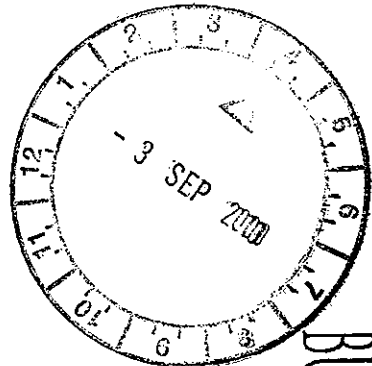




Our Ref: SS: 506037
Enquiries: ☎ (08) 9792 7031
E-Mail: ceo@bunbury.wa.gov.au

30 July 2009

Hon Brian Ellis MLC
Parliament House
Perth WA 6000



PUBLIC

Dear Sir,

**PETITION NO 29 - BLAIR STREET AND KOOMBANA DRIVE
LOTS 707, 681 AND 723 - RETAIN AS A PARKS AND
RECREATION RESERVE**

I refer to your letter of 24 June 2009 in relation to Petition No. 29 - Blair Street and Koombana Drive, Lots 707, 681 and 723 – Retain as a Park and Recreation Reserve.

For your information the land in question is vested in the 'Crown' and for planning purposes falls under the Greater Bunbury Regional Scheme being a matter for determination by the State Government.

The State Government through its land management agency, LandCorp, is proposing to develop this land as part of its Bunbury Waterfront project. At present, the Minister for Planning has established a Ministerial Task Force to investigate associated planning considerations with regard to this land and is expected to finalise its report to the Minister in the next few weeks. This report will assist LandCorp in its development of the site with respect to any areas required to remain as public open space as well as areas suitable for major built-form development.

It would be inappropriate for Council to make any comment at this stage until the Ministerial Task Force has completed its report. Should you require further details for what is planned for the land in question I suggest you make contact with Mr Ross Holt, LandCorp's Chief Executive Officer on 08 9482 7499, being the responsible agency for the project.

For your information I have attached a copy of Council's report/decision of 16 December 2008 which provides comment and a summary of the City's views on development options for this site (locally described as the Eastside Precinct by LandCorp).

Kind Regards

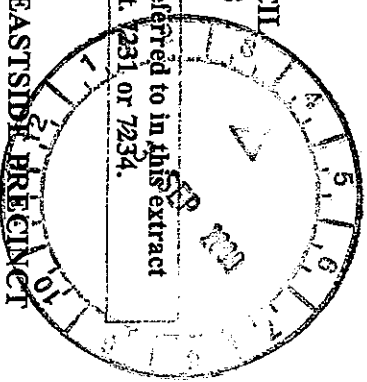
**Greg Trevaskis
CHIEF EXECUTIVE OFFICER**

† Director of Environmental Services (our petition no 29 - Blair Street and Koombana Drive, lots 707, 681 and 723 - retain as a parks and recreation reserve)

PUBLIC

EXTRACT FROM MINUTES OF COUNCIL MEETING HELD 16 DECEMBER 2008

Hard copies of 'reports under separate cover' or 'confidential reports' referred to in this extract can be viewed by arrangement with the Administration Officers on ext. 7231 or 7234.



11.12 BUNBURY WATERFRONT PROJECT – ASSESSMENT OF EASTSIDE STRUCTURE PLAN (WAS LISTED AS ITEM 11.6 ON THE MEETING AGENDA)

File Ref:	A03183
Applicant/Proponent:	Taylor Burrell Barnett, Planning Consultants (for Landcorp)
Author:	Geoff Klem & Paul Davies, Planning Consultant
Executive:	Geoff Klem, Executive Manager City Development

Summary

Taylor Burrell Barnett, Planning Consultants (on behalf of Landcorp) has submitted a report document titled "Bunbury Waterfront Eastside Precinct Structure Plan". The report supports a rezoning request in respect of the portion of the Waterfront Project area referred to as the Eastside Precinct and includes a draft Structure Plan.

At its meeting on 18 March 2008, the Council made the following decision concerning the Eastside Precinct Structure Plan:

"Council, pursuant to the Planning and Development Act 2005 and clause 5.9.13 of the City of Bunbury Town Planning Scheme No. 7, hereby resolves to:

- a) Publicly advertise on a "Without Prejudice" basis, the proposed draft Bunbury Waterfront Eastside Precinct Structure Plan (December 2007) document as a Local Structure Plan for a period of 60 days and refer the document to relevant public authorities for review and comment.
- b) Following public advertising of the proposed draft Bunbury Waterfront Eastside Precinct Structure Plan (December 2007) document, the proposal and any public submissions lodged with the City during the advertising period are to be returned to Council for further consideration."

In accordance with Council's decision, the draft Bunbury Waterfront Eastside Structure Plan was advertised for public comment closing on 5 August 2008. A total of 881 submissions were received. The purpose of this report is to consider the issues raised in the submissions and to also consider outcomes from Council briefings and a study tour of Queenstand.

Following completion of the formal advertising period Landcorp submitted the results of an independent telephone survey undertaken by Patterson Market Research. Landcorp undertook the survey as an alternative assessment of community attitudes towards the Bunbury Waterfront development.

It is recommended that Landcorp review the proposed Bunbury Waterfront Eastside Precinct Structure Plan taking account of the public submissions, the policy statement contained in

City Vision Strategy relating to the subject land, the outcomes from the study tour of Queensland and the briefing on passenger rail terminus options. Specific matters for detailed consideration include, but are not limited to, the following matters:

- As part of a comprehensive plan for the Lower Leschenault Estuary and adjoining lands, make provision for activity nodes comprising restaurants/kiosks, playgrounds, toilets, shelters, barbecues and entertainment areas.
- Increase the provision of public open space and in particular increase foreshore or the setback to the estuary for the Eastside Precinct area.
- Plan for wide foreshore paths with grade separation, integrated landscaping (particularly shade trees), public art and lighting for the entire Lower Leschenault Estuary, the "Plug" and Marleston Waterfront area.
- Through the comprehensive planning of the Lower Leschenault Estuary area, establish those areas that would be suitable for built form other than public amenities. In this regard building height should be restricted to that of the Marleston Waterfront or where there is adequate separation from the water - 5 storeys or 8 storeys subject to performance criteria.
- Ensure that there is adequate public parking and access to all foreshore areas.
- Plan for no encroachment into the estuary and provide for the management of any development to include measures to protect the water quality of the estuary.
- Establish, through liaison with the Public Transport Authority, the status of a preferred option for a passenger rail terminus in the Central Business District. In the event of no firm commitment to the planning and development of the facility and associated commuter "fast train" service, appropriate provision be made for a rail platform on reserved land north of Koombana Drive.

Background

The Eastside Precinct Structure Plan forms part of the first stage of the Bunbury Waterfront Project proposals by Landcorp, to secure future redevelopment over areas of Crown land along the coastal foreshore west of the Bunbury Inner Harbour up to and including the Outer Harbour.

The land is principally reserved for "Regional Open Space and Railways" under the Greater Bunbury Region Scheme and as "Parks and Recreation and Railways" under Town Planning Scheme No 7. Accordingly, a series of amendments are required in order to progress the project.

A copy of the "Bunbury Waterfront Eastside Precinct Structure Plan" report submitted by Taylor Burrell Barnett Planning Consultants has previously been circulated to Council.

At its meeting on 18 March 2008, the Council resolved to:

"Council Decision 34/08

1. *Council, in pursuance of section 75 of the Planning and Development Act 2005 (as amended), resolves to initiate an amendment to City of Bunbury Town Planning Scheme No. 7 by:*

- a) Rezoning Lot 707 Blair Street, Lot 681 Koombana Drive, portion of Lot 674 Blair Street, portion of Lot 723 Koombana Drive, portion of Lot 628 Koombana Drive and parcels of Unallocated Crown Land from "Parks and Recreation Reserve" to "Special Use Zone No. 51" on the Scheme Map;
 - b) Rezoning portion of Lot 723 Koombana Drive and parcels of Unallocated Crown Land from "Railway Reserve" to "Special Use Zone No. 51" on the Scheme Map;
 - c) Rezoning portion of Lot 723 Koombana Drive and parcels of Unallocated Crown Land from "Railway Reserve" to "Parks and Recreation Reserve" on the Scheme Map
 - d) Rezoning portions of Koombana Drive from "Parks and Recreation Reserve" to "Local Distributor Road Reserve" on the Scheme Map
 - e) Rezoning portions of Unallocated Crown Land from "Parks and Recreation Reserve" to "Waterways" on the Scheme Map; and
 - f) Inserting land uses and development standards for 'Special Use(s)' and 'Conditions' of "Special Use Zone No. 51" under Schedule 2 – Special Use Zones of the Scheme Text,
- in accordance with "Local Planning Scheme Amendment Report - Scheme Amendment No. 26 to Town Planning Scheme No. 7".
2. The proponent be advised of Council's decision and requested to submit 5 copies of *cadastrally correct Scheme Map amendment documentation* in both electronic and *hard copy formats* to the satisfaction of the Executive Manager of City Development.
 3. A copy of the Scheme Amendment proposal to be referred to the Environmental Protection Authority and any other relevant public authority, for consideration and comment.
 4. Council, pursuant to the Planning and Development Act 2005 and clause 5.9.13 of the City of Bunbury Town Planning Scheme No. 7, hereby resolves to:
 - a) Publicly advertise on a "Without Prejudice" basis, the proposed draft Bunbury Waterfront Eastside Precinct Structure Plan (December 2007) document as a Local Structure Plan for a period of 60 days and refer the document to relevant public authorities for review and comment.
 - b) Following public advertising of the proposed draft Bunbury Waterfront Eastside Precinct Structure Plan (December 2007) document, the proposal and any public submissions lodged with the City during the advertising period are to be returned to Council for further consideration.
 5. At a time decided upon by the City's Executive (in consultation with the Mayor and Deputy Mayor) the Council resolves to request the Western Australian Planning Commission to initiate an Amendment to the Greater Bunbury Region Scheme to reflect the proposed Eastside Precinct Proposal. "

Submissions

In accordance with the Council's decision, the draft Bunbury Waterfront Eastside Structure Plan was advertised for public comment closing on 5 August 2008 and a total of 881 submissions were received. Table 1 below includes a summary of the main issues raised in the submissions.

A full Schedule of Submissions was prepared previously and forwarded to all councillors on computer disc and the submissions, without names, were subsequently posted on the City's website. A hard copy of the submissions is included as part of this item at Appendix 7. A number of submissions included sketch plans for possible development options for the area and these have been included in the Schedule of Submissions.

Following completion of the advertising period Landcorp has submitted the results of an independent telephone survey undertaken by Patterson Market Research. The telephone survey was undertaken by Landcorp to determine community attitudes towards the Bunbury Waterfront development.

Table 1

Issue	Comments	No of submissions	%
1	Retain all existing Open Space, Do not support rezoning	370	42
2	No High Rise Buildings	360	41
3	Provide more landscaping public facilities, playgrounds, toilets, barbecues, shelters	286	32
4	Protect estuary waterways for passive use and concern with development impact on water quality	189	27
5	Provide Cafes / Restaurant facilities.	180	20
6	Support Landcorp design/ proposal	165	19
7	Provide more open space	143	16
8	No encroachment / fill on Estuary	118	13
9	Retain Public Open Space south of Koombana Drive	97	11
10	Concerned with lack of car parking proposed reduced road widths	84	10
11	Concern with environment in future including global warming and sea level rising.	77	9
12	Support revised design for more low rise development opportunity	74	8
13	Concern with impact on Rowing Club and inlet activities	58	7
14	Support low rise development to north side of Koombana Drive	65	7
15	Support Tourism Development	56	6
16	Revise concept in accordance with City Vision	55	6
17	Development in accordance with Sustainable Cities principles.	55	6
18	Include railway to city centre	34	4
19	Provide more pathways, cycle routes	25	3

Council Minute Extract

Issue	Comments	No of submissions	%
20	Provide Museum or cultural centre	22	3
21	Retain Blair Street Roundabout	9	1
22	Relocate Graham Bricknell soundshell to foreshore	9	1
23	Concern with impact on Ski Beach	7	1
24	Concerned with reduced property values for existing properties	6	1
25	Provide bigger jetty for mooring in estuary	5	1
26	Restore Historic Timber Jetty	4	
27	Concern with conflict with Bunbury Port operations traffic, noise, dust	3	

1. Public Open Space

42% of the submissions received recommend that the whole Eastside Precinct area be retained as open space and not be rezoned for development. 16% of submissions recommend that more public open space be provided in the area with 11% outlining particular concern for the area south of Koombana Drive which is considered desirable to retain usage for current significant community events such as fireworks and displays.

2. Development Requirements

The other major concern outlined in the submissions is development of high rise buildings on the foreshore. 41% of submissions recommend that no high rise buildings be allowed on the foreshore area. A number of submissions recommended that the maximum building height on the foreshore area should be 4-5 storeys.

32% of submissions recommend that the Eastside Precinct area only be developed with landscaping and public facilities and amenities including playgrounds, and or toilets, barbecues and shelters or other amenities. 20% of the submissions outline that the area should include some commercial uses such as Cafes and Restaurant or kiosks.

19% of submissions supported the overall development concept as outlined in the proposed Landcorp Structure Plan. 8% support a revised proposal for low rise development, 6% support low rise development north of Koombana Drive and 6% support development for Tourism purposes.

6% of submissions recommend that the proposal be revised to conform to City Vision proposals for the Precinct area. Also 6% of submissions outline that any development in the area should be in accordance with Sustainable Cities principles.

Other issues raised in the submissions included bringing the railway into the city centre, provide museum or cultural centre, and relocate the Graham Bricknell soundshell to the foreshore.

3. Environment

27% of submissions outline concern with pollution from development and increased boat usage in the area impacting on the water quality of the estuary and particularly mangrove areas. 9% of submission outline concerns with possible environmental changes such as global warming and sea level rise.

Concern is also raised in regard to proposed fill of the estuary and impact on the possible creation of a formal rowing course in the area.

4. Car Parking and Traffic

10% of submissions outline concern in regard to lack of car parking or reduction in road pavement widths for Blair Street and Koombana Drive. The proposed development includes a number of submissions that outline that the roundabout at Blair Street and Koombana Drive should be retained as an entry to the City.

The proposed Structure Plan indicates possible development of approximately 14,710m² of office / commercial floor space and 10,970m² of retail hospitality floor space which could generate demand for approximately 900 car parking bays based on current Town Planning Scheme No 7 requirements.

The provision of the required car parking spaces could result in significant traffic demands for the area and implications for road layout/design.

5. City Vision Strategy

The Bunbury Waterfront Project in general, and the proposed Eastside Precinct Structure Plan in particular has high significance when considered in conjunction with the recommendations and objectives of the City Vision Strategy, adopted by Council in 2007. Key extracts from the City Vision Strategy include the following;

Priority Issues / Proposals - Social Strategy 2.1

"Prepare a plan that provides for 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" ...

"The extent, design, scale and bulk of any development on the foreshore areas are critical factors affecting a strategy to engage with the water areas of the City. Currently, views to the water from many vantage points are uninterrupted because of the lack of development. However, there is no magnet or major attraction near the foreshores to draw people towards the water. To satisfy competing objectives, the identification of limited low impact, high quality attractions in a setting of open, enhanced recreation and civic areas as proposed."

Priority Issues / Proposals - Economic Strategy 2.2

"Identify, enhance and expand tourist attractions in the Strategic Regional Centre and ensure that the CBD is planned and developed as the arrival point for visitors including an enhanced Tourist Visitor Centre" ...

"The proposal for increased commercial opportunities and other development on foreshores meets this objective/strategy".

Composite Recommendations (Leschenault Inlet / Koombana Bay Foreshore Reserves)

The Inlet (City End - The "Plug" to Bunbury Yacht Club)

CBD30: That major and extensive built development is not supported on the Inlet foreshore excepting a project area at the western end of the Inlet that provides an attraction or magnet to the water. The type of development consistent with community values for this area is a restaurant, tearooms and/or tavern combined with bike and boat hire, facilities for barbecues, child/youth play areas and live entertainment facilities. This development should align closely with the key pedestrian and visual connector with the City centre, being Symmons Street. Other development opportunities maybe considered following the public release and community feedback on the Bunbury Waterfront Project prepared by Landcorp."

Koombana Bay/North Shore

CBD34: That development of the foreshore areas must be low impact with an emphasis on civic, cultural and tourist orientated uses. Other development opportunities may be considered following the public release and community feedback on the Bunbury Waterfront Project

Bunbury Waterfront – Recommendations

CBD35: Reaffirm the conclusion that the Outer Harbour offers a significant development opportunity that will complement the adjoining CBD and North Shore areas of the City.

CBD36: That the City in partnership with Landcorp undertake further planning and financial analysis to establish the mix of uses that meet objectives and strategies that seek to improve connectivity between the CBD and the Harbour, provide for a broad range of tourism and recreation experiences, protect and enhance heritage values and build on the existing facilities that currently service small craft to large ships.

Landcorp Telephone Survey

6. Following completion of the formal advertising period Landcorp has submitted the results of an independent telephone survey undertaken by Patterson Market Research. The telephone survey was undertaken by Landcorp to determine community attitudes towards the Bunbury Waterfront development.

A copy of the Telephone Survey Results provided by Landcorp is attached at Appendix 8. The telephone survey was undertaken on a random dial selection of 201