

### **Local Planning Policy 4.26 – Development in the Rural Zone (LPP4.26)**

The subject site was approved in February 2015 (OC 15/4439) under the use class of ‘Light Industry & Transport Depot’ in the then current Planning Scheme.

The approval at the time included areas for materials storage and transport yards. The facility did not function totally as planned, and materials in addition to timber products were received and placed onsite. The location of this material was within the approved development footprint but was not in accordance with the lodged plans.

It is in response to these issues that the new owners have applied for an Amended Development Approval that will include programmed site clean-up, landscaping of the screening earth bunds, improved stormwater management, paving of the transport areas to mitigate dust. The full outline of the actions onsite are detailed on the plans and earlier in this planning report.

These actions are proposed as part of an Amended Development Approval that will significantly improve the amenity of the site and allow it to effectively function as a transport depot.

LPP4.26 requires a ‘*detailed benefit analysis in order to set out proposed benefits expected to the local community*’.

The policy provides some key areas of consideration

1. *An appropriate definition of the local community area.*

In this application, it is considered that there is an ‘Inner Area’ and an ‘Outer Area’ (see attached plan).

This division is due to the nature of the application, where the ‘Inner Area’ will be aware of the facilities location and physical presence, whilst the ‘Outer Area’ will be aware of the opportunities the facility offers.

The ‘Inner Area’ has physical edges of a rail line to the north and a significant regional road to the south. These ‘edges’ meet to the west, but are diverging to the east, so a nominal edge has been created (see attached plan).

The ‘Outer Area’ is considered to be the Shire of Serpentine Jarrahdale, the City of Kwinana and portions of the City of Rockingham and Cockburn.

2. • *Level of productivity represented by the development and its positive, negative or neutral impacts on the local community*

The application has in fact two aspects:

- a) The tidy up and improvement of the site and;
- b) The transport depot and tree grinding business

These bring different levels of productivity to the area and in this context, we are using ‘capacity to produce’ from the Collins dictionary as the definition.

- a) The tidying up and improvement of the site brings a positive impact to the 'Inner Area' and has no discernable impact on the 'Outer Area'.  
Landowners and users in the 'Inner Area' will benefit from the site improvements to the extent largely determined by their location and commuting routes. By improving amenity, local productivity can be positively impacted. Those in the 'Outer Area' will have a neutral impact.
- b) The Transport depot can improve productivity in the area as its services are relevant to the community, both 'Inner' and 'Outer' and while this is not outlined in the application, any operator that ignored local opportunities would be foolish.

3. *Whether the development results in positive, negative or neutral impacts on the local community.*

Again, considering the two aspects of the application, the site clean-up and improvement works that provide suitable 'management' of past poor practice utilising a methodology prepared by suitable experienced environmental consultants in consultation with Aurora Environmental and DWER will have a positive impact. This positive impact is most relevant to the 'Inner Area'.

The operational aspect of the application can have a positive impact as tenancy for local drivers and operatives are engaged through positive discrimination. 20% of the tenancy space onsite will initially be reserved exclusively for 'local drivers'. Additional space will be allocated to 'local drivers' once this initial portion achieves capacity and area is available, with the intention to provide 'transport depot' capacity to the local community. These details are outlined in the tenancy management plan.

Tenancy at the site currently includes a business and vehicles that operates from the location and is involved in the transport of grains. This transport business services rural properties.

The advice from real estate agents (copy attached) has indicated that there is interest from businesses to relocate to the site and operate in the local area once the amended DA has been approved.

The development can have a negative impact if poorly managed and monitored, as with the previous operation however the new owners have observed how damaging poor performance is both economically and reputationally and would not be likely to repeat this.

Positive impacts can be achieved for 'Outer Areas' in terms of jobs and services. This is currently occurring through the use of the site for rural services (grain).

4. • *Whether the development results in positive, negative or neutral impacts on elements of the natural environment and ecology with the locality of the local community.*

The environment of the site is currently damaged by previous poor practices and needs cleaning up. These works that will include the recommendations from the Aurora site investigations and reports, will have a positive impact on the 'Inner Area' in terms that are both visual, olfactory and ecological. The 'Inner Area' will receive a significant positive impact in this regard, while the 'Outer Area' is neutral.

The operations at the site, once approved and constructed will have some negative impacts in terms of traffic (truck movements) and the associated noise and heightened road activity. The transport activities can be conditioned with operating hours, site design regarding truck parking and turning, including access and egress, and landscaping to mitigate visual amenity and noise.

It is likely that these negative impacts will be for the 'Inner Area', although it is noted that the anticipated traffic route, Mundijong Road, is only 800 metres to the south. It is also anticipated that these factors will have a lesser impact on the 'Inner Area' than the current approval and historical activities at the site.

5. *Whether the development is compatible with the current infrastructure levels for the local community, and if not whether the development proposes upgrades to such infrastructure*

The infrastructure in the immediate area is basic, there is no reticulated power, water or sewer.

The development proposed, includes a response on these services such that the site is self-sustaining.

A bank of solar panels, with compatible battery storage will supply power for the activities planned for the site.

Water supply will be from roof catchment and onsite tank storage with three 20,000ltr tanks located onsite in addition to those already in place.

Effluent disposal will be on-site with appropriate systems sized to planned usage.

Stormwater will be managed on-site with bio retention basins at the west of the planned development area.

This large site has adequate absorption area for stormwater management.

There are no proposals to extend services to the site as they are simply not required, and lots in the area appear to manage adequately.

The abutting King Road has an approximately 8 metre sealed surface and is a Regional Distributor as per MRWA classification and as outlined in the TIS. To the south, approximately 800m is the regional east-west Mundijong Road.

6. *Whether the development delivers services and/or facilities which help further the existence of the local rural community.*

Transport has always been a fundamental aspect of rural life and goods and supplies move to and from rural properties. This project provides that service to the immediate local community and may also be a business opportunity for some.

Tree grinding is a rural function with commercial products that can be utilised in many areas and projects, particularly as we strive to be water sensitive in our open areas.

All rural areas have locations providing services similar to those proposed in this application, recognising that a level of service is required that is not logical or commercial for each property/business to provide.

**4. All non-rural uses** When assessing all applications for non-rural use in the Rural zone, the following matters will be considered in respect of assessing compatibility or otherwise of development with surrounding rural uses:

- *The proportion of the lot proposed to be used for non-rural uses and whether the majority of the land would be available to be used for rural uses alongside;*

Lot 102 is 24.6 hectares and approximately 7.2 hectares at the eastern section will be utilised for transport depot, tree grinding and buffer setbacks. This represents 34% of the total site area.

- *Whether there is a rural use occurring on the site;*

There is currently no use occurring on the western two thirds of the site. Grazing is planned once development and clean-up matters are resolved.

- *Whether the proposal would adversely impact existing rural uses on the site or surrounding locality;*

There are no actions or activities with the development proposal that will impact rural operations on the remainder of the site or adjoining lands. Grazing stock are very tolerant of reasonable noise and movement as evidenced with many such properties abutting highways, and/or in aircraft flight routes

- *Whether the proposal would impact the ability of the land to be used for rural uses in the future;*

The great value of this application is that some previous poor practice has had a detrimental affect on the land BUT this application proposes clean-up and is moving to achieve that through suitably qualified consultants.

- *The capability of the land to undertake productive rural uses;*

The unaffected 2/3 of the site will continue to be pasture and used for grazing or hay, as is most of the land in the inner area. Drains, historically installed, have made the land workable.

- *The scale of development/activities;*

The detail is addressed in the submission however the key elements are considered to be:

- a. Perimeter screening by earth bunds and vegetation.
- b. Minimal and low-level buildings
- c. Truck activity via a nominated Tandem Drive Network 4
- d. Clean-up of previous ownership inappropriate actions

- *Built form character;*

Structures planned and existing are akin to farm sheds, and relate appropriately to the location

- *Any external impacts and their proposed management.*

The only anticipated external impact is the traffic that will primarily utilise Mundijong Road and then King Road for approximately 800 metre as detailed in the traffic report. These roads are appropriately classified for these uses and the hours of operation will be conditioned.

- *Traffic generation and suitability of infrastructure to accommodate.*

The applicant has nominated that approximately 40 heavy vehicles may attend the site and some associated personal cars of operators and associated service. The external roads are quite capable and appropriate for this level of activity.

29<sup>th</sup> January 2025

# Realmark<sup>®</sup>

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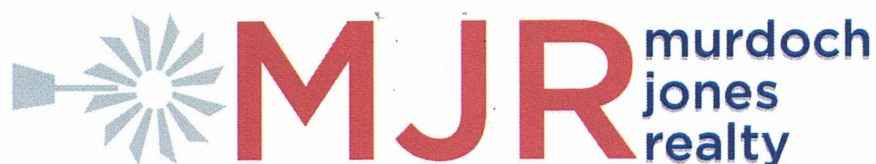
To Jonathan,

As per our discussion, we are seeing interest levels increase in the areas that have proximity to Thomas Road in the Serpentine region. Particularly local transport operators are looking for parking, and dispatch yards where they can service the Kwinana and Western Trade Coast precinct, but also be located close to the north/south connectors of the Kwinana Fwy and Tonkin Highway.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Rob Dawson', with a long horizontal flourish extending to the right.

Rob Dawson  
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28 January 2025

**Department of Planning  
Shire of Serpentine Jarrahdale  
6 Paterson Street  
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E: [info@sjshire.wa.gov.au](mailto:info@sjshire.wa.gov.au)**

Dear Sir/Madam

I, Gary Robert Jones, as a Director of Murdoch Jones Realty, would like to advise of my support for the Development Application for 766 King Road, Oldbury.

I understand the application is dealing with the current approval of a Transport Depot at this site.

I can advise that as a long time ie 36 years, real estate agent in the Serpentine Jarrahdale Shire and adjoining Shires, there is definitely a need and nexus for this transport depot in the area.

I have been made aware of this through requests from clients looking to move within or into the area and wanting to have multiple trucks/machines on their land. They receive advice from the Shire that no more than two trucks can be kept on their properties.

I understand transport and storage is a growing need and many of the clients I see are looking for additional parking within the locality.

For this reason I would like to have somewhere to direct such clients, so that they can either remain in the area or as new clients, have truck parking, so that they can move into the area.

Yours faithfully

G. R. Jones  
**DIRECTOR**  
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**Licensee: Chaseall Pty Ltd \* Real Estate Agents \* Auctioneers \* Principal: G. R. Jones**





18/12/2024

To Serpentine Shire Council

Planning department

I would like to advise my support for the D.A. application for 766 King Road Oldbury.

I understand the application is dealing with the current approval of Transport Depot at this site.

That this is a request for further works and as such the Shire has requested information as to the local requirement / benefit for adding to such a facility.

I can advise that as a long time real estate agent in the Serpentine and adjoining shires / councils there is must defiantly a need and nexus for this transport depot in this area.

I have come to be aware of this though request from clients looking to move within or into the area and the advise from Council that no more than two trucks can be kept on owners house blocks.

I understand transport and storage is a growing need and many of the clients I see are looking for additional parking within the locality.

For this reason I would like to have somewhere to direct such clients to so the can either remain in the area or as new clients have truck parking so they can live in the area

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Tracey Foster', is written over the typed name.

Tracey Foster.

Licensee/Director.

Foster's Real Estate.

11 Wolfe Road Oakford W.A 6121.