MS PIMM: Thank you very much for your submission, Geoff. Very interesting. Thank you.

MR PROSSER: If there's any questions, I'd be delighted to answer them.

MS PIMM: I was going to say, yes, any questions from anybody?

MR SMITH: Not from me.

MS PIMM: No? Jake? Yes?

MR DAVIDSON: Sorry, perhaps if I could just ask two questions, Geoff. One of them is - you mentioned the concept of incorporating a development to do with the cruise ships. What did you have in mind exactly for Marlston North?

MR PROSSER: I'm saying cruise ships pulling into the land-backed wharf, as we call it - the land-backed wharf. The mineral sands won't be there forever. You know, I guess they will eventually move to the inner harbour, so if you have cruise ships, smaller cruise ships, in the future - who knows what's going to happen in the next 10 or 20 years - it needs to link into, you know, a marine-type environment. No matter where you are in the world, you'll get into a place and there's boats and there's fishing boats, and you'll get a Cicerello, so that people come into something that they envisage as a port.

It's a bit like - you go down to Fremantle when you're eating your fish and chips. You expect to get a bit of smell, and that's part of the charm of going to those places. You actually see the fishing boats and in your mind you think, "My piece of fish just came off that fishing boat." It didn't, but that doesn't matter. It's the theme. Shopping centres set a theme up. They're successful because they capture the theme and control the theme. What's got to happen down there is that you've got the opportunity. You've got every attribute for the theme and you can't let that theme slip away. You've got to capture the theme when a big cruise ship comes in. You've got a marina and you've got boats and you've got, you know, a fisherman's wharf type theme. Then they will come more into town, but more importantly, you draw locals down there as well.

MS PIMM: So, for instance, the one that comes to mind I guess is the Darwin wharf where there's - all sorts of boats go in there, sort of thing, but they've got quite a big - - -

MR PROSSER: Exactly.

MS PIMM: You know, fish and chips and whatever else - - -

MR PROSSER: Exactly.

MS PIMM: - - - along that particular - - -

MR PROSSER: People are drawn to there because people are drawn to fishing boats and craypots, and that part of it has got to look messy. You can't go into that sort of port and have it pristine. "Messy" is I guess the wrong word, but it's the right word because people want to get the theme. It's all about how it works and how it looks, and it's commercially going to work, and these things can work. You can develop these sorts of things by selling the pens on a 10-year lease up-front, so the capital is paid for by the private developer and then it goes back into government hands. These things can work but you've got to have a plan to start with. There was no long-term strategy in regard to the theme that can happen down there. It's a port. It's no

good building buildings or residential apartments out there because no-one stood on the breakwater in winter. You get blown off.

MR SMITH: Geoff, there was one comment that I needed to comment on. One was the estimate of population. The Bunbury LGA increase in population for the year 89 was 1045, not 145.

MR PROSSER: It's in your documents, David. It's 145.

MR SMITH: I think someone has dropped an 0 somewhere.

MR PROSSER: That's also confirmed by the tables.

MR SMITH: I just refer you to - - -

MR PROSSER: It goes on to say in that document - - -

MR SMITH: I'm not going to debate it, Geoff.

MR PROSSER: All right.

MR SMITH: I suggest you have a look at the ABS report.

MR PROSSER: It's your document. The growth is - - -

MS PIMM: Okay, look, we appreciate that.

MR PROSSER: - - - in the other areas.

MS PIMM: I guess I was a little bit wary of the figure when I saw it too, because from my information, I would have thought it would have been larger, so there's possibly an error there somewhere that we need to clarify, and we'll certainly do that, so thank you, Geoff, for your presentation.

MR PROSSER: All right - my pleasure.

**Cr. MICHELLE STECK**  
**AMENDMENTS 0010/41, 0011/41 & 0012/41**

MS PIMM: Thank you. Michelle, thank you. Michelle, you're here for Marlston North, Koombana and Koombana South. You are aware that the presentation will be recorded. Just for your information, it's a recording to transcribe it later. So I think with that, just please do your submission, thank you.

MS STECK: Thank you.

MS PIMM: Obviously we've read the submission that you have already provided us with. If there are aspects of it that you would like to enlarge upon, please feel free to do so.

MS STECK: Sure, thank you. I'm glad that everyone has read the submission because there are several matters that really concern me, and probably some of them already are enlightened by Geoff, but if you go to the - was it called the tower? The lookout tower in Bunbury, when you walk up that and you have a look from the tower at the waterfront, on Carey Street there is a three-storey building and adjacent to that is the new Mantra building across the road. If you look at both of them, you will see the Mantra building and the Carey Street building. If you imagine them as five and seven, you completely lose the vista, it's gone, even from the lookout tower, so the open, pristine environment that we have in the city of Bunbury would be gone forever, just by that one aspect alone.

The other thing is that the five and seven-storey buildings, within such a small area, will cause a tunnel effect, and indeed you will be creating something like the grand canyon in the entry of Bunbury, and the wind tunnel through there alone and the darkness in the afternoon would be a real shame for this city. The other thing is the inconsistency of the documents themselves are really what bothers me too. There's no actual support information. There's no information that I can tick off and acknowledge that that has formed part of the re-evaluation of the amendment, and the environmental considerations - I asked LandCorp had they gone through the environmental considerations and the answer was yes, but there's no document attached to that, not on any of the scheme amendments, so there's no evidence at all and there's no evidence on the web site.

There's no evidence anywhere, so that concerns me, because once all of the amendments possibly go through, this structure plan that we are seeing is really just a ghost. It can be anything, and I'm wondering whether or not we're setting a precedent that says that only governments can develop, because that's clearly the case here, because you have lots of land that are indeed

already zoned if wanted to put public-purpose buildings on them. We don't need to rezone them, and that's very clear. Through all of the documented evidence, it's very clear, and the city vision document has clearly been ignored. Over \$1.3 million, community consultation, workshop after workshop, completely ignored. There was no question about that. LandCorp, when I asked them about that, their response was that they had spent \$3 million so far, so I'd question why they would go and spend so much money and ignore a key community document.

The other thing is that at the Bunbury City Council we have our own building height strategy, we have our own local planning strategy for tourism, we have our own - here's the building height strategy. We also have a heritage strategy document and an extended city vision document. Now, I don't want to sit here and go through half an hour of every single key element of these documents, but none of those land areas fit any of these key documents, so then I wonder how can you rezone a piece of land and expect to get a building up on it, because even with the state planning considerations you have to be 50 metres from the waterfront.

There's a five storey high limit. The only reason that the silos exist was because we had to retain them to keep the height, otherwise if we had have demolished that building, we wouldn't have been able to put a building that high in that area, and that is true. The building cost more to refit than it would have to bulldoze and build a new one. In the area of a marina-style development, I took that idea to this community and I'm passionately committed to that, and so much so that I put a task-force motion before the council, in which case council has committed to, so that we can work towards having a marina-style development.

I consistently go out to monitor the vessels when they come in, the Sun Princess and so on. You've got passengers, 500 people or more, coming onto gravel. The infrastructure out there is tin shacks, and I mean, seriously we consider ourselves the second city of this state. I just for the life of me cannot accept that, and I don't believe that anybody should, so I think that for the greater good of the community as a whole, which is the whole south-west - when I look at the Bunbury community, I look at the whole south-west and what Bunbury offers, because Bunbury exists by all of its cousins of all the small communities supporting this region, and the wealth of all of them is also connected to the wealth of the city of Bunbury, and so do all of those little tourism business operators that exist even outside of Bunbury, because the spin-off comes to them as well, in which case, as I say, the tourism element alone really leave me cold because I can't accept that we won't be getting any kind of decent tourism aspects out there for a minimum of 20 years.

I think we'd all be failing the community if we all accepted that, and there's no

evidence to suggest otherwise. The port does have the vision to have a dock set aside for vessels, but it doesn't go far enough. We really need to tackle the issue of that whole area, and to put offices after you fill in the land, that's sending a very wrong message to the community as well. To go and plonk WA government offices there would even be a crime, and I've said that to the persons who are intending on doing that, because the community here at large will not accept that. In my words alone, I said you would probably expect every single person in this city to have kittens, and I guarantee you that would be the case, because there's only a limited area of waterfront available, and if you go and put office blocks there and then you go and put high-rise residential apartments there, all you're creating is an area for the haves and have-nots.

The whole aspect of the vibrancy of this city, the social elements of this city, the heritage, cultural aspects, the laid-back lifestyle, would be gone, gone forever, and the other thing is, if we have the Australia Day ceremonies back in the south side, then I wonder how the people and the businesses there are going to cope with that, because I used to live in the Dolphin Bay Apartments and I can tell you, on Australia Day all the debris was right through the pool and everybody else's residence there, and that's a considerable distance. I mean, that's only one small element, but nevertheless, you still need to be aware of that. I really did want to read to you one section of our key city vision document. This is on page 45, it says:

*Prepare a plan that provides the improved physical and visual connection of the CBD to the water and foreshore areas of the outer harbour, Koombana Bay, Leschenault Inlet, and Ocean Beach, and the continuous improvement of recreation and other associated community facilities. A key consideration in developing a plan that seeks to protect views of the water areas is the height and bulk of any development. The community values its open space and water views, its access to foreshore areas and recreation options. It is unlikely that development around the coast, inlet, and bays that was higher than low-rise could achieve this objective strategy.*

Seven storeys doesn't cut it, just the amount alone. The heritage document that we have - the south side forms part of three or four of the strategic outcomes - three out of four. So any kind of residential development, again, is a crime. I would be seeking a better outcome for this community for all of the areas. I don't consider residential fragmentation, and that's what it is, because there's no social support structures there, no access to schools, the lack of consideration of public transport, the lack of considerations of even congesting the city.

I mean, we are, at the moment, making policy to make ourselves a sustainable city. I don't see how we can achieve that. It's impossible to achieve that to congest and to not make allowances for public transport in whatever strategy you use. I don't favour the train or the bus or the rail - I mean tram, I think there needs to be a complete overhaul to have a look at the modern uses and the predicted future uses of this city.

The transport strategy predicts that Eaton will be the station not Bunbury, anyway, for the transport consideration. So for me I would welcome any questions but I think we seriously need to go back to the drawing board and really have a look at the value of the future generations and the value of the land that we have now, the social elements, and the visual elements are too important to just put any old building up on. That's how I would like to leave it.

MS PIMM: Thank you very much, Michelle. Questions from anyone? No? Jake? David?

MR SMITH: No.

MS PIMM: No.

MS GARTRELL: Excuse me, madam chair.

MS PIMM: Yes.

MS GARTRELL: Can I just clarify one point? Michelle made the comment in the - like, the amendment documentation, I assume you mean the Region Scheme Amendment document? That - there was no supporting documentation or no support showing support?

MS STECK: Only environmental considerations.

MS GARTRELL: Yes, well, the reason for that is that the planning commission - at this stage we're the neutral player in the game. We actually get a proposal and we've explained that for the public meeting it's up to LandCorp or the proponent to sell their proposal to the public. We've basically - we are the vehicle to advertise it and call for feedback, as in submissions and people attending hearings, and then we present a report to the commission, including all the submissions and the outcome of the hearings for the commission's consideration. So that's why our scheme amendment documents - I mean, they're very basic and - - -

MS STECK: Yes, there's nothing on the defamation there at all.

MS GARTRELL: No, because - I mean, we are basically - what our roles is to



put the proposal out in the public but we are not a vehicle to either support it or not support it in one particular way. I mean, we've already said it's up to the proponent to sell the proposal. So that's why you find the documents, it's - I mean, they do they same in Perth for the Metropolitan Region Scheme, the amendment documents that get put out are very basic and very to the point, it's up to all the supporting documentation to sell a project or development.

MS STECK: That's why it's really quite difficult to - - -

MS GARTRELL: Yes.

MS STECK: - - - you know, to swallow this.

MS GARTRELL: Well, if I just clarify that.

MS STECK: Yes, thank you for clarifying that.

MS GARTRELL: I mean, should - I mean, you know because you're council, but should any of the three amendments proceed to a point where it gets tabled in parliament and proceed to a local amendment stage. At that point in time the same thing will happen, the local amendment goes to the EPA first - I mean, the EPA have seen the amendment document, they've given support to advertise and they have made the comment that any further development in the Koombana Bay area will need a full environmental view because of the overall impacts on development.

Same thing with the structure plan, the structure plan will be put out for public consultation and even individual development application can be advertised. So there's still a long way to go, the problem is at this stage because of the region scheme is so broad we can't - we don't go into detail because we've got nowhere to incorporate the detail into a set, so I go - we tick off and sign off on this plan because there's no provisions - no head of power to do that.

MS STECK: Yes.

MS GARTRELL: So we just - unfortunately that's the way the process is.

MS STECK: Yes, and that's what is really quite scary about the whole scheme amendment is because if nothing is done now, 50 years or 20 or maybe even 10 years from now, new local councillors come and a new policy comes out and away you go, you could be 20 storeys up there. So that's why the protection of the area needs to be enounced in the amendment.

MS PIMM: Thank you very much, Michelle, thank you.

MS STECK: Thank you.

MS PIMM: Is Ray Parker is coming?

MS GARTRELL: I don't know, is Mr Parker out there, Danny, has he - that's it for today. No, I don't think so - we did - I gave him two time slots and he said if he can get someone to get him he would, I told him about tomorrow, so he might still come tomorrow, I don't know.

**ADJOURNED**

**[11.37 am]**

MINUTES OF THE COMMITTEE HEARING SUBMISSIONS ON GREATER BUNBURY REGION SCHEME AMENDMENTS (0010/41, 0011/41 AND 0012/41)

DAY THREE - held Wednesday, 25 August 2010, at the Sanctuary Golf Resort Bunbury.

The Committee was established by resolution of the Western Australian Planning Commission (WAPC) on 18 June 2010.

CHAIRPERSON	Ms Rosanne Pimm OAM	Chairperson
	Mayor David Smith	Member
	Mr Jake Davidson	Member
IN ATTENDANCE	Ms Marion Gartrell	Department of Planning
	Ms Kath La Nauze	Department of Planning

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Hearings commenced at 9:12 am

The proceedings were recorded by Sparks and Cannon Australia Pty Limited.

The following people made presentations to the Hearings Committee:

- (a) Mr Andrew Horan  
Representing Ms Beth Ferguson  
Amendment 0012/41 submission number 67  
Public Hearing - see transcript
- (b) Mr John Sherwood  
Amendment 0012/41 submission number 451  
Public Hearing - see transcript
- (c) Ms Karen Steele  
Representing herself and Mr David Smal  
Amendment 0012/41 submission number 371  
(Mr Smal - Amendment 0012/41 submission number 391)  
Public Hearing - see transcript
- (d) Mr James Holder  
Representing Department of Transport - Coastal Infrastructure Branch  
Amendment 0010/41 submission number 79  
Private hearing - transcript not published
- (e) Mr Danny Jones  
Representing Timebay Holdings  
Amendment 0011/41 submission number 86  
Private hearing - transcript not published

- (f) Mr Bob Morgan  
Amendment 0012/41 submission number 196  
Public Hearing - see transcript
- (g) Mrs Judith Wall  
Representing herself and Mr John Wall  
Amendment 0012/41 submission number 283  
(Mr Wall - Amendment 0012/41 submission number 284)  
Public Hearing - see transcript

Ms Pimm declared the third day of Hearings closed at 2:51 pm.

The following people cancelled their appointment with the Hearings Committee and did not reschedule.

- Mr Brad (Neville) Goerling  
Amendment 0012/41 submission number 282
- Dr Simon Holtby  
Amendment 0011/41 submission number 4
- Mr Brian McLoughlin  
Amendment 0012/41 submission number 491

The following people did not keep their appointments with the Hearings Committee.

- Ms Susan Rowe  
Amendment 0012/41 submission number 272
- Ms Thora Ramsay  
Amendment 0012/41 submission number 159
- Ms Eeve Knight  
Amendment 0012/41 submission number 115
- Ms Dorothy Dwyer  
Amendment 0012/41 submission number 352

Chairperson Rosanne Pimm OAM

Date 15/10/2010

**ANDREW HORAN**  
**Representing Ms Beth Ferguson**  
**AMENDMENT 0012/41**

MS PIMM: Right. Okay. Thank you, Andrew. Welcome to - this is the third day of our hearings into the submissions on the three amendments for the Bunbury waterfront development. Just for your information the microphone is for recording purposes - - -

MR HORAN: Yes.

MS PIMM: - - - and that's Steve over there that's doing the recording. So thank you, Steven, and to my left we have two members of the Department of Planning staff from the Bunbury office - - -

MR HORAN: Okay.

MS PIMM: - - - and then the panel. So welcome, and you are representing Beth Ferguson - - -

MR HORAN: Correct.

MS PIMM: - - - as I understand it.

MR HORAN: Yes.

MS PIMM: You will speak to her submission and if you have any - we've obviously read the submission.

MR HORAN: Sure.

MS PIMM: So if there is anything that you would like to enlarge upon or develop further well then please do so. Thank you.

MR HORAN: Sure. Thank you, Rosanne. Thank you for the opportunity. Beth's role is as vice-president of the Chamber of Commerce. Her personal submission is as Beth wished it to be, however there were some additional things that Beth wanted put forward in relation to - or similar to what the Bunbury chamber's submission reflected in relation to ensuring that the Koombana South precinct ensured there was a good mix of activities in the area that encourages all members of the broader community to be able to utilise the area and to ensure that there is cost efficiencies for the project. That reflects what the chamber's position is. It adds to what Beth had to discuss in her submission and at this point apart from there being strong support for Koombana South, there is not a lot of other information that Beth

wanted actually added to her submission at this stage.

MS PIMM: So there's strong support for some development on - - -

MR HORAN: On Koombana South, yes.

MS PIMM: - - - Koombana South, yes.

MR HORAN: The overwhelming consideration is that there is strong support to develop Koombana South maintaining, you know, a significant component of public open space but enhancing that with facilities both public and commercial that will enable the area to develop in a way that engages the broader community.

MR SMITH: If there was only to be one building, would you prefer the building that is currently proposed running along the edge of Koombana Drive, or would you prefer it to be the higher building that Beth suggested at the corner of the entrance to the channel and the inlet?

MR HORAN: I think it would be a hard call for either option to be exclusive of the other. I think there would be more benefits overall for that precinct if there were maybe both given that an iconic building on the corner of the inlet and the Plug resonates very strongly with what we think is the right way to achieve a good outcome for that area, but that on its own may not deliver the best outcomes for the overall waterfront project by not having anything along Koombana Drive. So certainly that iconic building is something we support and when we say "iconic" we mean something that is, you know, going to sell the state really - it needs to be of state significance or even national, not just of regional significance. But to then leave the rest of it completely undeveloped really doesn't make much sense to capitalise on the possible uses of that land.

MS PIMM: Any questions? Okay.

MR DAVIDSON: Mr Horan, you mentioned cost efficiencies as one of your primary concerns. Would you be able to expand on that a little?

MR HORAN: One of the problems that we have at this point, which isn't reflected in either of the submissions, is that the cost neutrality requirement for the project we think is onerous - we think is erroneous, sorry. We don't believe that the state's commitment to the overall Bunbury waterfront project is as it should be with a cost neutrality in there. We believe that that should be removed and that the funds should be increased to make sure that the project can actually get off the ground and deliver something of significance.

In terms of cost efficiency, that really does reflect that feeling about the cost

neutrality not being a good option, but we weren't really talking about the cost neutrality in this. We were talking mainly about the fact that you will get a better development if you can actually put something of value and encourage commercial development tying in with Koombana South. So just public facilities on their own won't really deliver as good an outcome for the project in Koombana South as if you could have some commercial enterprise in there as well.

MS PIMM: Thank you. No further questions? No. Thank you.

MR SMITH: Anything else to add?

MR HORAN: Sorry?

MS PIMM: Anything else?

MR SMITH: Anything else to add?

MR HORAN: No, that's it, thank you.

MS PIMM: Yes.

MS PIMM: Because the chamber didn't actually present their case. David Kerr I think was to do it and didn't.

MR HORAN: No, I did that on behalf of the chamber. There was a submission from myself, yes.

MS PIMM: Okay. Yes. Okay.

MR HORAN: Yes.

MS PIMM: I mean David Kerr was originally I think going to present the case on behalf of the chamber.

MR HORAN: Okay.

MS PIMM: That's correct, isn't it, and he didn't.

MR HORAN: Sorry. In terms of attending, yes.

MS PIMM: He didn't actually come.

MR HORAN: Okay. Yes. I think because of the submission that David put in, he didn't have anything else to add, and that was the way we were taking

this process, was that if you had something more of significance to add, then you come along. Otherwise the submission as presented stood.

MS PIMM: Fine. Thanks.

MR SMITH: Andrew, I hate to ask but in your previous role in relation to the Dolphin Discovery Centre - - -

MR HORAN: Yes.

MR SMITH: - - - do you think this development raises any risk for the Dolphin Centre?

MR HORAN: For the dolphins, no. None of the three options as presented, as far as I'm aware, poses any significant risk to the dolphins. Those things need to be - the biggest concern that we have is that the whole Bunbury waterfront project in its entirety with all of the stages is not clear at this stage and that impacts on the potential success of these small areas that have been developed and how they actually fit in with the overall - what the Bunbury waterfront needs to be as a whole. But those stages later on, such as marina developments and other things, they will certainly potentially have an impact on the dolphins and their environment and that needs to be carefully planned out. But these components on their own, from what I understand, won't have any impact.

MS PIMM: Thank you for that.

MR HORAN: No worries.

MS PIMM: Thank you very much.

MR HORAN: Thanks for the opportunity.



**MR JOHN SHERWOOD  
AMENDMENT 0012/41**

MS PIMM: You're welcome. John, if you're ready to do your presentation we'd be pleased to have you on board now, thank you.

MR SHERWOOD: Thank you, Rosanne.

MS PIMM: Thank you. Welcome. You are principally here for Koombana South?

MR SHERWOOD: That's right.

MS PIMM: Okay, and so just for your information, I'm not sure whether you heard before, but the microphones are for recording purposes.

MR SHERWOOD: Sure.

MS PIMM: Steve is doing the recording. Marion and Kath are the two officers from our local Department of Planning in Bunbury and I'm sure you - not sure whether you know Jake.

MR SHERWOOD: I know David. Jake. Hi, Jake.

MS PIMM: Jake is a former planner at Collie and also at Harvey. So thank you.

MR SHERWOOD: Good.

MS PIMM: Okay. Over to you. Thank you.

MR SHERWOOD: Right. Susanne, when I said yes I'm here mainly about Koombana South, I did want to preface my comments by saying that I strongly support the other two amendments and would like my comments to be made in the light of having supported two-thirds of the proposals of the three amendments. I support the development of two. I'm not anti-development. Basically I oppose antisocial - or developments which I consider to be either antisocial or unsustainable and I particularly oppose developments which have been connected with a process that I consider unfair, and unfortunately this one has been one of those over the years.

So the message I want to give there is that my support of Koombana South needs to be seen in the light of thinking that there's a lot of development that can happen under the other two amendments and that that gives even more argument to retaining Koombana South as public open space and for purely

community purposes with any hint of economic development being mainly the sorts that are covered under Town Planning Scheme No 7 and the Greater Bunbury Region Scheme and so on: things like tearooms and maybe a cafe restaurant or whatever, that there may be slight economic activity there, but that those activities have been seen as consistent with those former plans.

MR SMITH: John, can I just ask is it a personal submission or on behalf of the South West Environment Centre, or both?

MR SHERWOOD: This - yes. This was on behalf of the South West Environment Centre but it obviously has a lot of my own personal comment as well. The Environment Centre has a lot of interest in public processes being what we consider to be fair and many of my comments are not environmental as such. They really concern the process. I want to briefly mention the public vision for that Koombana South, even if I imagine many of the people you are hearing from have referred to these.

But I just want to explain that my position and the Environment Centre's position comes from our knowledge over the last 20 years or so of many different public inquiries or planning processes which involve public comment which have clearly indicated that the majority of the population of Bunbury want that land to be preserved for future generations into the long-term future as some form of public open space with developments, not left undeveloped as it largely is at the moment, but with developments which are consistent with that land use.

I refer particularly to Town Planning Scheme No 7 and the waterfront land there being zoned parks and recreation and for public open space. City Vision with, as far as I understand it, as of a couple of years ago, and there's probably been more money than this spent since then, but as of a couple of years ago \$800,000 of the city's money, four-fifths of a million dollars, spent consulting the community about its vision for Bunbury and quite clearly in that - I imagine you've seen the paragraph in that that refers to Koombana South.

Quite clearly it said that major and extensive built development is not supported on the inlet excepting for areas that might involve a restaurant, a tearooms, a tavern combined with bike and boat hire, facilities for barbecues, child youth play areas and live entertainment areas. That, I believe, is a very significant and part of a repeated process in which the community kept feeding back that we want that land kept for the community, not developed privately and certainly not rezoned so that future public uses have been negated and prevented forever by a rezoning.

Then the Greater Bunbury Region Scheme, extensive consultations in that period as well, and of course to a lesser extent under this amendment

proposal but still relevant were the State Planning Policy and the State Coastal Policy, two further processes into which the South West Environment Centre and myself - I played a part in submissions into those areas. The accumulation of all these comments by the public on that land should really have been taken more seriously than it has and the public - I would have to say I know many people who have become tired of making public comments and having them whittled - having plans presented and then if the community opposes those plans, having them put on the shelf for a while, slightly repackaged and then brought back to the community. We would like planners to get the message, to hear what the community wants, particularly from the very expensive surveys that are done under these government processes, and to bring plans forward which acknowledge what the public has stated.

David would be well aware, and I'm not sure about you other two, of developments elsewhere in the world. I know that a number of council, elected members and staff, went and looked at developments elsewhere in Australia. They reported back to us as a community that they saw some magnificent examples of foreshore developments which have been kept as public land facing water and near the centre of cities and which have enhanced those cities enormously.

I would have to say that nearby the example of Mandurah with its foreshore right in the centre of the city there, I and my family and my children and friends and so on have used that area. Even though I've never lived in Mandurah for more than a year or so in my life, I've used it extensively over the years, even as a place in transit driving between Perth and the South West or something have used it as a place. It's like a magnet for me and I'm sure for many other visitors to Mandurah, as well as locals. So I believe there is very strong cause for retaining the Koombana South area, developing - spend money, do commercial developments, residential developments, do all appropriate developments on the other two sites, enhance the economy of Bunbury that way, build up the population. I'm happy with all those things, but not this third bit of land.

I have been connected in an informal way with the Save our Shores group. I'm not a core member of the group and attended very few of their regular meetings. But I have great respect for the group and what it's done and I know that we have had discussions about the cost neutrality issue that I heard Andrew speaking about before. My understanding is that very few developments in other comparable cities and large towns in WA have had this cost neutrality requirement or - I don't know whether "requirement" is quite the right word, but have had cost neutrality embedded in the project as much as it has here.

The Environment Centre certainly, and I understand the Save our Shores

group and many people in the community, have questioned why this cost neutrality has to apply to the Bunbury case when it hasn't in so many others. It certainly doesn't seem to be a necessary part of developments like this and if it's not necessary - it's obviously not necessary because there are cases of big developments, some even bigger than this one, which haven't require cost neutrality. So we then ask why has it been part of Bunbury's case of these three amendments?

So I would finish by saying that I think that good lateral thinking and good planning could find ways of developing Koombana South that will be absolutely magnificent contributors to - or would make that developed land developed for community and public purposes, would make that an absolutely magnificent feature of Bunbury both for local people, residents, and for visitors, and given that I understand there was fairly strong support for development of the other two, and I certainly and the Environment Centre certainly support the developments of those two, we think that in a fair go sort of thing it is unreasonable for it to be argued that all three should be rezoned and handed over in part or totally to private developments. We think this one should be kept for community purposes.

MS PIMM: Thanks, John. Any questions?

MR SMITH: John, I suppose one of the concerns about having nothing on Koombana South is that LandCorp and the government may then be entitled to say, "That's not part of this overall redevelopment," which means that concepts like the pedestrian bridge across the channel, paving and wet playground areas being installed and other public facilities, that the cost of all that really will fall back onto council which won't have the capacity to provide the quality so that the channel for instance will remain basically a rock walling on both sides that's not that useable by the public for fishing or just walking. Does that worry you - - -

MR SHERWOOD: It does.

MR SMITH: - - - that you might finish up with an area that remains undeveloped in the midst of - - -

MR SHERWOOD: Well, I don't - while I do have concerns along the lines of what you've expressed, David, I don't believe that there should be any concept that it will be left undeveloped as a semi-wasteland. I think there are many ways in which it can. One would be to discuss with the state government some way in which the government can contribute to it. I'm sure there are possibilities for the government to do that either through the LandCorp development of the other two - I know there are technical - there are some impediments to that, but I think that good discussions, constructive

discussions with the state government could see some funding come to assist the council in the development of this and there are other sources of funding as well.

Federal funding, royalties for regions maybe could be just one example of possibilities for funding. So I'm sure that there can be funding other than council's own finances that can be put into it. But at the end of the day there are plenty of other areas of public open space in Bunbury which the council develops and it might just have to be put on the priority list for council if none of the other sources come up. So, yes, I have thought about it and it does concern me, but I think that the value of this as public open space outweighs that.

MS PIMM: Thank you. Jake?

MR DAVIDSON: John, you've mentioned that you believe that public use buildings would be appropriate in that area. What kind of size and scale do you consider appropriate?

MR SHERWOOD: Clearly I would say they would have to be a minority of the area, you know, a small minority of the whole area and I think the amenity of the area would have to be uncompromised by those buildings. I was not unhappy with the suggestion in an earlier round of what we saw as an attack on this land in which the cafe restaurant was put over on the point near the Plug there. That would seem a very appropriate use of land over there.

MR SMITH: So one-storey or two-storey?

MR SHERWOOD: I've got no problem with two-storey. I think that the views improve with - I wouldn't even - in an off-the-cuff answer I'd have to say even a three-storey building I wouldn't necessarily oppose. Probably two would be better because the amenity would not be a problem there and there may be several buildings that could go in different parts of that crescent shape.

MR SMITH: Public parking then becomes a problem, doesn't it?

MR SHERWOOD: Public?

MR SMITH: Parking.

MR SHERWOOD: Yes, though I think that would be - I don't believe public parking would be nearly as much a problem under this sort of proposal that I'm making with a few things like a cafe restaurant and so on, as with the proposal for Koombana South, the amendment. I believe if those buildings that they had proposed which - well, you've seen them anyway, but those buildings

around the roundabout I think, combined with the public use of the area, would have actually provided a much greater parking problem.

MS PIMM: John, earlier in your submission you said that you were very unhappy with the process, that it was very unfair. Could you just elaborate on that in a very brief way please?

MR SHERWOOD: Yes. I think LandCorp's approach - and as you know, Rosanne, I've been involved in public comment on things for decades down here in this region both in the Shire of Dardanup and in the City of Bunbury and the wider South West region. LandCorp's approach was far more aggressive. It verged on sheer bullying at times. It had elements of blackmail in it. The first venture they had was, "Take it or leave it. Take our proposal as it is. Comment by all means," but they really didn't come down and discuss with the community how their proposal matched with the clear statements of the communities in those various public comment planning exercises that I mentioned: TPS7 and City Vision and Greater Bunbury Region Scheme being the three biggest ones.

They didn't come down and admit that there was a dissonance between their own proposal and what the public had clearly been saying and say, "But we have reasons for this and we'd like to discuss these." They just came and landed their first proposal on the community and we were told quite clearly it was take it or leave it. In fact we were almost a bit surprised when they were, I suppose, forced by higher powers to come back again with the revision because we'd got the message that if the community didn't support their proposal that would be lost. The same thing then happened with this one, that it was advertising at enormous cost. The sort of advertising that the community couldn't match even one to a hundred, probably not even one to a thousand, or maybe even more than that dollars of advertising and a chance to present to the community a fairer sort of presentation. Yes, I could go in at another time - - -

MS PIMM: No. I'm sure, John, that you've - - -

MR SHERWOOD: - - - to give you more details.

MS PIMM: Yes. Thank you.

MR SHERWOOD: But it's that sort of thing - - -

MS PIMM: Yes.

MR SHERWOOD: - - - that we didn't like and I have to say that that's in comparison to many other processes which I or the Environment Centre or

both have felt much happier with. For instance the Greater Bunbury Region Scheme, I felt that the consultation processes in that scheme - City Vision, the council one, was another in which there were extensive consultations and there wasn't the threat - there weren't threats, yes, or even hints of a bullying sort of tactic in them. They were open, transparent consultation processes which appeared to genuinely want feedback for the planning process, not a preconceived plan put in and the message that all we had was a chance to tinker around the edges a little bit of it.

MS PIMM: Thanks very much, John. That's good.

MR SHERWOOD: Good. Thank you.

MS PIMM: No further questions from anyone? No. Thank you. Thank you very much for coming in.

MR SMITH: What are we doing?

MS GARTRELL: We've got a gap now for morning tea, I think.

**ADJOURNED**

**[9.45 am]**

**RESUMED**

**[11.28 am]**

**MS KAREN STEELE**  
**Representing herself & Mr David Smal**  
**AMENDMENT 0012/41**

MS PIMM: Are you ready, Karen?

MS STEELE: I am ready, yes.

MS PIMM: Thank you.

MS STEELE: Thank you.

MS PIMM: Welcome - coming along. Just to let you know that the microphones are for recording purposes, and Steve does that, and we have two members of our Department of Planning staff in Bunbury in attendance, and us three as the panel.

MS STEELE: Thank you.

MS PIMM: So thank you. If you'd just like to commence, that would be great.

MS STEELE: Yes, as you can see, that's just the covering slide show, and then basically we're just going on to the next slide show, which is a picture of my children. That's Zeke and May, and they're coming up to six and four now. What I see there is, you know, they're learning for their future, and they're the reason why I'm here today and why I really am against the rezoning of Koombana South, and how this all started basically was back when I very first saw a newspaper article of the very first LandCorp proposition on the site, and there was absolutely no green grass left at all, and then I just thought, "Where is that for my future of my children and other residents in Bunbury?"

So that's why I'm here today, because of them and their future of Bunbury, and my second slide would be the figures of basically - when I very first started Save our Shores in Bunbury, I wasn't quite sure of how many people would be behind it and how many people had my vision as well for the Eastside things, so we called a public electors meeting and these are just the figures. We had 228 people attend that. They were just the names that were actually recorded on that night but I'm sure there was in excess of that amount, and on that night, one of the actual proposals that we put forward or options was no to the rezoning of Eastside, and there was a unanimous vote on that night, with all the people that were there saying, "Please don't rezone the south side, Eastside land."

After that, LandCorp then asked for submissions for or against their proposal of what they were doing or what they planned to do when the Labor



government were in, and we had 881 submissions. I'm not quite sure of the exact numbers but it was well up to 680, 690 that were opposed also to development outside of the brackets of public open space - of what it's actually zoned for now. After those submissions or during that, I also - and other people helped us get together a petition that we lodged to the Legislative Council, and of those, we got 2195 signatures that Paul Llewellyn - the Greens - before he actually got voted and lost his seat, he actually presented to the Legislative Council for us, and that was in May 2009.

It took about a year or so for them to finally say there was a change of government - and then the new proposal. Before the new proposals were put through and the new task force were then developed, they wrote back to me, saying, "We're closing this because we know that there's a new government, and we'd like you to sit with a new government and basically work out where to go from there." Before we could have talks or I could have talks with the new government, the rezoning was put through to the WAPC, so that basically leads us here today. To me, I feel that I represent a lot of people here today that are against the rezoning of the south side, and that's why I'm still going.

Basically the next couple of pictures are just Melbourne and their foreshores and how they are still open-spaced and not encroached with public buildings or private developments. The next statement which I'll read out is actually from - it's called pps.org, and they're a non for profit organisation in America which I got a lot of inspiration from about waterfront developments and how good they can be and what - by putting community first and their vision first is how really it makes a waterfront for the town and for a city, and that's what drove me basically. I found these web sites when I very first started. I think it was early 2008.

So basically it's just to make sure public goals are the primary object, and waterfronts everywhere are too valuable to simply allow developers to dictate what happens there. This is not to say private development is unwelcome and should be discouraged - on the contrary, it is often necessary to the future of a healthy waterfront - but the best solutions for revamping waterfronts put public goals first and not private, short-term, financial objective, and that's sort of how I feel with the rezoning of the bit of land and taking the road reserve - is basically putting the short-term financial objective first.

I then move on to Seattle, and this is just something that I've come across recently that I thought that could possibly be something that could happen, because I find that on the corner of where they want to put the buildings - I find that more of a wall than bringing our city to the waterfront, and what they've done in Seattle is they've put a bridge across. I would call that road - I'm calling that Blair Street, so let's just name that Blair Street because that's how I envision that going from, say, the Eddie Bricknell place - I can't remember

whether it's called Eddie Bricknell - not stadium, but the shelter there.

If we had something like that that was going up and across Blair Street, we could use the Eddie Bricknell shelter more. We could have concerts there. We could have open-air cinemas and stuff, which would then bring our city - people aren't then contending with the traffic of going across Blair Street. It then solves the issue of what we do with Blair Street. I know there have been talks of closing it down or putting it to one lane, which I think would be detrimental if we're going to be increasing our population and making an area. To me it would be just like doing Riverside Drive and closing that down to one lane in Perth. I think that wouldn't be the best idea.

That's how I see that side, and then to link it to Marlston from Koombana South over to what they're calling now Koombana North, you could have another bridge, and what they've done in Seattle - I haven't put it on there, but they've also got a train line underneath their bridge as well, so if we are hoping to get the train coming back somewhere in the city, whether it's a light rail from the Eaton main one, if that's what they've got earmarked, we could then have a station underneath, something like that, which would then also cause that problem - we could - for public transport, and encourage people to use public transport, where they're coming from Eaton on a light rail, and I really think that would be a good solution as well.

To me, bridges would then link our city to our waterfront, whereas I find the buildings that they're going to put there is actually a wall. I also have concerns that if we go down Victoria Street now, for example, the tower there, it's just like a wind tunnel, and I have really big concerns that that's what would happen in that corner as well. That's just the before and after shot of what they did in Seattle. It's a much bigger, obviously, space and they had lots more money to do - but it's just something that we could consider for something like that.

You've got Australia Day photo. That's actually a little movie but obviously you won't be able to play that on your slide there, but I just have concerns too that, you know, the Australia Day celebrations and all the celebrations that we can do as a community - I just would hate to see that lost because I'm very big on family and I'm very big on all the sort of things that bring a community together and that we can be as one. My very last statement is from Jan Gehl. He's a professor of architecture and planning, and he's also another big inspiration of mine, and he's been - a lot of places around the world.

He's actually been into New York at the moment and closed down part of Times Square and made that less traffic, and he's also been commissioned by Hobart now to go in there, and he's been over recently to Perth. Last year I went and sat in with his speech when Lisa Scaffidi, the mayor, brought him

over again to put vision back into Perth and their waterfront, and he is just such an inspiration of mine as well, and I just like his saying of first life, then spaces, then buildings, and the other way around never works, so he's a very inspirational man as well, and when I heard him speak, it just made me realise that what we're doing in Bunbury can't be changed if we do let this place be rezoned and you can't get it back once it's been built.

It's easier to keep it as is and add gradually, you know, for people and community projects, and under the public open space we can do that. We can actually put, you know, cafes. We can put the parks on there. With Seattle, what that's called is actually - I forgot to say, it's actually called the Olympic Sculpture Park, and what they've done is put all sculptures and different artworks. Then that brings in a different element as well. Whether we put sculptures and artwork of - what children can play on, whether it's a water one that comes on during the summer and then turns off during the winter, and you know, it's just interactive, and that to me is just a much better way to go for our city. That's it.

MS PIMM: Thank you very much, Karen.

MS STEELE: Thank you.

MS PIMM: Thank you. Any questions?

MR SMITH: No, not from me.

MS PIMM: No? Jake?

MR DAVIDSON: Perhaps if I could ask a couple of questions. Karen, obviously you've put your submission in on Koombana South.

MS STEELE: Yes.

MR DAVIDSON: Does that, by assumption, mean that Koombana North you are supportive of?

MS STEELE: I do have my reservations about that. I don't really like the way that Marlston has been developed. I was looking at the way Auckland have done their waterfront and they do - I'm just not quite sure. I don't like the tilt slab that's just ad hoc, chucking it all up in one area. I don't think there was much design in that. There's a lot of things I could go against that I don't like. There's not much parking there. I've been there in the winter when there's been all water. The reason I started was because I wanted to save this land and I did want to just try and focus on that.

I do have reservations, especially with the water rising, but I think if they want to build on and reclaim water and build on there and twits want to live there, then that's their choice, but I'm not fully for it, but the decision I went - is to go with - just trying to say - it's probably a compromise I suppose, that if we - if we have to save anything, I really, really, really want Koombana South saved, and that's where I've put my heart into. That's where I really want to save because I don't want to be putting up walls against all sort of development because I'm not against development. I'd love to see proper development across there and keep some sort of land grassed area as well - what they've done in front of the Mantra, so I'd hate for it to be too overdeveloped, like what they've done, you know, in Queensland. That would just be my worst nightmare, but I think we learn by mistakes.

I'm hoping that the planners and stuff would see that Marlston did have some areas, about the parking and, you know, things like that that - and the design. I'd like to see, you know, proper design of buildings that have some sort of, I don't know, features or - they aren't just, you know - has some sort of connection to the sea or to the area of Bunbury. If the buildings could be that way designed, I suppose it would be nicer, but I'm not an architect or anything - far from it, but you know, it's just how I see - visual. I have been lucky that - I've lived in Bunbury - I shifted here when I was five. I left when I was 20. I lived in Europe. I lived in London for 14 years, and so I've been lucky enough.

I've travelled all over America. I spent four or five months there travelling, just getting in a car with my other half and travelling all over, and I've also - we did that and - seen most of Europe as well, so I've been lucky to have that advantage as well, and I've been very lucky to have travelled and seen what we can do, and I feel that's my lesson or learning in life as well. It's opened my mind to see what we have here is just unbelievably beautiful. When I left in 1989, we had the trains running through Bunbury and it was ugly. You know, it was very commercial and industrial, and luckily I came back - I was gone for five years before I came back, and when I came back, we had this beautiful open waterfront, and then now we fast forward. That was 1994. Now fast forward. I can't believe that we want to put obstructions in front of that to stop that beautiful vista and beautiful view. You know, it amazes me.

MR DAVIDSON: That was just as a follow-up question. That's okay. You did mention the cafes et cetera would be appropriate. What do you see as being sort of an acceptable scale or form of development along Koombana South?

MS STEELE: It all depends I suppose what you do as well with it. I would hate to see it all encroach with cafes and things like that, but I can see - I envision as you're coming across Koombana, where the little beach area is on the corner there, to utilise that more and have, like, a cafe in the corner,

similar to what they have at Sticky Beaks at Kings Park, and it's all - and whether you had, like, a beach area and you utilise that, so just a little corner of that bit, and then if we can have sculptures and artwork, I just think that would just be amazing, all around that area.

MR DAVIDSON: Thank you.

MS PIMM: Thank you. Thanks very much, Karen.

MS STEELE: Thank you.

MR SMITH: Karen, in terms of public buildings like restaurants, tea rooms, toilets, other public buildings (indistinct) what would you envisage in the longer term for Koombana South?

MS STEELE: Besides that or with that and - - -

MR SMITH: With that and what else?

MS STEELE: I wouldn't want much else more. To me, I'd be quite happy if we just landscaped it, and whether we put the tea room or a cafe or a restaurant - I wouldn't like to see - I know people have been talking about putting the entertainment centre over there. My personal view would be - I wouldn't like to see such a great big massive building on that land. That to me is just another way I suppose of encroaching on the land that we can have for open space. If we're going to be going - the north side, and there's going to be more population over there. We're going to need more open space so people can exercise and walk around, if they have dogs or cats or whatever. I would rather it just be an open - like I said, if we do artwork and we have bridges going across, whether - and it's just a place where we could, you know - we can hire canoes out or if people want to do, you know, things like that through the summer months and we make this more of a tourist destination that people can go out and just enjoy.

MR SMITH: Barbecues and seating and - - -

MS STEELE: Yes, that wouldn't bother me at all, no. I'd like more seating, definitely. Rubbish bins.

MS PIMM: Would you envisage a restaurant out on the point or would you think something like that would be better closer to the entertainment centre end of it, probably where you've got your carparking now - - -

MS STEELE: Yes.

MS PIMM: - - - which would probably capture - it would have, you know, a bigger capture.

MS STEELE: Yes. It would all depend, though - I mean, with my - the bridge I did, with the linking of the Marlston, if you've got a restaurant there you've got that, you've got - you can walk over from there, you have a space of - area of artwork that you can walk through that you would make a little restaurant there on the point there. You can then walk over to Marlston and have more of a - you can then be more a restaurant that you have choices.

So that to me - you've got three areas then that would capture people - and not so much of a big walk, because I know people don't like to walk too far between the choices of things. So that's how I would - that's why would I go in that area, I suppose, more. Then I would grass off and get rid of that car park, and that's another issue, though, of carparking.

MR SMITH: Wet playgrounds?

MS STEELE: I would like wet playgrounds, if you did that with the beach, the little beached area, you could have something like that there. But, you know - and unfortunately we don't have the weather like they do in Queensland and it could be going more often. I know Mackay has just put one in and that's massive and that's very popular. But it then comes whether we just have it - that people can use it and just say if we were - whether we do it during the summer months and school holidays, you know, December, January, February. Or when the best weather is and then during the rest of the year it can still be utilised as just a playground without - you know, without water.

MR SMITH: There are two aspects: whether any of it goes into private ownership; if it doesn't, what the nature of the vesting order might be and sort of uses might be permitted under that vesting and how long the leases might be for things like the restaurant or tea rooms. How would you feel about a broader vesting order that allowed a broader range of uses and longer leases?

MS STEELE: Can you just give me an example of what you sort of mean by that? Like, so if we - if it's still in council holdings, do you mean, and then vested out to private ownership that they can build and do what they want there? Is that what you're meaning?

MR SMITH: Yes, the restaurant and the tea rooms in particular, for example - - -

MS STEELE: I would - - -

MR SMITH: - - - would probably - whether the council would want to do the

whole of that development itself or whether - - -

MS STEELE: We lease it.

MR SMITH: - - - the proponents want to contribute to the capital in return for a longer lease of - - -

MS STEELE: As long as it could be - - -

MR SMITH: - - - the property instead of the normal 21 years.

MS STEELE: Yes, of course, yes. I mean, that's fair enough and they would want money from their return, of course. I would think that that wouldn't be a problem, as I can see under public open space if we do that that's fine. Because whatever they can do within public open space which, they could, it wouldn't bother me if they had the more than 21-year lease on that holdings if it's a restaurant, come tea rooms, come - you know, little souvenir shops and things like that - it's there for the public to use that would - I would have no issue with - myself personally.

MR SMITH: Things like public buildings - museums, art galleries, tourist information centres, all of which normally require parking as well as the building itself.

MS STEELE: Yes.

MR SMITH: What's your view about those sorts of - - -

MS STEELE: That's why we'd have - I have an issue that we don't have even a light rail around Bunbury and our public space, we would then have to address those issues as well and if we do have, if that bridge happens and we do have a little light rail that comes straight in along Koombana Drive, that's another issue that if you do go to the pps.org web site, it's a very big thing on public transport and in getting rid of the cars. So we would have to be encouraging more of that as well and that's something - is what I think is a long-term vision of Bunbury.

We should be encouraging that and whether we - when we can have multistorey carpark, whether it's - like what they do in Perth along their railways, they've got big carparks that you park and ride. We've got to - that's another issue that has got to be addressed as well. We have got to have a park and ride system around Bunbury. I suppose the bigger the other shires get, Harvey and Eaton - if Eaton is going to get the fast train, if that's what - I think was what - what I heard last, they have a park and ride system. We would have to hopefully address it that way.

But, your know, it's - obviously I'm not a planner so it's a bit hard how can I say where we're going to put all these parking spots. But it's just something I would really envision the Bunbury really would hopefully really get their teeth into and start thinking. Because I don't like to see those parking spots on that waterfront, it's unfortunately a waste of our waterfront area, unfortunately. It would be nice across the road of the RTA, they would build a nice multistorey carpark there.

MR SMITH: What was that web page again?

MS STEELE: pps.org - www.pps - it's - - -

MR SMITH: pps.org?

MS STEELE: org, yes.

MR SMITH: Then?

MS STEELE: That's it. It's Public - it's a - yes, it's a not-for-profit organisation, it's really good, I really recommend that people have a look at it.

MR SMITH: I'm sure I'll get it if I just - - -

MS STEELE: Yes, I can always send it to you, yes, just www.pps.org. On there they have - there's all different projects, they have what makes a good waterfront, what makes, you know, for good transport, what makes good squares in a city. It's really - I really like - because it's a not-for-profit organisation I find it's - you know, it's not biased either as well.

MS PIMM: Thank you very much, Karen.

MS STEELE: Thank you.

**ADJOURNED**

**[11.52 am]**

**RESUMED**

**[1.17 pm]**



**MR JAMES HOLDER**  
**Representing Department of Transport - Coastal Infrastructure Branch**  
**AMENDMENT 0010/41**

Requested a PRIVATE HEARING and is therefore not included in this  
publication

This hearing covered pages 21 to 31 inclusive

**MR DANNY JONES**  
**Representing Timebay Holdings**  
**AMENDMENT 0011/41**

Requested a PRIVATE HEARING and is therefore not included in this  
publication

This hearing covered pages 32 to 42 inclusive

**MR BOB MORGAN  
AMENDMENT 0012/41**

MR MORGAN: Good afternoon.

MS PIMM: Good afternoon. We won't be a moment.

MR SMITH: Is it Dr Holtby or - - -

MR DAVIDSON: Pardon?

MR SMITH: Is it Dr Holtby or - - -

MR DAVIDSON: No, it's Bob Morgan.

MR SMITH: Okay.

MS PIMM: Okay. Bob Morgan. We've had a cancellation.

MR DAVIDSON: A cancellation (indistinct)

MR SMITH: Okay.

MS PIMM: So, Bob Morgan, you're here to speak to us about Koombana South. That's the subject of your particular submission?

MR MORGAN: I'd like to briefly talk about Koombana South and Marlston North.

MS PIMM: Fine.

MR MORGAN: Koombana North I don't have much to say about.

MS PIMM: Okay, thank you.

MR MORGAN: Thank you for my opportunity to make a contribution to this important process. I think sometimes it's easy to forget what a precious thing a genuine democracy is and ignore the fact that most people have little or no input into their future lifestyles, so I do genuinely appreciate that. My name is Bob Morgan. I'm a resident of Bunbury and have lived here with my wife, Lynette, for seven and a half years, and love it. We've lived in various places in Australia. I'm a now-retired local government engineer and chartered civil engineer. My first professional work was in New South Wales as a design and engineer for roads and bridges with what was then the Department of Main Roads. I think it's now called the RTA or something, depending on what the

last government named it.

My principal professional life activity, however, was in local government. I'm an absolute believer in local government and everything I say and everywhere that I come from in my being supports the principle of strength in local government and what derives to communities through local government, and vice versa. I was deputy shire engineer in Wyong Shire in New South Wales. That's just north of Sydney.

MS PIMM: Know it well.

MR MORGAN: Some of you might know.

MS PIMM: Yes.

MR MORGAN: I was deputy shire engineer there from 1973 to 1987, and in that time, if you know it, you will know that it grew from 33,000 people to just under 100,000 when I left, with major sewerage infrastructure. The whole water supply and sewerage schemes are not state-run. They are run by the council, which was quite unusual, even for New South Wales now, but they're quite massive schemes and it's local government-run. I think the population there now is about 200,000 people, so it's grown a lot. After that, I needed to flex my personal and professional wings I suppose, and I applied for and became the city engineer and subsequently the director of technical services for the City of Darwin between 1987 to when I retired in 2001.

When I say "retired", retired from local government. I did some consulting for local government for Cairns city and also for Johnston Shire subsequent to that, but during my tenure at the city, the population in Darwin and its region, taking into account the Palmerstone area et cetera, doubled in population. At Darwin I was responsible for all council physical infrastructure as well as town planning and strategic infrastructure planning. So what, do I hear you ask. Well, I guess with 27 years in local government as a practitioner, I believe I learnt a few things about cities that are in a major growth phase.

Both those cities that I worked in were in major growth phases in the Whitlam and post-Whitlam era in New South Wales. In those regional cities - regional towns initially out from the city fringe, they undertook, particularly those on the coast, because Wyong is very similar - Wyong Shire is very similar to Bunbury. It has a major series of estuaries. Similar to Bunbury, it has a coastal front, and some of the same problems just exist, as indeed is the case in Darwin, but I think some of the lessons that I learnt, that I now regard as pivotal to our understanding in terms of future strategic planning for a city, I think are worth review, and I see six of them.

I think it's extremely important that we discover the heart of the city through its history and its culture, and anyone who comes to any city in that kind of position, in local government or in planning, needs to do some hard reading and understand what the city is about, where it came from and how it got to where it is. Secondly, it needs to have a respecting regard - and I use that word deliberately, "respecting regard", not respectful, just respecting - of what previous city fathers and mothers were reaching for and aspiring to in that city or town. What did they see as important?

Thirdly, I think it's really important to recognise those places, I call them places, around and upon which the community comes together to rejoice and celebrate. These are really important for more than one generation. They tend to be inter-generational. The fourth thing I think is important, to use colloquial terms for the computer era, there is no undo button for private development once it's permitted, even in a small form, on public land. I'm not suggesting there for a moment that we should take the environmental precautionary principle that if you don't know what the outcome is, don't do it. I'm not suggesting that.

I think private development is a fundamental part of any city growth, and we clearly need it. There are many cases where we don't know what the answer is but we still proceed to go ahead on the best information that we can get, and we've all made mistakes. I'm not suggesting that we haven't made mistakes, but there's no doubt that once you do press the on button, the enter button, there is no undo button, because the price of repurchase and the compensations and all that is never, ever going to be undertaken by most cities.

I think the fifth thing that's really important that we so often miss or dodge is that unless we're looking at a tripling of the population, we're missing the point. It is no point at looking - 50,000 people. We have to look at 150,000 before we can get a true measure of the sorts of things, the sorts of demands, that are going to be made of us, or those people of the future who are attempting to put together services and facilities and amenities that the public will want. It also means, I believe, that we need to take care that we don't cut off opportunities that might be needed for social amenities that we don't even know about yet. I have no idea what they might be. All I know is that history tells us that's the case.

The last thing that I think is important - and this is sometimes again missed or dodged, and that is that we shouldn't expect the city's future to come free to us. We should expect pay for what we want for our city for the future. A very quick example - in Darwin, although it's not relevant to most other states - and the Northern Territory not being a state anyway. Darwin City had to do a major - while I was there, it was a long negotiation with the Northern Territory

government - negotiated for the very simple acquisition of all parks and reserves, all 208 of them.

Now, that didn't come easily, and it didn't come without a whole lot of quid pro quos from the Northern Territory government, and it took a couple of years in the process, but it put the council in a position to be able to make its decisions for its future in relation to some of those things that were previously government-owned. I know hard cash is always difficult for any council. None of us ever had enough, and it doesn't come easy, but there are ways of negotiating some of these things and that was we did in Darwin, and I think it was worthwhile. I'm not suggesting we can do that here but the principle is what I'm really driving at.

I think the most informed and objective assessment of the future use of the public land in Koombana South would probably deny private ownership. I hasten to use the word "informed" because I believe there's informed from a perspective such as mine, who have been a local government practitioner, and perhaps business-informed. They will come up perhaps with two different views, but I think that's probably the case. It's a piece of prize land. We all know this is extremely important, and I had the view, and held it for a long time, that there ought to be a siting from the Bunbury Regional Entertainment Centre for anywhere along that centre, but you ought to be able to see the Plug bridge and all the public land south of that.

In my submission I even included the possibility that it might be of some value, almost as a sop, to allocate some of that land for reallocation, adjoining Koombana Drive south of the - as you'll remember, the proposal was for an L-shaped development, and I thought maybe the top part of that L might be useable as private development. I've had a Paul on the road to Damascus occur and I'm now convinced that if that were done, it wouldn't be a wise move, and I'll come to that in a minute, because I think that the Koombana Drive entry into the city, whilst it's not our major entry - and probably will never be our major entry, but it's an important entry nonetheless.

The Koombana Drive entry into the city now is, and always should be in my opinion, a visual gift to visitors and locals. When you drive over that bridge, you should see something that is just postcard-like, and at the moment it's a blank canvas, and that's the way it probably should be. All development shouldn't take place in one generation, in my view. It takes time for these things to occur. What we can't afford to do, in my opinion, is to give it away too early. I'm also not convinced, having had another look and a bit more time - I'm not convinced that narrowing of the road reserve at this stage is a wise move anyway, because whilst that road reserve will not, for the next 25 years, be required to the full extent.

To narrow it down now takes away, to some extent, the opportunities for our kids, and their kids in the future, to look at other beautification processes within the road reserve, and I think public art is an important thing. Whilst I may like the sculpture at the intersection at the moment, there's plenty of opportunities for further work in the future that will even add to the beautification to that entry. I've seen the value to cities and their communities in enhancing the retail, commercial and even residential aspects in connection with the historic, commercial values of old ports, and some examples - I mean, there are many I could quote - but just a few.

Darwin's Stokes Hill Wharf is a good example. Geelong's wharf area is another good example in the making. St Kilda Pier, nothing needs to be said about that. We know how good that is and what opportunities that has presented. Cairns Pier 1 is a good example - again further opportunities. Sydney's Darling Harbour I guess is the best example anyone could put up. These convince me of the hidden retail, commercial and residential sleeping giant that is the Bunbury jetty formation. The formation I'm talking about is what partially is incorporated in the Marlston North proposal.

I think that jetty formation, that's the earth formation out to the jetty itself, is, as I said, the sleeping giant. It's where the magic of the future for tourism, for tourist retail, commercial and even residential could take place. I think it shouldn't be done over night. It should be done over a period of time, and I think the advantage that I see in that is its commercial growth would be consistent with its commercial maritime history.

It's been a high commercial activity place in our past. It's pretty quiet at the moment, but it's not taking anything away by adding to that in the future. It would not hinder current city or, in my opinion, future city access or traffic movement because it's off to the edge and it doesn't - it wouldn't hinder our abilities to get around the city. It constitutes an addition, and I think this is important, and does not subtract any recreational, cultural or visual amenity to the city, so it's not doing a Koombana South where you take something away to put something in, and those of us that might be disappointed about losing something will continue to be disappointed.

I believe the Koombana South proposal would - proposed rezoning should not take place. If it were to proceed, too many of those things that I've learnt that are important would, in my opinion, be either ignored or severely compromised. The public space between the city and the Leschenault Inlet are integral to the heart and pulse of the city. I'm convinced about that. It's true that there are only a half a dozen activities in that area of land that we use each year in a large sense, but again if you triple the population you'll find that that will be a fundamental area that should not be lost. Previous city fathers, Mayor Pat Usher and others were courageous in their commitment to the

western inlet waterfront as a public space.

I'm sure our current mayor will be the same in the future. Part development of the Koombana South public land would be potentially insidious too. I think what happens if you have a part of that land allocated to - excised off for public use, we all know what happens. The privatisation of that - I said public use. For private use I meant to say. That private use moves into the public space in inessential form. People who are using the public space, and Brisbane is a classic example where we all know there is space down by the river, but none of us are able to use it mentally because it seems as if it were associated with a shop, a coffee shop or something like that.

So actually it's still allocated as public land, but it's taken away from us and I think that's the sort of thing I see as dangerous, a part privatisation of that land. As I said, I believe the sleeping giant is the Bunbury jetty area. So I strongly support Marlston North, but only as a first stage of what should be a much larger and much more robust proposal. I don't think that Marlston North really comes to grips with what could be done there. In conclusion, and with particular reference to Koombana South, the simple reality is that the crown owns the land. If the city is to derive the full and future benefits of the land then we the community must be ready to acquire it from the state.

This could be done by land exchange, but with recognition of the value already committed by the council in sustaining the conditions of the management order. Let's not forget that. This has been under a management order for many years and the government in their wisdom decided that that should be looked after by the council and that clearly would need to be recognised as any part exchange to acquire the land. Thank you very much for the opportunity of putting that.

MS PIMM: Thank you. Any questions?

MR SMITH: No. Well presented. It's great to see enthusiasm from someone who has been in local government for a long time.

MS PIMM: We're all local government here.

MR SMITH: Can I be clear? Marlston North, okay, but - - -

MR MORGAN: Marlston North is okay, but I really would like to see a long-term plan put together on really maximising that area. I'd like to see that formation three times the width because if you recognise on the eastern side, all that waterway is almost useless because it's foul ground. Now, I know that excavation - sorry, reclamation is an expensive process, but if we accept that the channel, the commercial channel will have to be excavated to take larger



ships in the future then we're going to need a dredging tailing area to accommodate.

We can continue to take it out to sea as we do now, but there's lots of opportunity in doing those two projects as a continual. I think it should never be developed over one generation. I see two or three generations there, but we should set up the opportunity so that future generations can do that sort of thing in their own time.

MR SMITH: Koombana North?

MR MORGAN: Koombana North is fine. We've got no difficulties with Koombana North.

MR SMITH: In your original submission you seem to be defining the area of Koombana South to be retained in public ownership as being aligned with Clifton Street.

MR MORGAN: Yes.

MR SMITH: Today you've really presented on the basis that it should all be preserved, as I understand it.

MR MORGAN: No. Yes, that's right. I went for Clifton Street thinking that that would - because that proposal involves some use of the road reserve - of the current road reserve which I grant is quite wide, but thinking about it long and hard, I concluded that I probably went too far in ever seeing that as acceptable.

MR SMITH: Otherwise I do note your view about reserve areas being granted (indistinct) I hope one day in the not too distant future that may happen in some parts of our city. The other was a question of the retention of road reserves. I should get you to go and talk to some of my councillors and some of my staff about not giving up road reserves easily.

MR MORGAN: That's right. Well, I think the way to approach it, as I've said before, just visualise the tripling of the population, just see the numbers and see the traffic and all the rest of it. Things that aren't clear now, sometimes become more clear.

MS PIMM: Kath, do you want to say something? Kath is a member of our staff from the local planning office in Bunbury.

MS LA NAUZE: Yes, just for clarification for the report purposes, so are you formally withdrawing your original submission?

MR MORGAN: Yes, and I've got copies here if you'd like.

MS LA NAUZE: Yes, that would be great.

MS PIMM: So we just note that you're tabling a new submission.

MR MORGAN: Yes. A revised submission, yes. Amended, yes.

MS PIMM: Amended submission. Thank you.

MR MORGAN: I suppose we're all capable of making lots of mistakes and we're all capable of changing our mind. That's what I did.

MR SMITH: Unfortunately we tend to remember our mistakes.

MR MORGAN: Yes, that's right.

MS PIMM: Jake, did you want to ask any questions?

MR DAVIDSON: No, thank you.

MS PIMM: No? Thank you very much.

MR MORGAN: Thank you.

MS PIMM: Thank you.

**MRS JUDITH WALL**  
**Representing herself & Mr John Wall**  
**AMENDMENT 0012/41**

MR SMITH: Are the other two people there with the next submissions?

MS PIMM: Judy and John? Judith Wall?

MS WALL: Yes.

MS PIMM: Thank you. And - - -

MR WALL: John.

MS PIMM: John Wall? Thank you for coming in. You probably heard me say before that the microphone is being used for recording purposes, so everything you say or we say is transcribed. So that's what that's for. You are here for Koombana South.

MS WALL: That's right. First we thank you for allowing me to speak to you. Firstly I apologise for my political naivety and my lack of understanding of procedure but you will be pleased to hear I have no intention of listing all the technical reasons that the proposed develop of Koombana South should not go ahead. You know them all very well, suffice to say the Bunbury community regards this land as its own and wants to see it developed only for the good of the community. They are hurt, angered and confused that the state government would seek to abandon this land to commercial development.

Make no mistake, when I talk about the community I don't mean hippies, greenies and tree-huggers. We are not doing this to save the rabbits. You cannot console yourself by labelling us mad lefties or anti-development. We cover the whole spectrum of society. Professional people, tradespeople, small business people, labourers, mothers, fathers, young people, old people. All of them believe that to let that land go would be commercial and social folly. At every opportunity presented to it, our community has opposed this type of develop at Koombana South. At the electors meeting over 300 people, a record number for a meeting by far, unanimously rejected it. In submissions to the council in unprecedented numbers it was rejected.

The council itself, not long ago, rejected it, and all this despite a long and vigorous campaign by government servants and the Bunbury Chamber of Commerce, Bunbury's most powerful lobby group. Never before has a local government issue galvanised us as much as this one. It has awakened the sleeping giant. This must give you an idea as to the strength of feeling here. Towns and cities all the way from Geraldton to Albany have found that they no

longer had the same access to the beauty spots that they once had. They have been delivered into the hands of the developers. Other than the cherry picking of their prime public assets, the main complaint of this community is the sameness of the plans.

Much as shopping centres are all the same, so are these developments. It is impossible to distinguish one town from another. The character and history of the community is not taken into consideration and never will be as long as financial success is regarded as the prime performance indicator without due regard for the social and environmental needs. Town planning should not be about making money. So it is with Bunbury, or would be but for one thing, the inlet. The only thing that distinguishes us from every other town or city on the WA coast is the inlet, and its relationship with the city. Thousands of us see it every day going to and from work or shopping or just going about our business. It's there with us all the time at the very heart of our city.

We may take it for granted, we may be a little blasé about it, but take it away, then we will see what an important part the inlet plays in our daily lives, because that's what this development does. It takes away our inlet. Yes, I know it's only 20 metres wide, but it's five to seven stories high, making an effective barrier between the inlet and at least half of the city. Why hide our inlet? Why go to the expense of opening up the area if all we are going to do is close it up again? Why go to the trouble of removing all the railway paraphernalia if once again you are going to restrict access to the area? Make no mistake, once the buildings are up the views and the land in front of them will effectively belong to the people who buy them, or so they will imagine even if in fact they don't.

Once this land has been encroached upon, how much easier will it be to change the zoning next time, and the next and the next time. Death by a thousand cuts. The only reason you have less objection about the other area of development in Koombana North I because people think it is ruined already. They can't do any worse. This is what will happen to Koombana South over a period of time. Why once again hide this pearl at the centre of our city? Why cover up the one thing that distinguishes our city from every other city? What will the visitors remember?

What will leave a lasting impression on them? The sparkling waters of our inlet surrounded by landscaped gardens, or seven story, pre-fabricated cement buildings just the same as every town and city they've seen up to now. Will we allow Bunbury once again to become the tired old service centre it once was? The place you go to because you had to, not because you wanted to? Or will we have the courage to keep our prime public asset, the area that defines us, out of the developer's hands? I believe that given the centre of the city is dying and in desperate need of redevelopment, the public has every right to question why all the new development is concentrated on land that the

community wants for recreational purposes, and has every right to assume the answer is that it is a revenue-raising government land grab.

We all know that the market is the most efficient allocator of resources and the market is clearly indicating that without the government discounting the value of this land, there is no appetite for this type of development. As long as the government is prepared to dump cheap land onto the market, the developer takes on the vital, but less profitable, work of renovating the city centre. It is not the job of government to subsidise developers to build luxury apartments for the very rich, especially when it is at the expense of community. If the LandCorp's figures are correct and there are 70,000 of us living in Bunbury in 2016, doesn't that make our public open space more of a priority?

As our lives become faster and busier, as our roads become more and more congested, as more of us try to live in the same small space, the need for somewhere to go to retain our sanity becomes an even greater need. Somewhere to go that's within easy reach and no expense, to recharge our spirit, surely this is a fundamental of city planning. I know a perfect place for this and it's undervalued by the state government.

What other city could boast of an environment like ours at its heart, where as you take your morning walk, 10 metres away a dolphin has been past or you can watch the pelicans land? Not only should we not risk this gift with development, we should be emphasising it to the rest of the world. Why hide this wonderful asset behind high-rise buildings that make us look just like every other city, or worse still risk losing it completely with other developments.

The inlet is used by thousands of people for a myriad of reasons and all of them come away feeling just that bit happier. We use this area as a town gathering place, this is where we come together as a community to celebrate our holidays and festivals. We feel that it belongs to us all and we share it. This area is far too important for the health of our community to let it be surrendered for profit. I believe that the decision you make here is the most important made in Bunbury since the milk carton.

If you allow the government to have its way you abandon the Bunbury community, there will be a rift between the community and the body making these decisions which could affect all future decisions that body may wish to make. This rift may last as long as the contempt for the Bunbury Tower has. If, as I suspect, you wish to serve your community, then you must see that by any measure the community does not want this development in this place.

There is no redress for the community when patently bad or wrong decisions are made. If you go ahead with this scheme there will be an irreversible

decision, this will not go away in a few weeks' time when all the fuss has died down. The community won't just get used to it after time. The decision you make will be with you and us for the rest of our lives. I wish you good luck and I urge, no, I plead with you, not to let Koombana South development go forward.

MS PIMM: Thank you very much.

MR SMITH: John, do you have anything?

MR WALL: No.

MR SMITH: Judy, what do you think - if it is retained in public ownership as regional open space, what would you like to see on that area?

MS WALL: I would like to see public gardens, I can even see something like an orchestral shell, I don't want a lot of over development on it. I think it's what people need, just to relax, to go there, to be with the inlet itself. I can't for the life of me see why we have - and I know it's former people's decisions - you have Centrepoint with its back to the inlet. I can't for the life of me see why there is a parking area right there overlooking the inlet. You know, the two-storey one near Centrepoint. They - these are places for development, these are places to incorporate our inlet, that inlet extending the gardens and all of that cultural sort of things is what the community needs.

MR SMITH: Can you cite any examples of gardens or foreshore areas that you've seen you would like to mimic?

MS WALL: I'm like the former speaker, I haven't travelled a lot around. But I just think of even where - how beautiful it is where the rowing club is, that garden area is delightful with those sort of trees there. Now, if we could extend that further around and have people enjoy that area, as well as being used, remember the dragon boat races that used to be there, the rowing that is there. I mean, all those - it's a vital part of our community, the long lunch, the fireworks, all those sort of things are things that our community needs and that's what makes us a community. I don't think a building does.

MR SMITH: From Carey Street you obviously walk the foreshore?

MS WALL: Yes, often. I walk there often every morning when the weather is obviously better and it's lighter, so when I'm talking about dolphins swimming by and pelicans landing, I'm telling the truth.

MS PIMM: Jake, anything?

MR DAVIDSON: No, I don't, thank you very much for the presentation.

MS PIMM: No, thank you for your very passionate presentation, I must add, it was very good to listen to and we appreciate very much the time that you've put into your presentation and thank you very much for coming in.

MS WALL: Thank you.

MS PIMM: Thank you.

**ADJOURNED**

**[2.51 pm]**