

**PROPOSED GREEN TITLE SUBDIVISION**

**PT LOT 11 BORDEN-BREMER BAY ROAD,  
BREMER BAY**

**SUBMISSION TO THE WESTERN AUSTRALIAN PLANNING COMMISSION  
ON BEHALF OF W & T PITTARD  
OCTOBER 2012**

DEPARTMENT OF PLANNING	
DATE	FILE
15 OCT 2012	146864

## 1.0 PROPOSAL

This report forms part of the application for the proposed green title subdivision of part of Lot 11 (Pt Lot 11) Borden-Bremer Bay Road, Bremer Bay (also referred to within as 'the property').

The purpose of this report is to present the justification for the subdivision as proposed and to assist decision-makers and service authorities to consider the application.

It is intended to subdivide Pt Lot 11 by green title into thirty five (35) lots, ranging in size from 1ha to 6ha. A twenty (20) meter wide road reserve is also proposed to allow access for each of the proposed lots.

The subdivision is shown on the attached **Subdivision Plan** (Drawing 13575.1-02A).

Pt Lot 11 is currently subject to a Scheme Amendment (Scheme Amendment No.8) to the Shire of Jerramungup Local Planning Scheme No.2. Scheme Amendment No.8 proposes a rezoning of Pt Lot 11 (as outlined on Plan 13575-04B, attached at **Appendix A**) from 'Rural' to 'Rural Enterprise'. This Amendment is currently at the stage of final approval with the Western Australian Planning Commission (WAPC). It is understood that this item is to go to the Statutory Planning Committee meeting at the end of October. We anticipate that Scheme Amendment No.8 will receive final approval by the Minister for Planning in the next few months before formal gazettal of the Amendment.

The purpose of this Subdivision Application is therefore to subdivide Pt Lot 11 in accordance with the Subdivision Guide Plan (SGP) that forms part of Scheme Amendment No.8. This application has been lodged concurrently with a subdivision application proposing to excise Pt Lot 11 from the remaining portion of Lot 11. It is requested that this application be assessed in conjunction with the concurrent subdivision application for Lot 11.

The new lots are proposed to be developed for Rural Enterprise purposes, as outlined in more detail below.

## 2.0 BACKGROUND AND SITE CONTEXT

### 2.1 Land Details

Pt Lot 11 Borden-Bremer Bay Road is 85.3ha in area. The property is contained on Certificate of Title Vol.2159 Fol.427 and the registered proprietors are currently Gregory Ian and Delys Lee-Anne Harland.

### 2.2 Zoning

The property is currently zoned 'Rural' by Shire of Jerramungup Local Planning Scheme No.2 (LPS 2). As outlined earlier, Pt Lot 11 is currently subject to Scheme Amendment No.8 (which is nearing gazettal). Scheme Amendment No.8 proposes a rezoning of this portion of Lot 11 from 'Rural' to 'Rural Enterprise'.

All of the surrounding lots are zoned 'Rural' as shown on the Subdivision Plan.

Pt Lot 11 is located directly opposite land included within Amendment No.6 to LPS2. Amendment No.6 seeks to rezone various parts of the land to the north of Borden-Bremer Bay Road from 'Rural' to 'General Industry', 'Rural Residential' and 'Farmlet'. Pt Lot 11 is directly south of lots proposed to be rezoned to 'General Industry'.



### 2.3 Location

The property is located approximately 6.5km west from the Bremer Bay Town Centre via the Bremer Bay-Borden Road.

### 2.4 Surrounding Land Use

All of the surrounding lots are zoned 'Rural' by the Shire of Jerramungup LPS2. Surrounding land uses consist of broad-acre cropping and grazing, as well as plantation forestry (predominantly blue gums).

Pt Lot 11 is located directly opposite land included within Amendment No.6 to LPS2. Amendment No.6 seeks to rezone various parts of the land to the north of Borden-Bremer Bay Road from 'Rural' to 'General Industry', 'Rural Residential' and 'Farmlet'. Pt Lot 11 is directly south of lots proposed to be rezoned to 'General Industry'.

### 2.5 Topography

The subject land is relatively flat sloping from a high point of 45m AHD to a low point of 25m AHD.

### 2.6 Vegetation

The subject land does not contain any remnant vegetation having been fully cleared to facilitate the agricultural use of the land.

### 2.7 Existing Development

The property is currently vacant of residential development, with the exception of typical farm infrastructure such as dams and fences.

## 3.0 SERVICING

The property is currently serviced by all standard rural utilities as shown on the Subdivision Plan. It is assumed for the purposes of this application that all services can be connected to the proposed subdivision in the normal manner. The location of each service is detailed below.

### 3.1 Water

The property is not connected to a reticulated water supply. The Water Corporation has advised that a reticulated water supply will not become available to the property for many years. The nearest reticulated water supply point is in excess of 5km from the subject Land.

The provisions of the 'Rural Enterprise' zone (as outlined in Scheme Amendment No. 8) allow for alternative water supplies to be provided for the property. The provisions include the following:

- *"Water supply and effluent disposal for each lot is to be the responsibility of the owner.*
- *A dwelling is not to be occupied unless water storage tank(s) of minimum total capacity of 135 kilolitres and an approved method of effluent disposal have been installed and are operating. A minimum roof catchment area of 450m<sup>2</sup> is also required.*
- *Suitable water supply (e.g. catchment area and storage capacity) is to be demonstrated by the applicant for each proposed industrial type land use, to the satisfaction of the local government. The approved water supply is to be installed prior to occupancy of the building."*

Water supply for the proposed lots will therefore occur through roof water catchment or other means and will be negotiated with the local government at planning approval stage.



### 3.2 On-site Effluent Disposal

The subject land does not currently have access to reticulated sewer, is not currently developed with habitable accommodation and does not contain any on-site effluent disposal.

The proposed lots exceed the minimum 2000m<sup>2</sup> required by the Country Sewerage Policy and as such do not require connection to reticulated sewer. At the same time a Land Capability Assessment was undertaken for the property as part of Scheme Amendment No. 8. This assessment determined that the land was capable of supporting additional development and on-site effluent disposal proposed by the Amendment and the associated Subdivision Guide Plan, subject to certain limitations.

Future development on the proposed lots will require connection to suitably approved effluent disposal systems (or Alternative Treatment Units). The location and type of systems appropriate to the lots will be determined in consultation with Shire of Jerramungup at the planning application stage (in accordance with the provisions of the 'Rural Enterprise' zone, outlined in Scheme Amendment No. 8).

### 3.3 Drainage

Due to the nature of the property, drainage currently occurs through ground infiltration and run-off through drainage lines.

Following subdivision of the property, drainage will still occur through ground infiltration and run-off through drainage lines. The roads will be unkerbed, with open drain swales.

### 3.4 Electricity

Aerial electricity is present along the northern portion of Pt Lot 11, although it is not connected to the property.

The proposed lots will be serviced by underground connections from this electricity supply.

### 3.5 Gas

No reticulated gas is available in the area. Any uses of gas will be required to be supplied using bottled gas.

### 3.6 Telecommunications

Telecommunications lines are located in the verge of Borden-Bremer Bay Road and can be connected to the property in the future.

### 3.7 Access

The property has frontage onto Borden-Bremer Bay Road. This road is constructed of bitumen and maintained to a good standard.

A twenty (20) meter wide road reserve is proposed to allow access for each of the proposed lots. The road is to be constructed to the engineering requirements of Shire of Jerramungup. The road reserve is proposed to have one access point onto Borden-Bremer Bay Road and is proposed to have an internal loop in order to service all of the proposed lots. No lots will require direct access from Borden-Bremer Bay Road.

The design is in accordance with the Subdivision Guide Plan (SGP) that formed part of the Scheme Amendment No. 8 documentation.



#### 4.0 PLANNING REQUIREMENTS

##### 4.1 Shire of Jerramungup Local Planning Scheme No.2 (LPS 2)

The property is currently zoned 'Rural' by LPS 2.

Scheme Amendment No.8 is currently in the final stages of approval and proposes a rezoning over Pt Lot 11 from 'Rural' to 'Rural Enterprise'. This zone is not currently recognised within LPS 2 and as such Scheme Amendment No.8 also provides provisions for the 'Rural Enterprise' zone to be incorporated into LPS 2.

This subdivision application has therefore been assessed based on the 'Rural Enterprise' Scheme provisions in accordance with Scheme Amendment No. 8.

The objective of the 'Rural Enterprise' zone is:

*"To provide for the establishment of land uses which accommodate residential dwellings as well as light/rural industry type land uses on the same site in a live and work arrangement."*

Clause 5.28.2 (as outlined in Scheme Amendment No. 8) states that a Subdivision Guide Plan (SGP) must be prepared over land zoned 'Rural Enterprise' prior to any subdivision. Subdivision and development is to be generally in accordance with an adopted SGP for the land.

A SGP has been prepared as part of Scheme Amendment No.8 (see attached at **Appendix B**). The proposed subdivision is in accordance with the SGP.

Future development on the proposed lots will be in accordance with the Rural Enterprise Scheme provisions in terms of land use, setbacks, one dwelling per lot and other requirements as determined by the Shire of Jerramungup.

Scheme Amendment No.8 also contains provisions to be incorporated into LPS 2 which provides for a new Schedule 13 outlining specific provisions for land zoned 'Rural Enterprise'. Pt Lot 11 is to be identified as 'Rural Enterprise Area 1 (RE 1)' in this new Schedule 13.

The key provisions in relation to RE 1 are outlined in the table below. Comments are also provided in the table to show how the proposed subdivision complies or will comply with each of the requirements.

<i>Schedule 13-RE1</i>	<i>Requirements</i>	<i>Comments</i>	<i>Complies</i>
2a	Precinct boundaries, road and intersection alignments and the extent of development exclusion areas shall be generally in accordance with the Subdivision Guide Plan adopted by the Local Government, signed by the CEO and endorsed by the WAPC for the land.	The proposed subdivision is in accordance with the Subdivision Guide Plan (that forms part of the Scheme Amendment No. 8 documentation). The proposed lots are in accordance with the precinct boundaries. The proposed subdivision is also in accordance with the road and intersection alignments and the subdivision has taken into account the extent of the development exclusion area relevant to the property.	Y
2b	The maximum number of lots in RE 1 shall be 35. The minimum lot size shall be 1ha.	The subdivision is proposing 35 lots and the minimum lot size proposed is 1ha.	Y
2c	A Local Water Management Strategy shall be prepared for the property at the time of subdivision.	It is noted that a Local Water Management Strategy is required to be prepared for the property. It is anticipated that this	Y



**Proposed Thirty Five (35) Lot Green Title Subdivision of Pt Lot 11 Borden-Bremer Bay Road, Bremer Bay**

		requirement will be imposed as a condition of subdivision approval.	
2n	No development shall take place in the development exclusion areas shown on the Subdivision Guide Plan.	The proposed subdivision has taken into consideration the development exclusion areas on the SGP and allows areas for development for each proposed lot.	Y
5a	The Local Government may require the preparation of a fire management plan at the time of subdivision	It is not believed that a fire management plan is required in this circumstance due to the current attributes of the property. The property contains no remnant vegetation and little remnant vegetation is present on surrounding lots. The slope of the property is also minimal and therefore there will be limited fire risk as a result of the proposed subdivision. At the same time firebreaks will be established and static water supplies will be available on each lot.  However, in the case that a fire management plan is required, this requirement can be imposed as a condition of subdivision approval.	N/A
7a	At the time of subdivision a restrictive covenant will be placed on the relevant lots prohibiting direct vehicular access to Borden-Bremer Road.	Noted. The restrictive covenant in relation to lots 1, 18, 19, 20 and 35 can be imposed as a condition of subdivision approval.	Y

**4.2 Shire of Jerramungup Local Planning Strategy**

The Shire of Jerramungup Local Planning Strategy (LPS) sets out the long term planning direction for the Shire of Jerramungup and was endorsed by the Western Australian Planning Commission (WAPC) on 13 June 2006. It provides the strategic direction for future development of the Shire.

The property is not specifically identified by the LPS, simply being referred to as 'Rural' land.

At the time that Scheme Amendment No. 8 was being considered by the Shire of Jerramungup, the Shire was also undertaking a limited review of the LPS. The Shire of Jerramungup initially advised that the land use to the south of Borden-Bremer Bay Road was proposed to be rural residential. However, in subsequent correspondence with the Shire it was confirmed that the proposed land use changed and the ability to create a 'Rural Enterprise' zone was being considered by both the Shire and the WAPC. Although the LPS Amendment is not finalised as yet, this proposal seeks to develop the land such that it is consistent with its identified future use, as proposed by the LPS Amendment.

**4.3 WAPC DC 1.1 'Subdivision of Land - General Subdivision Principles'**

The subdivision as proposed meets the general subdivision principles as outlined in DC 1.1. It is noted that in particular, the subdivision meets:

- Section 3.1 as it plans for the long term use of the land;
- Section 3.2 as the application provides level of detail covering both site and context issues;
- Section 3.5 as it is lawful development;
- Section 3.6 as all public utility services will be connected to all new lots; and
- Section 3.7 as all lots will front constructed public roads.



#### 4.4 Visual Landscape Planning in Western Australia

The site is located within an open agricultural landscape. Much of the landscape has been cleared to facilitate agricultural production. However, it is noted that this locality is popular for plantation timber (predominantly blue gums).

The development of 'Rural Enterprise' land uses on the Amendment Site will result in a number of buildings being visible from Borden-Bremer Bay Road. To reduce the visual impact of the development, it is possible to incorporate screening vegetation on the northern boundary of the property (as indicated on the Subdivision Guide Plan, see attached at **Appendix B**). This will ensure that development is well screened from traffic on Borden-Bremer Bay Road. It is therefore anticipated that a condition requiring revegetation of the property in accordance with the Subdivision Guide Plan will be imposed on the subdivision approval.

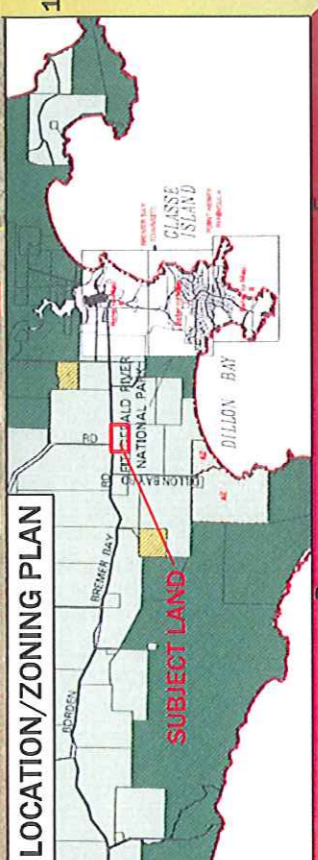
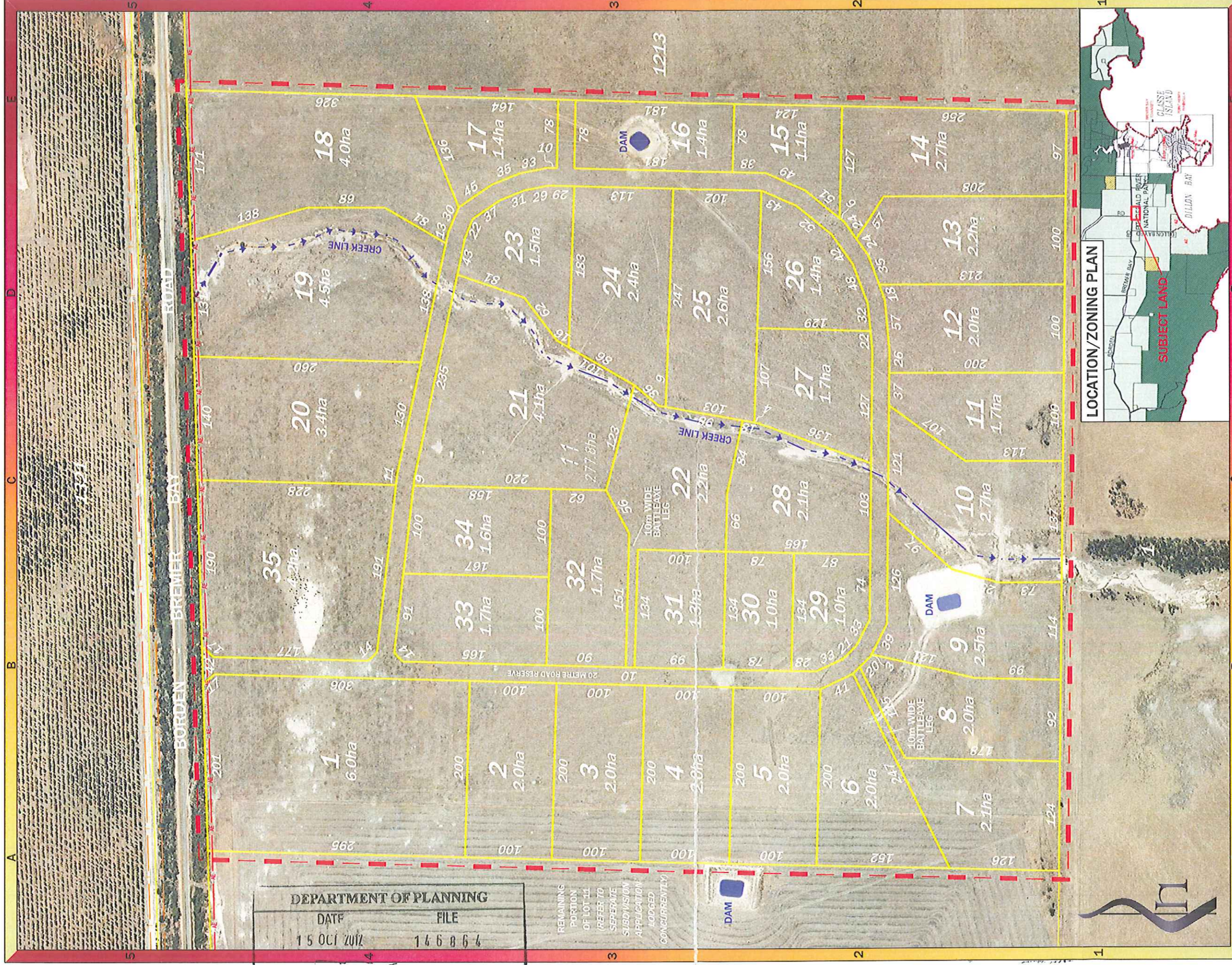
#### 5.0 CONCLUSION

The proposed green title subdivision represents a logical subdivision for the purposes of future development of Rural Enterprise uses on Pt Lot 11 and is justified on the following grounds:

1. A total of 35 lots are proposed with a minimum lot size of 1ha. This complies with the Rural Enterprise Scheme provisions;
2. The proposed subdivision is consistent with Amendment No.8 and the associated Subdivision Guide Plan over Pt Lot 11 which is expected to receive final approval within the next few months;
3. A concurrent subdivision application has been lodged for Lot 11 which proposes to excise Pt Lot 11 from the remainder of the lot. The concurrent application needs to be considered in conjunction with this application;
4. The proposed subdivision complies with the requirements of the Shire of Jerramungup Local Planning Scheme No.2 (including the Scheme Amendment No. 8 documentation and the associated Subdivision Guide Plan) the Shire of Jerramungup Local Planning Strategy and WAPC DC Policy 1.1 'Subdivision of Land - General Subdivision Principles';
5. The property can be connected to all of the necessary services as a result of the proposed subdivision; and
6. The new lots will each be provided with legal road frontage as a result of the proposed subdivision.

The Commission's approval of the proposed green title subdivision is respectfully requested.





**harley global**

PT LOT 11 ON DIA 97519  
 BORDEN-BREMER BAY ROAD,  
 BREMER BAY

**GREEN TITLE SUBDIVISION**  
 G & D HARLAND

SCALE AT A3: 1:4000  
 0 50 100 150 200  
 ALL DIMENSIONS IN METRES

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