



April 2024

# **Greater Bunbury Region Scheme Amendment 0070 (Standard Amendment)**



**Part Lot 65 South Western Highway  
Glen Iris**

Amendment Report

City of Bunbury

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**Greater Bunbury Region Scheme  
Amendment 0070  
(Standard Amendment)**

**Part Lot 65 South Western Highway  
Glen Iris**

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**Amendment Report**

City of Bunbury



April 2024

The Western Australian Planning Commission acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

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GBRS Amendment 0070 (Standard) Amendment Report  
File RLS/1107

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This document is available in alternative formats on application to the Department of Planning, Lands and Heritage Communications Branch.

# Contents

Abbreviations .....	i
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## Amendment Report

1 Planning objective .....	1
2 Background.....	1
3 Discussion.....	2
4 Aboriginal cultural heritage .....	4
5 Coordination of local and region scheme amendments .....	5
6 Substantiality.....	5
7 Environmental Protection Authority advice .....	5
8 The amendment process.....	5
9 Submissions on the amendment .....	6
10 Modifications to the amendment.....	7
11 Final outcome.....	7
Amendment Figure - Proposal 1.....	9

Appendix A Notice of environmental assessment

Appendix B List of detail plans supporting the amendment

Appendix C Preparing a submission

Appendix D Submission form for this amendment

## Abbreviations

<b>ACH</b>	Aboriginal Cultural Heritage
<b>AHA</b>	<i>Aboriginal Heritage Act 1972</i>
<b>DPLH</b>	Department of Planning, Lands and Heritage
<b>DWER</b>	Department of Water and Environmental Regulation
<b>DWMS</b>	District Water Management Strategy
<b>EPA</b>	Environmental Protection Authority
<b>GBRS</b>	Greater Bunbury Region Scheme
<b>LPS</b>	Local Planning Scheme
<b>MOU</b>	Memorandum of Understanding
<b>MRWA</b>	Main Roads Western Australia
<b>ORR</b>	Other Regional Roads
<b>PRR</b>	Primary Regional Roads
<b>SPP</b>	State Planning Policy
<b>SWALSC</b>	South West Aboriginal Land and Sea Council
<b>WAPC</b>	Western Australian Planning Commission
<b>WC</b>	Water Corporation

## **Amendment Report**

# Greater Bunbury Region Scheme Amendment 0070 (Standard)

## Part Lot 65 South Western Highway, Glen Iris

### Amendment Report

#### 1 Planning objective

The purpose of the amendment is to rezone approximately 2,248 m<sup>2</sup> in Glen Iris from the Regional Open Space reservation to the Urban zone in the Greater Bunbury Region Scheme (GBRS), as shown on the **Amendment Figure - Proposal 1**.

The amendment will facilitate the expansion of the existing Morrissey Homestead site to include new respite accommodation, staff sleeping quarters, new office space, maintenance workshop and improved parking facilities. The relocation of the existing access path will also be required.

#### 2 Background

The proposed amendment is located in the City of Bunbury and is approximately 4.7 km south-east of the Bunbury CBD. To the north is the existing Morrissey Homestead, residential development to the west and Urban zoned areas to the east. A wetland area (known as Eadles Creek) is located in close proximity to the south-east and the Preston River is located further to the east.

The existing Morrissey Homestead site provides services in respite, dementia, social support, domestic assistance, transport, school holiday programs, short term accommodation and centre-based activities for young adults and children with disabilities.

The amendment will facilitate the expansion of the existing Morrissey facilities to include new respite accommodation, staff sleeping quarters, new office space, maintenance workshop and improved parking arrangements. The relocation of the existing access path will also be required.

The amendment site and surrounds is owned by the City of Bunbury and the Morrissey Homestead site is leased from the City. The amendment site is currently vacant and primarily cleared of any vegetation and does not contain any WA Threatened and Priority Ecological Communities or Declared Rare and Priority Flora. To the south of the site is a wetland which is classified as being 'Not Assessed' under the Geomorphic Wetlands of the Swan Coastal Plain.

Land use and development within the proposed amendment area is generally controlled by the City of Bunbury Local Planning Scheme No. 8 (LPS 8) which reflects the current Regional Open Space reservation. The site is also located within a 'Special Control Area - Flood Prone Areas' in LPS 8.

### 3 Discussion

#### Strategic Context

##### **Bunbury-Geographe Sub-Regional Strategy**

The *Bunbury-Geographe Sub-regional Strategy* plans for further growth to unlock the sub-region's vast potential. It provides clear directions and actions to guide the future planning and development of land within the sub-region to 2050.

Consistent with the *South West Regional Planning and Infrastructure Framework*, there is a strong emphasis on establishing the Bunbury Metropolitan area as the state's second 'city', and therefore creating a settlement hierarchy to ensure the role of Bunbury is not undermined. With this comes a variety of new challenges, requiring a balance between benefiting existing attributes and maximising strengths while looking ahead to the needs of future residents and visitors to the sub-region. The proposed GBRS amendment is considered to be consistent with the general principles of the Sub-regional Strategy as:

- The proposal seeks to rationalise a small area of Regional Open Space reservation which is primarily cleared of vegetation and of limited environmental value;
- It provides for the extension of existing care-based facilities by providing new respite and associated uses; and
- It provides for the efficient and consolidated use of land in the Bunbury metropolitan area where services and facilities can be readily provided and optimised.

##### **Greater Bunbury Region Scheme - Floodplain Management Policy 2017**

This *Greater Bunbury Region Scheme - Floodplain Management Policy 2017* has been prepared to formalise the consideration of floodplain development requirements by the responsible authorities. The flood studies and mapping undertaken to inform this policy have taken into consideration potential flooding from climate change, as well as storm surge alone, sea level rise alone or a combination of these occurring together.

There is a presumption against the rezoning of land for more intensive land uses, such as residential, industrial, and rural-residential within a defined floodway or levee bank buffer area. Planning assessment is required to prove that land is suitable for development and is to take into account an assessment of current, future, and residual flood risk.

The amendment area is located within the 'floodway' of the *Greater Bunbury Region Scheme - Floodplain Management Policy 2017* where there is a presumption against further rezoning to provide for residential landuses. However, the Department of Water and Environmental Regulation (DWER) has confirmed that updated flood modelling has since been undertaken which has confirmed that this site can be developed for urban purposes subject to consideration of appropriate fill requirements in subsequent planning stages. Refer to draft SPP 2.9 below for further discussion on this matter.

##### **Draft State Planning Policy 2.9 - Planning for Water**

*Draft State Planning Policy 2.9 - Planning for Water* (draft SPP 2.9) seeks to ensure that planning and development considers water resource management and includes appropriate water management measures to achieve optimal water resource outcomes at the various stages of the planning process. The DWER has advised that a District Water Management Strategy (DWMS) is not required for this site, as:



- It relates to a single lot in a built-up area which is fully serviced with reticulated water and sewerage.
- While it is in close proximity to waterways and an artificial lake, the area proposed to be rezoned does not interfere with these water features nor any foreshore vegetation.
- The proponent sought advice from the DWER in relation to flood risk indicating that the proposal was acceptable as follows:
  - Preston River: Flood risk from this waterway is managed by a levee bank system managed by the Water Corporation north of the South Western Highway crossing. To the south of the crossing, there is a high ridge between the Preston River and subject land, and this prevents any breakout from the Preston River during a 1% AEP flood event. The 1% AEP flood levels and delineation between flood way and flood fringe have been determined in the Water Corporation's Preston River Flood Study - Leschenault Inlet to Picton Bridge/Picton Bridge to Riverlands.
  - Eadles Creek: This is a modified tributary of the Preston River that is now artificially connected to the Preston River via a piped drainage system. The City of Bunbury advises that this includes a one-way flap valve on the downstream end of the pipe to prevent flood waters from the Preston River entering this system. Therefore, the flood levels for Eadles Creek are lower than those modelled for the Preston River. The 1% AEP flood levels have only been mapped as floodway have been determined in the Water Corporation's Eadle's Gully Flood Study - Preston River to Bunbury Aerodrome.

The DWER advises that due to the urbanisation of much of the Eadles Creek catchment it now contains a series of detention systems created by crossing with culverts which restrict the discharge flow rates. The discharge into the final reach adjacent to the subject site is throttled by culverts under the upstream South Western Highway. It is therefore a controlled system.

The subject site proposes to rezone a small portion of the outer fringes of the mapped floodplain. The existing land is relatively high in relation to the 1% AEP top water level, so the flood storage in this area is relatively small. Therefore, the filling of this land to accommodate the proposed expansion of the homestead has been assessed by the DWER as being low risk and not requiring additional flood modelling.

### **State Planning Policy 3.7 - Planning for Bushfire Risk Management**

*State Planning Policy 3.7 - Planning for Bushfire Risk Management* forms the foundation for land-use planning to address bushfire risk management in Western Australia. It is used to inform and guide decision-makers, referral authorities and proponents to achieve acceptable fire protection outcomes on planning proposals in bushfire-prone areas.

The very periphery of the subject land is located within a bushfire prone area. However, the site has access to two separate vehicular access roads, is primarily cleared of any vegetation and therefore the bushfire threat is considered to be low. The preparation of a bushfire management plan can be further considered in the subsequent planning stages.

## **State Planning Policy 5.4 - Road and Rail Noise**

*State Planning Policy 5.4 - Road and Rail Noise* seeks to minimise the adverse impact of road and rail noise on noise-sensitive land use and/or development within the specified trigger distance of major transport corridors.

As the South Western Highway is in close proximity to the north of the subject land, there is the potential for noise attenuation to be required. The exact nature of these measures will be determined at the detailed planning stage through negotiations with Main Roads WA (MRWA) and the local government and may result in development approval conditions.

### **Statutory Context**

#### **Environment**

The DWER (EPA Services) has advised that the proposed amendment is unlikely to raise any environmental issues.

#### **Water and Wastewater**

Aqwest advises that reticulated water is available to the subject area.

The Water Corporation advises that reticulated sewerage is currently available to the subject area. All sewer main extensions, if required for the development site, should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.

#### **Transportation**

MRWA advised that the South Western Highway / Dodson Road intersection has been identified for upgrading to traffic signals and is included in MRWA forward capital works program. The project scope is in the early stages of development and the timing of the intersection upgrade is subject to funding being secured.

The existing access arrangements onto the South Western Highway and Dodson Road will be impacted by the planned network improvements and MRWA will liaise with the City of Bunbury and The Morrissey Homestead during the subsequent planning stages regarding the rationalisation and/or modification to existing access arrangements.

## **4 Aboriginal cultural heritage**

The process of rezoning or reservation of land in a region scheme is broad by nature and does not physically interfere with the land. Consideration of Aboriginal cultural heritage (ACH) is addressed more specifically at later stages of the planning process, typically when preparing a local structure plan or at the subdivision and development approval stages. All ACH is protected whether or not it has been previously recorded or reported.

Nevertheless, in recognising the importance of having reliable Aboriginal cultural heritage information, the WAPC and the Department of Planning, Lands and Heritage have entered into a Memorandum of Understanding with the South West Aboriginal Land and Sea Council (SWALSC) for the provision of Aboriginal consultative services. All amendment proposals likely to be of interest to Aboriginal persons are pre-referred to SWALSC for comment. SWALSC is the recognised Native Title Representative Body for Western Australia's southwest region and as such is well placed to provide advice on Aboriginal heritage.

The proposed amendment was pre-referred to SWALSC, and no advice was received. However, the amendment will be formally referred to SWALSC during the public submission period.

## **5 Coordination of local and region scheme amendments**

Under section 126(3) of the *Planning and Development Act 2005* the WAPC has the option of concurrently rezoning land being zoned Urban under the GBRS to a 'Development' zone (or equivalent) in a LPS. In accordance with standard practice a decision on the concurrent LPS amendment of the site will be made after the public submission period.

## **6 Substantiality**

The *Planning and Development (Region Planning Schemes) Regulations 2023* allows for amendments to the GBRS to be processed as either complex, standard, or basic amendments depending on the alteration to the GBRS. This amendment is recommended to be processed as a standard amendment for the following reasons:

- The size and scale of the proposed amendment is not considered regionally significant. It does not reflect a regional change to the planning strategy or philosophy for the Bunbury region;
- The proposed amendment complements the existing Morrissey Homestead care-based facilities on a site which is vacant and primarily cleared of vegetation and provides for the efficient consolidation of compatible uses where services and associated facilities can be optimised; and
- The City of Bunbury and relevant State Government agencies have not raised matters which prevent the initiation and advertising of the amendment.

## **7 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*. A copy of the notice from the EPA is included at Appendix A.

## **8 The amendment process**

The procedures for amending the GBRS are prescribed by the *Planning and Development Act 2005* and the *Planning and Development (Region Schemes Regulations) 2023*. In essence, the procedure for a standard amendment involves:

- formulation of the amendment by the WAPC
- referral to the EPA for environmental assessment
- completion of an Environmental Review (if required) in accordance with EPA instructions

- public submissions being sought on the proposed amendment (including Environmental Review if required)
- consideration of submissions
- approval, with or without any modifications in response to submissions, or refusal to approve, by the Minister
- the amendment takes legal effect with Gazettal of the Minister's approval.

An explanation of the [region scheme amendment process](#) can be found on the Department of Planning, Lands and Heritage's website, along with further information for [your property and planning region schemes](#)

## 9 Submissions on the amendment

The WAPC invites people to comment on this proposed amendment to the GBRS.

The amendment is being advertised for public submissions for a period of 42 days from **10 April 2024 to 22 May 2024**.

The amendment report and plans showing the proposed changes are available for public inspection [online](#)

Online submissions are encouraged via <https://consultation.dplh.wa.gov.au>

However, written submissions commenting on the amendment can be sent to:

[RegionPlanningSchemes@dplh.wa.gov.au](mailto:RegionPlanningSchemes@dplh.wa.gov.au)

or posted to:

The Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

and **must be received by 22 May 2024**.

All submissions received by the WAPC will be acknowledged.

For your convenience a submission form is contained in this report (Appendix D). Additional copies of the form are available from the Department of Planning, Lands and Heritage [website](#).

You should be aware that calling for submissions is a public process and all submissions lodged will become public. All submissions are published and made available when the Minister has made a determination on the amendment. Advice of disclosure and access requirements are shown on side two of the submission form.

Before making your submission, it is recommended that you read the information in Appendix C of this report regarding preparing a submission.

## **10 Modifications to the amendment**

After considering any comments received the WAPC may recommend that the Minister for Planning modify the amendment. The Minister may approve the amendment, with or without any modifications in response to submissions, or decline to approve.

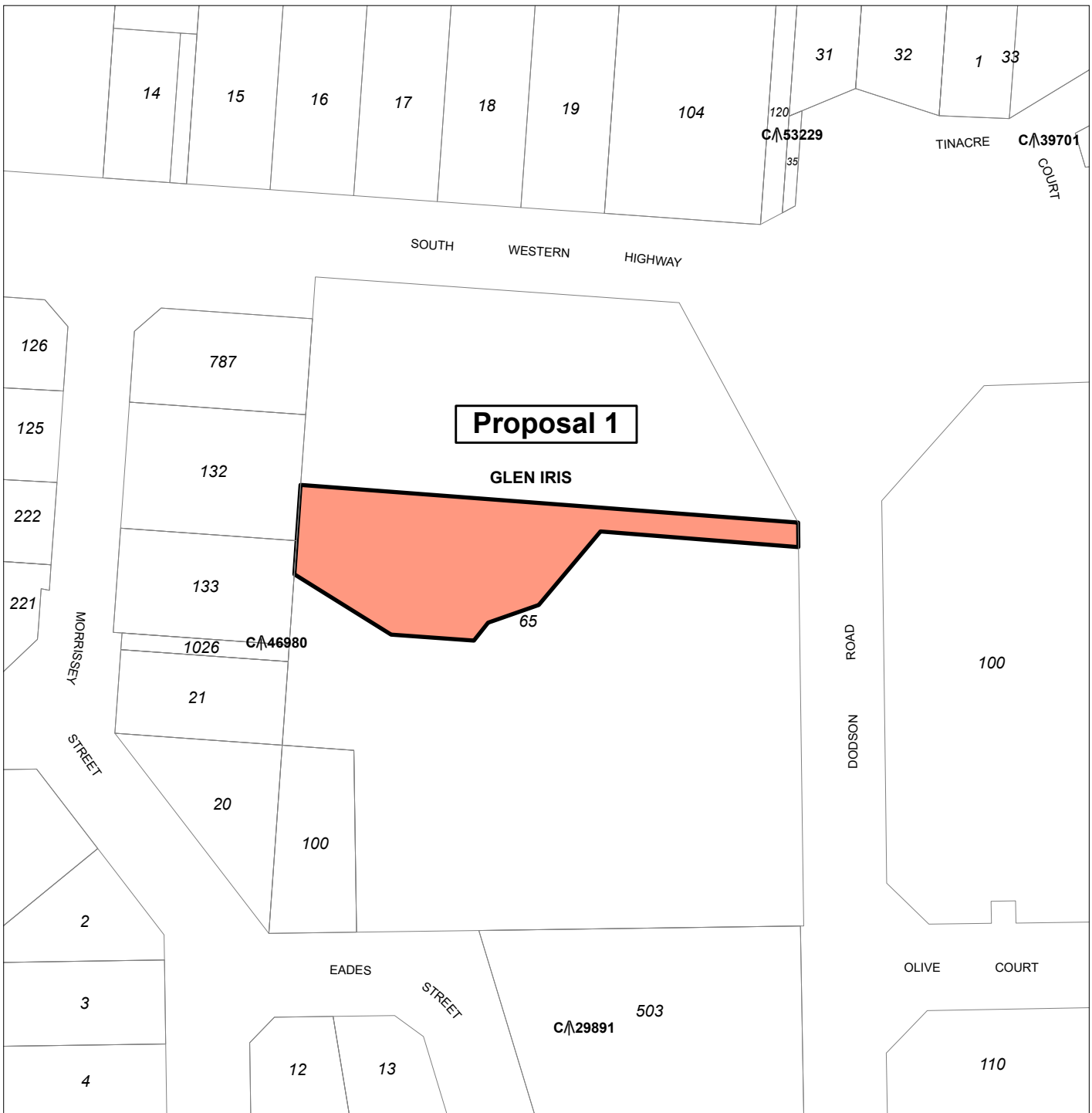
## **11 Final outcome**

The recommendations of the WAPC, including any modifications, along with the determination of the Minister, are published in a report on submissions. Anyone who has made a submission, along with affected landowners, will be notified of the outcome when the amendment is gazetted to give it legal effect.

**Greater Bunbury Region Scheme  
Amendment 0070**

**Part Lot 65 South Western Highway  
Glen Iris**

**Amendment Figure - Proposal 1**



**Pt Lot 65 South Western Highway, Glen Iris  
Standard GBRs amendment  
as advertised**

28 February 2024

Proposal 1

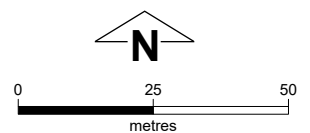
Proposed Amendment:

 Regional Open Space reservation to Urban zone

Reference no: 4642

File no: RLS/1107

Version number: 1



## **Appendix A**

### **Notice of environmental assessment**





## Environmental Protection Authority

Ms Sam Boucher  
Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
**PERTH WA 6001**

Our Ref: APP-0025190  
Enquiries: Maddison Howard, 6364 6424  
Email: maddison.howard@dwer.wa.gov.au

Dear Ms Boucher

**DECISION UNDER SECTION 48A(1)(a)**  
***Environmental Protection Act 1986***

<b>SCHEME</b>	<b>Greater Bunbury Region Scheme 0070</b>
<b>LOCATION</b>	<b>Part Lot 65 South Western Highway, Glen Iris</b>
<b>RESPONSIBLE AUTHORITY</b>	<b>Western Australian Planning Commission</b>
<b>DECISION</b>	<b>Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. No Advice Given (Not Appealable)</b>

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act).

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of the EPA's Determination is attached and will be made available to the public via the EPA website.

Yours sincerely

**Prof. Matthew Tonts**  
**Chair of the Environmental Protection Authority**

27 March 2024

Encl. EPA Determination



## Environmental Protection Authority

s.48A Referrals

**Title:** Greater Bunbury Region Scheme Amendment 0070

**Location:** Part Lot 65 South Western Highway, Glen Iris

**Description:** The amendment proposes to rezone a 0.2 hectare (ha) portion of Lot 65 South Western Highway, Glen Iris from 'Regional Open Space' reserve to 'Urban' zone. The proposed amendment is to facilitate the expansion of the Morrissey Homestead site.

**Ref ID:** APP-0025190

**Date Received:** 13/03/2024      **Date Sufficient Information Received:** 13/03/2024

**Responsible Authority:** Western Australian Planning Commission, Locked Bag 2506, PERTH WA 6001

**Contact:** Anthony Muscara

**Preliminary Environmental Factors:** Inland Waters


**Potential Significant Effects:** Implementation of the scheme amendment may result in minor changes to the local hydrological regime.

**Protection:** The EPA notes that the proposed amendment area is fully serviced and will not interfere with nearby waterways or the artificial lake to the south. Flood modelling also indicates that flood risk is low for the amendment area.

**Determination:** **Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed under Part IV of the EP Act. No Advice Given. (Not Appealable).**

The Environmental Protection Authority (EPA) has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair's Initials: 

27 March 2024

## **Appendix B**

### **List of plans supporting the amendment**

**Greater Bunbury Region Scheme  
Amendment 0070**

**Part Lot 65 South Western Highway  
Glen Iris**

**as advertised**

**Amending Plan 3.2833**

## **Appendix C**

### **Preparing a submission**

## Preparing a Submission

The WAPC welcomes comment on proposed amendments to the GBRS from interested individuals, groups, and organisations.

### What is a submission?

A submission is a way to express your opinion and provide information. It is an opportunity to explain why the amendment should be supported, withdrawn, or modified. Suggestions of alternative courses of action are also welcomed.

Making a submission is not the same as voting in an election. The number of submissions received for or against a proposal will not in itself determine the result. Rather, it is the reasoned argument of why a particular thing should or should not be done. Your submission will assist the WAPC in reviewing its planning proposal before proceeding. Advertised proposals are often modified in response to the public submission process.

### What should I say?

Your comments should focus on the particular issues that arise from the proposed amendment. If there are a number of components in the amendment, please indicate exactly which ones you are addressing.

It is important that you state your point of view clearly and give reasons for your conclusions and recommendations. These may include an alternative approach or other ways for the WAPC to improve the amendment or make it more acceptable. Indicate the source of your information or argument where applicable.

If you prefer not to write your own comments, you may consider joining a group interested in making a submission on similar issues. Joint submissions can increase the pool of ideas and information.

### Before lodging your submission

The WAPC prefers to receive submissions online at <https://consultation.dplh.wa.gov.au>, however, hardcopy submissions can also be accepted (Submission Form - Appendix D).

Please remember to complete all fields in the submission form including your name and contact details. Please limit the number of attachments, where possible, ensuring they are directly relevant to the proposed amendment you are commenting on.

The closing date for submissions and how to lodge them is shown on the submission form and in the submissions on the amendment section of the amendment report.

Some amendments may be subject to an environmental review. Under these circumstances, the WAPC will forward a copy of any submission raising environmental issues to the EPA.

You should be aware that all submissions lodged with the WAPC are subject to regulations on disclosure and access, and your submission will become a public document.

## **Appendix D**

**Submission form for this amendment**

**Amendment (Standard)**  
Submission Form

**Submission**

**Greater Bunbury Region Scheme Amendment 0070**

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**Part Lot 65 South Western Highway, Glen Iris**

Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

**FILE**  
RLS/1107

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Title (*Mr, Mrs, Miss, Ms*) ..... First Name .....

Surname ..... (PLEASE PRINT CLEARLY)

Address ..... Postcode .....

Contact Number ..... Email Address .....

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*Submissions may be published as part of the consultation process. Do you wish to have your name removed from your submission?*  Yes  No

**Submission**

(Please attach additional pages if required. It is preferred that any additional information be loose rather than bound)

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**turn over to complete your submission**



(Please attach additional pages if required)

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You should be aware that:

- The Western Australian Planning Commission (WAPC) is subject to the *Freedom of Information Act 1992* and as such, submissions made to the WAPC may be subject to applications for access under the act.
- In the course of the WAPC assessing submissions, or making its report on these submissions, copies of your submission or the substance of that submission, may be disclosed to third parties.

**To be signed by person(s) making the submission**

Signature ..... Date .....

**Note: Submissions MUST be received by the advertised closing date on 22 May 2024.  
Late submissions will NOT be considered.**