



25 October 2024

Stuart Hobley
 The Chief Executive Officer
 Shire of Cunderdin
 Lundy Avenue
 CUNDERDIN WA 6407

Dear Stuart

RE: APPLICATION FOR DEVELOPMENT APPROVAL – LOT 15 (#31) BEDFORD STREET, CUNDERDIN WA 6407 & REQUEST FOR FURTHER INFORMATION BY EXURBAN

I am pleased to submit an application for development approval under the Shire’s Local Planning Scheme No. 4 for a new shop at 31 Bedford Street, Cunderdin.

As per the Shire’s DA checklist, I provide the following information in support of the development proposal:

- Updated DA Form
- Updated Site Plan
- Updated Elevations
- Brief description of the proposal as follows:

<p>A brief description of all existing and/or proposed uses on the land and their days and hours of operation;</p>	<p>Existing Land Use: Former sportsfield/recreational area associated with school (now closed) Proposed Land Use: Shop (NLA – 218.4m²) & associated car parking spaces Hours of Operation: Mon – Fri 8 am – 5 pm Sat 8 am – 1 pm Sun Closed Public Holidays Closed</p>
<p>The total number of people to be employed on the land</p>	<p>3</p>
<p>Any processes to be conducted on the land including the type of machinery and equipment to be used;</p>	<p>Retail activity (community store)</p>
<p>The type of goods to be stored, manufactured, assembled or sold from the land;</p>	<p>Groceries & general goods</p>
<p>The total anticipated traffic volumes likely to be generated by both heavy and light vehicles including the type, length and frequency of heavy vehicles attending the site;</p>	<p>Commercial delivery vehicles: 3 vehicle trips/week Light vehicles: less than 10 vehicle trips in the peak hour Size of delivery vehicles: 3.5 tonne, 5.45 m in length, 2.050 m wide and 2.250 m in height.</p>



All waste likely to be generated including management and disposal arrangements	General waste, consistent with shop/commercial use. Bins will be left on the verge of Bedford Street for collection by the Shire's waste disposal contractors on scheduled weekdays
---	---

Lastly, I have also included a list of responses to the items Joe Douglas requested in an email received on the 5th of October 2024.

I respectfully request that the development proposal is now assessed and determined in accordance with the delegation extended to you by the Council, or, if required, a recommendation is formulated for consideration by full Council.

Yours sincerely,

**Kobus Nieuwoudt | Akron
Urban Planning Specialist**

Akron PTY LTD
61 Old York Road
NORTHAM WA 6401

Encl. Updated DA Form, Updated Site Plan, Updated Elevations, Responses to RFFI by Exurban

**REQUEST FOR FURTHER INFORMATION RECEIVED VIA EMAIL BY EXURBAN ON
5/10/2024**

Request/Comment	Akron Pty Ltd Responses
<p>A recent copy of an ASIC Company Statement is required to verify the person who signed the Landowner Details section of the development application form has the legal authority to do so on behalf of the entity that owns the land. You also need to clearly print the name of the person who signed the application form below their signature and make sure you comply with the signing requirements as per note 2 in the Landowner Details section of the application form. One signature may not be sufficient.</p>	<p>2 directors of Woodthorpe School – Eastern Campus Pty Ltd have jointly signed the form. They are Messrs. Trevor Fawkes and Ben Judd. Why do you believe it is necessary to submit <u>a recent copy of an ASIC Company Statement</u> to verify the IDs of the individuals who have signed the Landowner Details section of the DA form?</p>
<p>A covering letter is required in support of the application to address all the information requirements prescribed in point 1 of the Shire’s Development Application Checklist (see copy attached).</p>	<p>Cover letter attached.</p>
<p>The following section of the development application form needs to be amended to include reference to the proposed <u>incidental café use</u> shown in the floorplan for the proposed shop building. You should also include reference to the proposed stormwater drainage:</p>	<p>I have removed the word ‘café’ and replaced it with the words ‘coffee machine’. My advice is there will be <u>no café</u> as defined in the scheme (restaurant/café). However, there will be a vending-type coffee machine where patrons can purchase take-away coffees, like those found at most convenient stores.</p>
<p>The site development needs to be amended to address the following issues:</p>	
<p>The land’s natural ground level is approximately 226 metres AHD. The final finished floor level for the proposed shop building shown on this plan is 260.37 metres which is clearly incorrect. The site development plan needs to be based on a recent contour and feature survey of the property by a licensed surveyor to ensure the site development plan is correct and confirms all the existing and proposed new levels across the entire property and the location of key essential service infrastructure. I did ask for this when the original application was submitted back in September however for some reason this information has not been provided which is highly problematic in terms of assessment of the application</p>	<p>Correct – that was an error on my behalf. I apologise for the incorrect annotation on the Site Plan. The correct annotation should be 226.370 m – not 260.370 m.</p> <p>I have updated the Site Plan to reflect the correct FFL.</p> <p>The spot-heights depicted on the Site Plan are accurate. As you will be aware, the site is virtually dead flat. The proposed building will be constructed approximately 300 mm above the existing ground level, the walkway under the canopy, 200 mm above the existing ground level, and asphalt driveways, loading area and car parking area at approximately, 100 mm above the existing ground level. Levels in the front setback will slope back towards Bedford Street.</p>
<p>The Shire’s Local Planning Scheme No.4</p>	<p>My advice is that the largest commercial</p>

<p>requires all transport vehicles associated with any commercial development to be able to proceed in a forward gear when entering and leaving any commercial premises. In my view the proposed loading/unloading area may not allow for that depending upon the size of the transport vehicles that will visit the property. Heavy vehicle parking and loading/unloading in the Bedford Street road reserve area will not be supported due to the potential vehicle and pedestrian safety risks. Modifications to the site development are therefore likely to be required to satisfy the requirements of Local Planning Scheme No.4 unless you can clearly demonstrate by way of swept path movement plans the largest transport vehicle that will attend the property will be able to enter and leave the property in a forward gear;</p>	<p>vehicle that will access the unloading area are 3.5 tonne vehicles (i.e. Mercedes Benz Vito, Fiat Ducato and similar). These vehicles are, on average, 5.45 m in length, 2.050 m wide and 2.250 m in height.</p> <p>I have shown 'sweep path' lines on the Site Plan to demonstrate that these types of commercial vehicles can comfortably enter in a forward gear, manoeuvre to reverse up to the docking area, and then exit the premises in a forward gear.</p>
<p>The discharge of stormwater drainage to the north-eastern corner of the property and into the existing drain on Lot 8 (No.12852) Great Eastern Highway which I note is privately owned is not acceptable and needs to be addressed unless there is a formal agreement in place with the adjoining landowner including a suitable drainage easement registered on title that benefits and burden each lot respectively. I appreciate that historically drainage has been directed to the adjoining property however with all the hardstand areas now proposed on the subject land and the significant increase in the amount of stormwater that will be directed to the adjoining property due to the new impervious surfaces on the subject land this arrangement cannot prevail. A stormwater drainage management plan prepared by a suitably qualified person is therefore required in support of the development application which is what I previously requested needs to be provided.</p>	<p>I note your comments acknowledging that, historically, drainage has been directed to the adjoining property.</p> <p>I know I cannot instruct you in any way, Joe, but during my time in local government, I have consistently and regularly imposed conditions of development approval on large scale residential and commercial development as follows (example only):</p> <ol style="list-style-type: none"> 1. Prior to the commencement of development, detailed drainage plans shall be submitted to the satisfaction of the local government. 2. Prior to occupation, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government. 3. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government. <p>The owners are aware that they cannot discharge stormwater onto adjoining properties in an uncontrolled manner.</p> <p>In this regard, we are guided by your advice to the Council of the Shire of Cunderdin. Now would be a good opportunity for the Shire to consider how they wish to deal with the wider catchment and discharge of stormwater via the existing system in that</p>

	part of Cunderdin townsite, be it by formal agreement with the owner of 12852 GEHWY or suitable drainage easement to burden affected properties.
I note there is very limited information regarding the types of plants to be used in the proposed landscaping areas. Again, a landscaping plan prepared by a suitably qualified person is required however I'm happy to recommend a condition be imposed on any development approval that may ultimately be granted requiring a landscaping plan to be prepared and submitted to the Shire for consideration of approval prior to the commencement of development.	Happy for you to condition the landscaping.
The dimensions of all car parking bays needs to be shown to demonstrate compliance with Australian Standard AS2890 for off-street parking facilities which is a specific requirement of Local Planning Scheme No.4.	The car parking bays on the Site Plan are 6 m long and 3 m wide. I have included annotations on the Site Plan to depict dimensions.
The table that provides details of all boundary setbacks needs to be updated to account for the proposed setbacks to both side boundaries, not just the eastern side boundary as is currently the case.	This has been updated.
The height of the proposed new fencing and access gates along the land's front boundary needs to be shown.	Refer updated Site Plan.
A key objective of the land's 'Commercial' zoning classification is to maintain the compatibility with the general streetscape for all new buildings in terms of scale, height, style, materials, street alignment and design of facades. The Scheme also states the front façade of all buildings shall reflect and be compatible with the predominant existing streetscape and architectural style and the local government may impose conditions relating to building setbacks, design, scale, materials and finish to ensure compatibility with the existing streetscape and general architectural style. In my opinion the front façade of the proposed new shop building does not adequately address and satisfy the abovementioned zone objectives or development requirements. The building looks like an industrial shed when viewed	We contend that the proposed development will not be detrimental to the amenity of adjoining owners or residential properties in this part of Cunderdin. We would also contend that the proposed development is already compatible with the general streetscape of that part of Bedford Street, and in particular the existing development on Lot 14 (35) Bedford Street. In our opinion, we believe the proposed design and style of building would present well on Bedford Street and contribute positively to the existing streetscape.

<p>from the land's Bedford Street frontage and is simply visually unattractive and adds little to no value to the local streetscape. As such I'm not prepared to recommend approval to the application unless this issue is suitably addressed. Please also be sure to show on the elevation drawings the colour to be used for all the proposed roof sheeting which I note is not specified on these drawings.</p>	
<p>Lastly, I note no information regarding any proposed new advertising signage has been provided in the application. I expect advertising signage will be installed at some point so you can either provide this information now, including a completed and signed Form 2 application form, or confirm in the covering letter that approval will be sought at a later date for all proposed new advertising signage once specific details have been confirmed.</p>	<p>My client has indicated that he will submit a separate application for advertising signage if it is of a type and class not exempt by Schedule 1 in LPS4.</p>

WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

1110 451

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

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 15 ON DEPOSITED PLAN 222358

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WOODTHORPE SCHOOL - EASTERN CAMPUS PTY LTD OF 33 BEDFORD STREET, CUNDERDIN
(T K611431) REGISTERED 29/5/2008

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

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1110-451 (15/DP222358)
PREVIOUS TITLE: 1110-451
PROPERTY STREET ADDRESS: 31 BEDFORD ST, CUNDERDIN.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF CUNDERDIN



ASIC

Australian Securities & Investments Commission

Current Company Extract

Name: WOODTHORPE SCHOOL - EASTERN CAMPUS PTY LTD

ACN: 129 642 066

Date/Time: 31 October 2024 AEST 01:05:31 PM

This extract contains information derived from the Australian Securities and Investments Commission's (ASIC) database under section 1274A of the Corporations Act 2001.

Please advise ASIC of any error or omission which you may identify.

EXTRACT

Organisation Details	Document Number
Current Organisation Details	
Name: WOODTHORPE SCHOOL - EASTERN CAMPUS PTY LTD	1E4073758
ACN: 129 642 066	
Registered in: Western Australia	
Registration date: 11/02/2008	
Next review date: 11/02/2025	
Name start date: 11/02/2008	
Status: Registered	
Company type: Australian Proprietary Company	
Class: Limited By Shares	
Subclass: Proprietary Company	

Address Details	Document Number
Current	
Registered address: 8 Frankish Road, NORTHAM WA 6401	2EUM54580
Start date: 31/01/2022	
Principal Place Of Business address: 8 Frankish Road, NORTHAM WA 6401	2EUM54580
Start date: 24/01/2022	

Contact Address
Section 146A of the Corporations Act 2001 states 'A contact address is the address to which communications and notices are sent from ASIC to the company'.
Current
Address: PO BOX 546, ERMINGTON NSW 1700
Start date: 20/03/2018

Officeholders and Other Roles	Document Number
Director	
Name: RUSSELL PETER DRAFFIN	6ERU32010
Address: 5 Marshall Place, NORTHAM WA 6401	
Born: 27/10/1984, SUBIACO, WA	
Appointment date: 21/11/2023	
Name: BENJAMIN PETER JUDD	6ERU32010
Address: 11 Carter Road, CUNDERDIN WA 6407	
Born: 08/08/1983, SUBIACO, WA	
Appointment date: 21/11/2023	
Name: BRENT SAMUEL MCEWEN	6ERU32010
Address: 26 Egeberg Street, CUNDERDIN WA 6407	
Born: 17/06/1995, NORTHAM, WA	
Appointment date: 21/11/2023	
Name: DAVID PHILIP PAINTER	6ERU32010
Address: 96 Woodley Farm Drive, NORTHAM WA 6401	

Born: 08/06/1982, PERTH, WA Appointment date: 21/11/2023	
Name: STEPHEN JOHN BAGSHAW Address: 91 Gillett Road, NORTHAM WA 6401 Born: 27/10/1985, PERTH, WA Appointment date: 23/02/2015	7E6806546
Secretary	
Name: BENJAMIN PETER JUDD Address: 11 Carter Road, CUNDERDIN WA 6407 Born: 08/08/1983, SUBIACO, WA Appointment date: 21/11/2023	6ERU32010

Share Information**Share Structure**

Class	Description	Number issued	Total amount paid	Total amount unpaid	Document number
ORD	ORDINARY SHARES	10	10.00	0.00	1E4073758

Members

Note: For each class of shares issued by a proprietary company, ASIC records the details of the top twenty members of the class (based on shareholdings). The details of any other members holding the same number of shares as the twentieth ranked member will also be recorded by ASIC on the database. Where available, historical records show that a member has ceased to be ranked amongst the top twenty members. This may, but does not necessarily mean, that they have ceased to be a member of the company.

Name: ONESCHOOL GLOBAL WA LTD
ACN: 613 128 591
Address: 8 Woodthorpe Drive, WILLETTON WA 6155

Class	Number held	Beneficially held	Paid	Document number
ORD	10	yes	FULLY	7E8617807

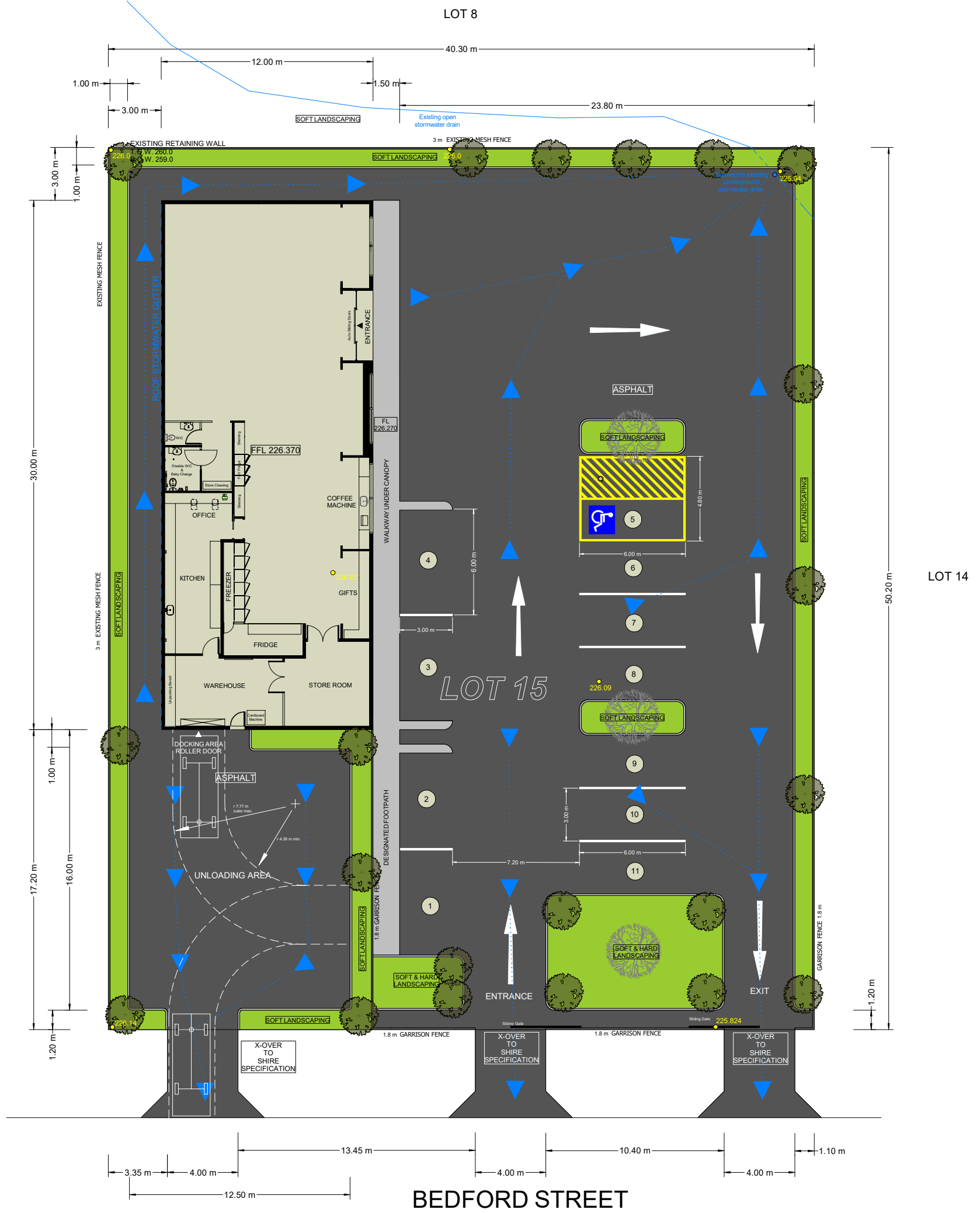
Documents

Note: Where no Date Processed is shown, the document in question has not been processed. In these instances care should be taken in using information that may be updated by the document when it is processed. Where the Date Processed is shown but there is a zero under No Pages, the document has been processed but a copy is not yet available.





Date received	Form type	Date processed	Number of pages	Effective date	Document number
24/01/2022	484 Change To Company Details 484B Change Of Registered	24/01/2022	2	24/01/2022	2EUM54580

	Address 484C Change Of Principal Place Of Business (Address)				
07/06/2022	484A1 Change To Company Details Change Officeholder Name Or Address	07/06/2022	2	07/06/2022	3ECG5246 2
27/11/2023	484E Change To Company Details Appointment Or Cessation Of A Company Officeholder	27/11/2023	4	27/11/2023	6ERU32010
29/11/2023	492 Request For Correction	30/11/2023	2	29/11/2023	6ERY32490

*****End of Extract of 3 Pages*****



Control Zone (Commercial)	Minimum Boundary Setback (m)			Min. Frontage (m)	Max. Plot Ratio	Min. Car Parking Spaces	Min. Landscape Area (%)
	Front	Rear	Sides				
Required	Nil	Nil	Nil	5	1.5	1/40m ² NLA 6 required	10
Provided	17.2	3.0	3.0 / 23.8	40.3	0.18	11	13.3

	ASPHALT		LANDSCAPED AREAS
	CONCRETE		STORMWATER FLOW

Note: All stormwater drainage is indicative only and subject to the local government's approval of a suitable stormwater drainage management plan prior to the commencement of development



P: 1300 125 766
61 Old York Road
NORTHAM WA 6401

SITE PLAN

Lot 15 (#31) Bedford Street, Cunderdin

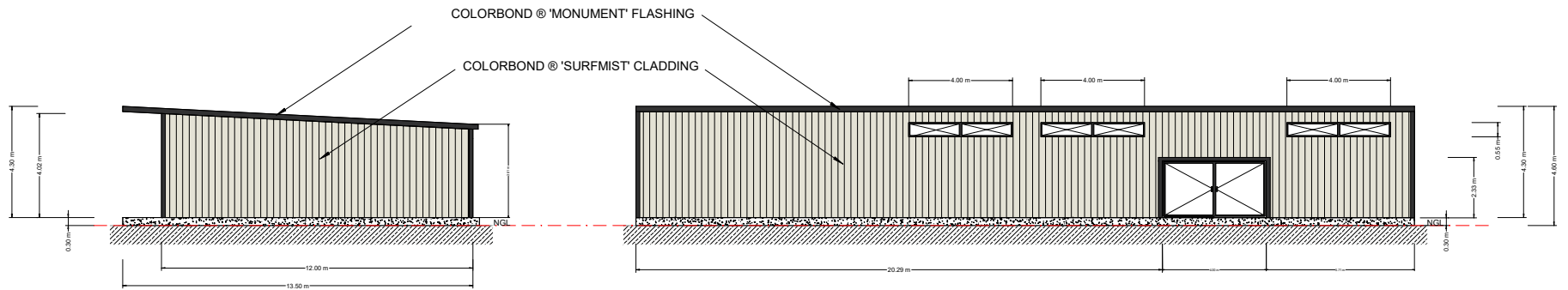
Proposed Shop



Drawing No.: TP018-SP-01A

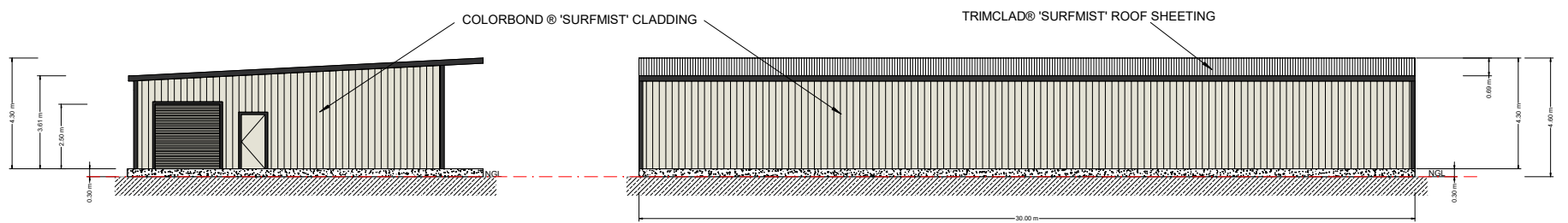
Date: 31 October 2024
Rev: C
Scale: 1:250 @ A3
Client: WOODTHORPE SCHOOL EASTERN CAMPUS PTY LTD

Plan prepared for planning purposes. Areas & dimensions are subject to survey.



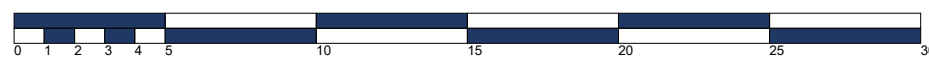
Elevation - North

Elevation - East



Elevation - South
(Bedford Street)

Elevation - West



LINE SCALE (m)



P: 1300 125 766
61 Old York Road
NORTHAM WA 6401

ELEVATIONS

Lot 15 (31) Bedford Street, Cunderdin

Proposed Shop

Drawing No.: TP018-EL-01A

Date: 22 October 2024
Rev: B
Scale:
Client: WOODTHORPE SCHOOL EASTERN CAMPUS PTY LTD

Plan prepared for planning purposes. Areas & dimensions are subject to survey.