

Development
Services

629 Newcastle Street
Leederville WA 6007

PO Box 100
Leederville WA 6902

T (08) 9420 2099
F (08) 9420 3193



Your Ref: A160761
Our Ref: 174931046 - SP411550
Enquiries: Luke Gabriel
Direct Tel: 9420 2099
Email: land.planning@watercorporation.com.au

14 August 2024

Manager of Development
Shire Of Jerramungup
PO BOX 92
JERRAMUNGUP WA 6337

Attention of: Noel Myers

Re: Bremer Bay LSP - Lot 9500 Borden Bremer Rd, Bremer Bay

Thank you for your letter dated 19th June 2024. We offer the following comments regarding this proposal.

Water

The proposed area is within the Bremer Bay Water Zone however, the proposed yields are higher than what's been planned for. The water source is currently constrained, and the source and conveyance planning teams will need to investigate what would be required to incorporate the increased demand in the long-term planning.

General Comments

The developer is expected to provide all water and sewerage reticulation if required. A contribution for Water may also be required. In addition, the developer may be required to fund new works or the upgrading of existing works and protection of all works. Water Corporation may also require land being provided for works.

The information provided above is subject to review and may change. If the proposal has not proceeded within the next 12 months, please contact us to confirm that this information is still valid.

Please provide the above comments to the landowner, developer and/or their representative.

Should you have any queries or require further clarification on any of the above issues, please do not hesitate to contact the Enquiries Officer.

Luke Gabriel
Senior Planner
Development Services

Richard Hindley

From: WEB Great Southern Region <gsreg@mainroads.wa.gov.au>
Sent: Friday, 28 June 2024 4:30 PM
To: Noel Myers
Subject: Main Roads Reply - Bremer Bay Local Structure Plan - Lot 9500 Bremer Bay Road (M004 57.8 – 58.8slk) Bremer Bay Shire of Jerramungup

Thank you for seeking Main Roads comments regarding the impact upon Main Roads assets pertaining to the proposed Bremer Bay Local Structure Plan. Lot 9500 Bremer Bay Road (M004 57.8 – 58.8slk) Bremer Bay, within the Shire of Jerramungup.

I can offer:-

- Main Roads has no in principle objection to the proposed land use in this location.

There are aspects of the proposal that Main Roads recommends further review is required.

- Main Roads supports the proposed short to medium term access plans from the Bremer Bay Roads subject to Main Roads approval of more suitable plans for the intersecting connection with the Bremer Bay Road.
- Main Roads supports the proposed BAR intersection treatment as a minimum intersection requirement.
- Main Roads would not support the construction of an intersection that does not meet the minimum requirements of Main Roads Supplement to the Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections
- The currently proposed location of the Gorrie Way intersection demonstrates restricted sight distance to the West and is also located directly opposite the existing access of Lot 205.
- Main Roads does not support the currently proposed internal road layout within the development where adjacent to the existing road reserve boundary of the Bremer Bay Road. This would have negative road safety and amenity consequences.
- Main Roads would recommend an alternate internal road layout and/or a suitable buffer is provided to mitigate potential hazards emanating from the road.
- Main Roads does not support additional direct access from Bremer Bay Rd to any separate Lots or the POS.
- Main Roads notes the pedestrian and cycle traffic is not provided for in the current proposal, planned connectivity with the existing networks should be further developed with a focus on access to schools and other community amenities that does not include this traffic type accessing the Bremer Bay Road reserve.
- Main Roads notes the lack of amenity provided at the proposed POS and recommends provisions for public use including vehicle parking are integrated into the plans.
- Main Roads seeks further clarification on the medium to long term access plans to the West of the proposed development as any other additional direct access to Bremer Bay Rd is not supported.
- Main Roads considers that Dion Ende Road is the proffered Western connection point with the Bremer Bay Road and advises that a future upgrade of the existing intersection to Main Roads requirements shall be required to service the future access requirements for development West of Lot 9500.

If you require any further information, please contact me on 9892 0555 or email gsreg@mainroads.wa.gov.au

Regards

Steven Pickin

Network Operations Coordinator

Great Southern Region

Regional Management & Operations Directorate

Tel: +61 8 9892 0555



Main Roads acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present



Your ref: A160761

Our ref: PA 64991 | DWERDT965646

REQUEST FOR COMMENT – PROPOSED BREMER BAY LOCAL STRUCTURE PLAN – LOT 9500 BORDEN BREMER ROAD, BREMER BAY, SHIRE OF JERRAMUNGUP

Dear Noel,

Thank you for providing the abovementioned proposal for the Department of Water and Environmental Regulation (Department) to consider.

The Department has identified that the proposal will impact on the environment and water resources values and/or management, and as such is not supported in its current form.

Our key comments and recommendations are provided below for land uses to be managed so waterways and their water quality are protected, and these matters must be addressed.

Water resources

The draft Bremer Bay Local Structure Plan - Lot 9500 Borden-Bremer Bay Road, Bremer Bay (received 19/06/24) dLSP for the proposed development has the potential to affect water dependent ecosystems of the Wellstead Estuary because of their sensitivity to contamination associated with land use and development.

The *Draft State Planning Policy 2.9 Planning for Water* (**Error! Hyperlink reference not valid.** (dSPP 2.9)) applies to the development, particularly section 8 which defines the subject area as a **sensitive water resource area**, as land which drains to, and is within two kilometres of, the estuarine area of the Wellstead Estuary.

Bremer Bay Public Drinking Water Source Area (PWDSA)

The proposed development is in the Bremer Bay Public Drinking Water Source Area (PDWSA) (Bremer Bay Water Reserve) which is proclaimed under *Country Areas Water Supply Act 1947*. The Bremer Bay Water Reserve covers the southwest corner portion of Lot 9500 Borden -Bremer Bay Road Bremer Bay (subject area) and includes both Priority 1 (P1) and Priority 2 (P2) areas.

The Bremer Bay Water Reserve drinking water source protection plan (**Error! Hyperlink reference not valid.**) was developed as guidance to help protect the quality of and safe supply of drinking water for Bremer Bay.

The southwest corner portion of the subject area in the PDWSA is zoned as Recreation and Open Space under the Local Planning Scheme, and is proposed as Public Open Space in the draft Local Structure Plan (dLSP).

The proposed development states uses as low risk passive recreation i.e. walking the dog or similar activities. These are compatible activities under [WQPN 25 Land use compatibility tables for PDWSAs \(www.wa.gov.au\)](http://www.wa.gov.au/WQPN-25-Land-use-compatibility-tables-for-PDWSAs) for P1 and P2 areas.

The P2 area of the PDWSA surrounds the P1 area, and extends beyond the dLSP proposed Public Open Space, into portions of the subject area that the dLSP and Appendix 3 Subdivision concept proposes for residential lots.

The Department does not support the current planning for residential subdivision envelope extending into the P2 of incompatible land use as noted in [WQPN 25 Land use compatibility tables for PDWSAs \(www.wa.gov.au\)](http://www.wa.gov.au/WQPN-25-Land-use-compatibility-tables-for-PDWSAs)

- Table 1 Compatibility of subdivision of land within public drinking water source areas states that **rural residential/ rural living** to a lot size between 1 and 2 ha, and **urban/residential or urban deferred zoning** are incompatible with P2 areas.

A non-perennial waterway traverses the same southwest corner of the subject area, and this waterway is bounded by the P1 portion, and surrounded by P2 area. The waterway drains south eastly toward Gornbup Swamp, a perched system of the Albany Coast basin coastal catchment. Cardiminup Swamp wetland is approximately 2km to the southwest of the subject area though not connected hydrologically.

Bremer Bay Groundwater Area (proclaimed under RIWI 1914)

The entire subject area is within the Bremer Bay Groundwater Area, a proclaimed resource under Rights in Water and Irrigation Act 1914 (RIWI 1914) which extends beyond the PDWSA.

This was proclaimed to protect Bremer Bay's drinking water that comes from a groundwater wellfield operated by the Water Corporation south of the subject area.

Planning for subdivision in the Bremer Bay Groundwater Area must demonstrate water, stormwater, and wastewater management with strategies that will protect the proclaimed groundwater resource from pollution in accordance with [Draft SPP 2.9 Planning for water policy \(www.wa.gov.au\)](http://www.wa.gov.au/Draft-SPP-2.9-Planning-for-water-policy) policies:

- 6.13 Planning and development in public drinking water sources maximises the long-term protection and management of water quality and quantity for public drinking water supply
- 7.2 i) minimise export of nutrient and non-nutrient contaminants entering water resources, and
- 7.2 l) demonstrate that infrastructure and site management practices are in place to manage contaminants, particularly within sensitive water resource areas and public drinking water source areas, and
- 7.2 m) Local planning schemes and local planning policies should, in accordance with the Guidelines: m) include site-specific measures where relevant to manage the potential impacts on water quality and protect water resources.

Potable water and water allocation/licencing

The dLSP and the Local Water Management Strategy Lot 9500 Goorie Way Bremer Bay, WA 6330 27/02/24 (Final Version 3 27/02/2024, received 19/06/24) (LWMS) indicate the subject area will be connection to existing reticulated infrastructure for drinking water supply.

The Department notes the licensed entitlements for the Bremer Bay area has been exceeded within recent years. We recommend that the Shire liaises with Water Corporation regarding service capability for additional residences resulting from the proposed development.

The Shire could also consider its Local Planning Policy NO 17 [Microsoft Word - LPP 17 Rainwater Tanks \(jerramungup.wa.gov.au\)](http://jerramungup.wa.gov.au) with respect to opportunities to encourage water conservation and rainwater collection in new subdivisions.

Effluent disposal, Government Sewerage Policy and sewage sensitive area

Error! Hyperlink reference not valid. section 7 defines the dLSP subject area as **sewage sensitive area**, under item d) as land that drains to, and is within two kilometres of, the estuarine area of Wellstead Estuary.

Policy objective 1 to generally require the connection of new subdivision and development to reticulated sewerage to provide lowest risk to public health, environmental, social and economic long term planning outcomes associate with sewage treatment and disposal.

Policy objective 3 Protection of the environment, land and water resources by limiting contamination of land, groundwater, surface water, and impacts on health of flora/fauna, and limiting wasting of water resources.

The Government Sewerage Policy and Draft State Planning Policy 2.9 (dSPP2.9) requires water resources to be considered at the earliest possible stage of the planning process and all subsequent stages in accordance with the Guidelines, [Draft State Planning Policy 2.9 - Planning for Water Guidelines \(www.wa.gov.au\)](http://www.wa.gov.au)

Sewerage infrastructure connection

The dLSP section 3.6 Infrastructure Coordination, Servicing and Staging notes:

Given the separation from the existing sewer infrastructure the large northern lots subject to the R2.5 density could be serviced by onsite treatment and disposal facilities.

This contrary position is noted in Local Water Management Strategy (LWMS), section 4.3:

The Subject Site is situated in an area that has access to the local reticulated sewerage network. Connection of the reticulated sewerage to households is to be via an extension of the existing network from the neighbouring development to the east.

The Department does not support onsite treatment and disposal facilities in the sewage sensitive subject area, as stated in the Government Sewerage Policy, specifically 5.1.1 Requirement to connect to reticulated sewerage:

- Item 2 when any stage or part of any future or proposed subdivision or development is already connected to reticulated sewerage; and/or
- Item 3 where the responsible authority determines any future or proposed subdivision or development can be reasonably connected to reticulated sewerage

The dLSP supporting documents note that connection to reticulated sewerage may be considered cost-prohibitive, however a cost analysis was not provided to support that position.

If approval is given for proposed on-site treatment and disposal facilities in the northern portion of the subject area, outside the P2 region that extends into proposed subdivision area, the Department notes the Government Sewerage Policy (2019) 5.2.1 Lot sizes in sewage sensitive areas is minimum one hectare. This size is to primarily manage cumulative impacts on the environment and water resources in and immediately adjacent to this subject area.

Appendix 3 Subdivision concept indicates all lots sizes are **less than** one hectare (10,000 m²). A reduction below the required minimum one hectare is not supported by the Department, in view of the high values of the receiving environment as detailed above. i.e. being a sensitive water resource area, proclaimed groundwater area, and adjacent to a P1 and P2 PDWSA.

Further, if on-site treatment and disposal facilities are approved, GSP5.2.3 requires groundwater separation of 1.5m, and GSP 5.2.5 requires secondary treatment units with nutrient removal.

Flood and Inundation Risk

The subject area appears low risk for flood and inundation, however waterlogging is known to occur in and around the subject area, especially the southern portion near Borden-Bremer Road (personal communication, Shire of Jerramungup N Myers, 09/08/24), likely because of clay layers in the soil profile.

Stormwater

- Pre development discharge rates not detailed in LWMS

In the LWMS, delineation of pre-development catchments is unclear and was not shown in the plans. It appears a pre-development catchment assessment was not done to determine flow rates to demonstrate the acceptable post-development discharge rates onto freehold land to the south to avoid having an impact. It is also unclear why the upstream post-development catchment is truncated by an unused road reserve, as opposed to being defined by topography.

- Drainage management

The LWMS proposes drainage management by piped drainage system including civil works to establish drainage basins and determined two catchment areas are needed: Catchment A proposed for low point within POS (southwest area of LSP area) and Catchment B to reserve No. 46098 to southwest of the subject area.

The Department notes reserve R 46098 is vested with Department of Planning, Lands and Heritage (DPLH), and is within the PDWSA with P2 level protection.

Under [WQPN 25 Land use compatibility tables for PDWSAs \(www.wa.gov.au\)](http://www.wa.gov.au), Table 2 Compatibility of land uses and activities for the protection of water quality within public drinking water areas,

- limited wastewater infrastructure types (*with conditions noted in WQPN 25*) are considered compatible with a p2 area, and
- stormwater infrastructure in a P2 area is compatible *with conditions per these guidance documents*
 - [WQPN 83 - Infrastructure corridors near sensitive water resources \(www.wa.gov.au\)](http://www.wa.gov.au)
 - [Stormwater management manual of Western Australia \(www.wa.gov.au\)](http://www.wa.gov.au)
 - [Better urban water management \(www.wa.gov.au\)](http://www.wa.gov.au)

The Department does not support the current proposed drainage management planning because it does not demonstrate consideration of the receiving P2 area with respect to [WQPN 25 Land use compatibility tables for PDWSAs \(www.wa.gov.au\)](http://www.wa.gov.au) and [associated conditions and guidance](http://www.wa.gov.au) or the proclaimed Bremer Bay Groundwater Area, discussed above.

The Department recommends the Shire confirm locations and vesting or land management, and acceptable uses of all proposed receiving or processing infrastructure, stormwater storage, and drainage points for this subject site.

Site and Soil Evaluation

Local knowledge of the subject area and other nearby areas indicated that waterlogging occurs in the subject area (personal communication, N Myers 09/08/24), and this should be further considered in site and soil analysis and land capacity for drainage and water cycling.

Additionally, the Local Water Management Strategy (LWMS) with Appendix A Site Soil Investigation Report (GSG, 2023) contains errors and assumptions that should be addressed if on-site wastewater management is approved:

- Correctly noted trial pits on 2 May 2023 are not representative of winter/season groundwater peaks. Observations should be made during peak season, generally October/November.
- Geotechnical investigation indicates a sandy clay layer at 0.16 to 1.10 m below ground level, which may result in a perched groundwater system. Then in Section 3.7.2 bore 60200014 is referenced, for which the datum for the recordings is not detailed, so it is not known what the groundwater levels are below ground level (BGL). It appears it was assumed it is in meters BGL, and this cannot be assumed and is likely incorrect. Our desktop review stated the bore is 27 m deep, but does not say where the inlet screen is, so there is no confidence that it is observing the correct aquifer.

The Department notes the Draft Local Structure Plan (dLSP) Appendix 5 Lot 9500 Borden – Bremer Road, Bremer Bay Engineering Infrastructure Report November 2023 (Revision 3, 29/11/23, received 19/06/24) (App 5 EIR) references information the dLSP and LWMS discussed in these Department comments about environment and water resources values and/or management. The Shire's technical review of App 5 EIR should be undertaken in the context of issues and impacts discussed in these comments.

The Department should be notified of any modifications to the proposal that may have implications on aspects of environment and/or water management, to enable the implications to be assessed.

Please contact me if you require any further information on these comments.

Yours sincerely

Liz Tanner

A/Senior Natural Resource Management Officer

Planning Advice, South Coast Region

Department of Water and Environmental Regulation

5 Bevan Street, ALBANY WA 6330 | T (08) 9841 0138 | E elizabeth.tanner@dwer.wa.gov.au



Our Ref: D35199
Your Ref: A160761

Noel Myers
Shire of Jerramungup
planning@jerramungup.wa.gov.au

Dear Mr Myers

RE: LOT 9500 BORDEN-BREMER BAY ROAD – LOCAL STRUCTURE PLAN

I refer to your email dated 18 June 2024 regarding the submission of a Bushfire Management Plan (BMP) (Version 2), prepared by Bio Diverse Solutions and dated 16 February 2024, for the above development application.

This advice relates only to *State Planning Policy 3.7: Planning in Bushfire Prone Areas* (SPP 3.7) and the *Guidelines for Planning in Bushfire Prone Areas* (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining approvals that apply to the proposal including planning, building, health or any other approvals required by a relevant authority under written laws.

Assessment

- It is noted that a lot layout has been provided as part of the referral documentation. Where a lot layout is known (even if not finalised) a BAL Contour Map should be provided to ensure an accurate representation of the bushfire risk for each proposed lot, or cell of proposed residential development.

1. Policy Measure 6.5 c) Compliance with the Bushfire Protection Criteria

Element	Assessment	Action
Location, and Siting & Design	<p>A1.1 & A2.1 – not demonstrated</p> <p>The BAL ratings cannot be validated. A concept lot layout has been provided and a BAL Contour Map should be provided. The structure plan proposes residential lots ranging from approximately 1,000 to 5,000 sqm in size, these are considered to be urban scale lots.</p> <p>Urban scale lots should not be impacted by BAL-40/FZ. Without a BAL Contour Map it is difficult to ascertain the BAL impact on the lots. Strategic planning presents the best opportunity to incorporate setbacks in the form of roads and/or managed open space areas to address bushfire risk at the planning stage. A BAL Contour Map should be provided to demonstrate compliance with Elements 1 and 2 by locating development in areas with least possible risk of bushfire and achieving a maximum rating of BAL-29 for all future lots and not rely on construction standards or in-lot setbacks.</p>	Modification to the BMP required.

	<p>A3.3 and A3.4a – not demonstrated</p> <p>There is a dead-end road shown in the concept subdivision layout which leads to a proposed EAW. A perimeter road is required where 10 or more lots are proposed. The EAW is also adjacent to an area of Class D Scrub. Given no BAL Contour Map or post development vegetation classification has been provided it is unclear which vegetation will remain in the post-development scenario.</p> <p>The future subdivision should provide multiple access routes as part of stage 1 if the subdivision is to be staged.</p>	Modification to the BMP is required.
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Recommendation – compliance with acceptable solutions not demonstrated – modifications required

It is critical the bushfire management measures within the BMP are refined to ensure they are accurate and can be implemented to reduce the vulnerability of the development to bushfire. The proposed development has not demonstrated compliance to the following:

1. Element 1: Location,
Element 2: Siting and Design, and
Element 3: Vehicular Access.

If you require further information, please contact me on telephone number 9395 9703.

Yours sincerely



Sasha De Brito
SENIOR LAND USE PLANNING OFFICER

30 July 2024

SHIRE OF JERRAMUNGUP**SUBMISSION FORM****PROPOSED BREMER BAY LOCAL STRUCTURE PLAN****LOT 9500 BORDEN BREMER ROAD, BREMER BAY****Submissions Close: 4.30pm on Wednesday, 31 July 2024***Planning and Development Act 2005*

TO: The Chief Executive Officer of the Shire of Jerramungup

Submission on Local Structure Plan

Name:	Teresa Scott
Company (if applicable):	
Postal Address:	4A Louisa Street, Fremantle, 6160 WA.
Phone Number:	040 893 2517
Email Address:	sassyhippy@hotmail.com.au

SUBJECT OF SUBMISSION *(State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property).*

Owner of 3 properties in Bremer Bay

ADDRESS OF PROPERTY AFFECTED: *(If applicable, include lot number and nearest street intersection).*

LOT 798	GOORIE WAY
LOT 796	FREEMAN DRIVE.

SUBMISSION:

☐

Support

☒

Objection

☐

Indifferent

Provide your comments in full and any arguments to support them (attach additional pages, if necessary).

- ~~Property Values Will be impacted.~~
- There is not enough infrastructure to support more land releases.
- No Industrial or Commercial land available to support this growth.
- If there is not enough power and water available for a car wash, the question is, is there enough power + water to service this development?

Signature:



Date:

20/07/24

Please return to: Chief Executive Officer, Shire of Jerramungup

Mail: PO Box 92, Jerramungup WA 6337

Email: council@jerramungup.wa.gov.au

SHIRE OF JERRAMUNGUP

SUBMISSION FORM



PROPOSED BREMER BAY LOCAL STRUCTURE PLAN
LOT 9500 BORDEN BREMER ROAD, BREMER BAY
Submissions Close: 4.30pm on Wednesday, 31 July 2024

Planning and Development Act 2005

TO: The Chief Executive Officer of the Shire of Jerramungup

Submission on Local Structure Plan

Name:	DREW ALEXANDER SEBBES.
Company (if applicable):	
Postal Address:	604 GEOGRAPHUE BAY ROAD BROADWATER WA
Phone Number:	0819930420
Email Address:	dmsebbes@bigpond.net.au

SUBJECT OF SUBMISSION *(State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property).*

OWNER OF 31 TEMPLETONIA ROAD
 (ADJOINING BOUNDARY)

ADDRESS OF PROPERTY AFFECTED: *(If applicable, include lot number and nearest street intersection).*

31 TEMPLETONIA ROAD.

SUBMISSION:

☒

Support

☐

Objection

☐

Indifferent

Provide your comments in full and any arguments to support them (attach additional pages, if necessary).

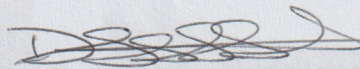
I SUPPORT THE OVER ALL STRUCTURE PLAN.

I HAVE CONCERNS OVER A FEW POINTS.

- ABILITY OF EXISTING WASTE WATER INFRASTRUCTURE TO HAVE THE CAPABILITY TO HANDLE THE NEW BLOCKS.
- REAR BOUNDARY EASEMENT OF 5 METERS TO BE PUT IN PLACE WHERE NEW BLOCKS ADJOIN EXISTING.

I WOULD ALSO LIKE TO SEE ONE OF THE ROADS OR STREETS NAMED AFTER MY LATE GRAND FATHER - WHOM BUILT IN BREMER BAY IN THE 1940'S - CLIFFORD EDGER MULVAY.
- "MULVAY" - RD OR STREET OR WAY. ETC

Signature:



Date:

29/07/2024.

Please return to: Chief Executive Officer, Shire of Jerramungup

Mail: PO Box 92, Jerramungup WA 6337

Email: council@jerramungup.wa.gov.au