

# PROPOSED TRANSPORT DEPOT, ASSOCIATED SITE OFFICES, NURSERY AND SHED

Lot 101 (No.132) Boomerang Road, Oldbury



Harley Dykstra<sup>®</sup>

PLANNING & SURVEY SOLUTIONS



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## APPENDICIES INDEX

- Appendix A** Development Plans
- Appendix B** Certificate of Title
- Appendix C** Nutrient and Irrigation Management Plan



## 1 INTRODUCTION

This report has been prepared by Harley Dykstra in support of a Development Application to the Shire of Serpentine-Jarrahdale for a Transport Depot, associated site offices, nursery, and an amendment to the approval for a 30m x 15m shed (POO230/03) at Lot 101 (No.132) Boomerang Road, Oldbury ('the subject land'). The subject land will be utilised by BWC Civil, a small Civil and Earthmoving contractor.

It is understood the Shire of Serpentine-Jarrahdale conducted a site visit following the Shire's compliance team becoming aware that operations associated with BWC Civil, were occurring without development approval. The Shire requested that a planning application be lodged by 14 February for the Transport Depot and associated site offices. Since the site visit Harley Dykstra has been working with the client, the Shire and Bioscience to prepare this application. In doing so Harley Dykstra was informed by the Shire's compliance team that the 30m x 15m shed does not comply with the orientation shown on the approved site plan. The shed has therefore been included in this application to address this compliance issue. The landowner also wishes to pursue nursery operations on the subject land. It is understood that as Development Plans and supporting documentation for a 1997 nursery approval are no longer available, the Shire requires a new development application to be lodged for the proposed nursery operations. A 1.4215ha area generally consistent with the area of the existing hardstand constructed as part of the previously approved nursery operations, is therefore included as part of the retrospective development application for the Transport Depot and associated site offices and the amended development application for the 30m x 15m shed.

The siting and intended use for the proposed 'Transport Depot,' associated site offices, 30m x 15m shed and nursery is shown on the attached Development Site Plan at **Appendix A**. Operational details are outlined in Section 4 of this report. It is respectfully requested that the Shire of Serpentine-Jarrahdale favourably consider this application for a Transport Depot, associated site offices, nursery and an amendment to P00230/03.



## 2 SUBJECT LAND

The subject land is a 'Rural' zoned lot under the Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2 (TPS 2), with an area of 10 hectares. The subject land is located approximately 6km west of Mundijong Town Site and 300m east of King Road. Vehicle access to the lot is derived from two crossovers onto Boomerang Road.

The subject land is currently occupied by a dwelling and various rural outbuildings including the 30m x 15m shed on the eastern part of the lot. It is understood that a number of skip bins are also being temporarily stored on the site which will be removed from site as soon as they are sold. BWC Civil is currently parking commercial vehicles and machinery on site and utilising two transportable offices. The subject land is also used by the landowners for the keeping and training of race-horses. An Aerial Photograph depicting the existing lot boundaries and use of the site has been included at **Figure 1**.

**Table 1** provides a summary of the legal description of the land. A Copy of the Certificate of Title is included at **Appendix B**.

LOT NO.	PROPERTY ADDRESS	LANDOWNER	AREA	VOL.	FOLIO	PLAN NO.
101	132 Boomerang Road, Oldbury	Bradley John Walton Lisa Marie Walton	16.41HA	1549	918	93545

**TABLE 1 – SUMMARY OF LAND**



**FIGURE 1 – AERIAL PHOTOGRAPH**



### 3 PLANNING FRAMEWORK

#### 3.1 Metropolitan Region Scheme

The subject land is zoned 'Rural' under the Metropolitan Region Scheme (MRS) and adjoins other properties also zoned 'Rural'. Bush Forever Site 68 is located to the south of the subject land.

#### 3.2 Shire of Serpentine-Jarrahdale Town Planning Scheme No. 2

The subject land is zoned 'Rural' under the Shire of Serpentine-Jarrahdale's Town Planning Scheme No.2 (TPS 2), as is all surrounding land in the locality. An excerpt of the Shire's zoning map is included at **Figure 2**.

The purpose and intent of the 'Rural' zone is set out in Clause 5.10.1 of TPS 2, as follows:

*"To allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area."*

The land uses relevant to this application are defined within Appendix 1 of TPS 2, as:

**"Transport Depot"** means land or buildings designed or used for one or more of the following purposes:

- a) *The parking or garaging of more than one commercial vehicle used or intended for use for the carriage of goods (including livestock) or persons,*
- b) *The transfer of good (including livestock) or passengers from one vehicle to another vehicle.*
- c) *The maintenance, repair or refuelling of vehicles referred to in (a) or (b) above."*

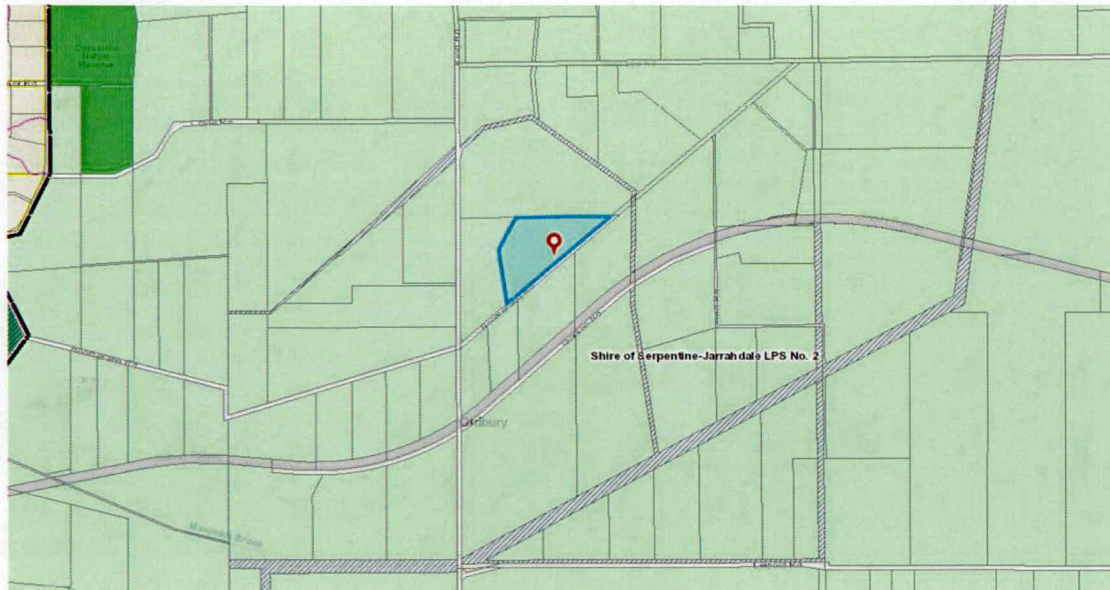
Commercial Vehicle is defined in Appendix 1 of TPS 2 as:

**"Commercial Vehicle"** means a vehicle whether licensed or not which is used or designed for use for business, trade or commercial purposes or in conjunction with a business, trade or profession, and without limiting the generality of the foregoing includes any van, truck, trailer, tractor and any attachment to any of them or any article designed to be an attachment to any of them, and any bus or any other passenger vehicle, or any earth moving machines whether self-propelled or not, but the term shall not include a vehicle designed for use as a passenger car or a trailer or other thing most commonly used as an attachment to a passenger car, or a van, utility or a light truck which is rated by the manufacturer as being suitable to carry loads of not more than (3) tonnes."

'Nursery' has the same definition as 'Plant Nursery' under TPS 2 as follows:

**"Plant Nursery"** means any land and buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden activities."

Table 1 of TPS 2 sets out the permissibility of land uses in each of the zones. 'Transport Depot' is an 'SA' use within the 'Rural' zone, meaning that the Council may, at its discretion, permit the use after notice of the application has been given in accordance with Clause 64 of the Deemed Provisions. 'Nursery' is an 'AA' use within the 'Rural' zone, meaning that the Council may, at its discretion, permit the use.



**FIGURE 2 – ZONING MAP**

### 3.3 Shire of Serpentine-Jarrahdale Draft Local Planning Scheme No.3

The Shire's draft Local Planning Scheme No.3 (draft LPS3) has recently been released for public comment. The subject land is proposed to be zoned 'Rural' under draft LPS3 with five (5) objectives being identified for the Rural zone as listed below:

- a) *"To provide for the maintenance or enhancement of specific local rural character.*
- b) *To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- c) *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage.*
- d) *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.*
- e) *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses."*

Under draft LPS3 the land use definitions relevant to this application are as follows:

**"Transport Depot"** means premises used primarily for the parking or garaging of three (3) or more commercial vehicles including –

- a) *Any ancillary maintenance or refuelling of those vehicles; and*
- b) *Any ancillary storage of goods brought to the premises by those vehicles; and*
- c) *The transfer of goods or persons from one vehicle to another."*



**“Agriculture – Intensive”** means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following –

- a) The production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- b) The establishment and operation of plant or fruit nurseries;
- c) The development of land for irrigated fodder production or irrigated pasture (including turf farms);
- d) Aquaculture.”

Table 2 of draft LPS3 sets out the permissibility of land uses in each zone. ‘Transport Depot’ is an ‘A’ use within the ‘Rural’ zone meaning that the land use is capable of approval through Council discretion and after notice is given in accordance with clause 64 of the deemed provisions. ‘Agriculture – Intensive’ is a ‘D’ use within the ‘Rural’ zone meaning that the use is capable of approval through local government discretion.

### 3.4 State Planning Policy 2.5 – Rural Planning

State Planning Policy 2.5 (SPP 2.5) was prepared by the Western Australian Planning Commission with the intent of protection and preserving the State’s rural zoned land, particularly in the context of the pressures of urban expansion and natural resources. Clause 5.5 of SPP 2.5 sets out the policy measures related to regional variation, economic opportunities and regional development. This section notes and promotes the variety of land uses that may occur within rural zones, by the following relevant policy measures:

- a) *continue to promote rural zones in schemes as flexible zones that cater for a wide range of land uses that may support primary production, regional facilities, environmental protection and cultural pursuits;*
- d) *recognise the differing needs of the various regions, and consider regional variations where they meet the stated objectives of this policy and are supported in strategies and schemes.*

It is considered that the proposed use will benefit the local economy of the Shire of Serpentine-Jarrahdale. Further, given it will maintain the existing rural land uses on site, the proposed development is considered to comply with both the policy objectives and policy measures set out in SPP 2.5.





## 4 PROPOSED DEVELOPMENT

### 4.1 Overview

This application seeks approval from the Shire of Serpentine-Jarrahdale for a "Transport Depot," two associated site offices, an amendment to P00230/03 and proposed nursery operations at Lot 101 (No.132) Boomerang Road, Oldbury. Development Plans including a Site Plan and Building Floor Plans and Elevations are attached at **Appendix A**.

The facility will be operated by BWC Civil who are a small Civil and Earthmoving Contractor. The proposed Transport Depot will include the parking of various commercial vehicles, trailers, machinery and employee vehicles as detailed in section 4.3 of this report. The site offices will be used for administration tasks associated with the business.

The 30m x 15m shed will continue to be used for the Landowner's personal purposes and will not be associated with BWC Civil.

Nursery operations will generally occur on the limestone hardstand constructed as part of previous nursery operations on the subject land that were approved in 1997. The nursery shall be operated by BWC Civil for the wholesale of plants. Further detail regarding operations of the nursery are included in the Nutrient and Irrigation Management Plan attached at **Appendix C**.

Further details of the use are provided in the below sections of this report.

### 4.2 Site Layout & Use

The attached Development Site Plan (**Appendix A**) illustrates the proposed use of the site. Access will be derived via the existing crossover onto Boomerang Road which is located 170m north west of the crossover that services the existing dwelling.

The existing dwelling, 30m x 15m shed and various rural outbuildings will continue to be used for the landowner's personal use and won't be associated with the operations of BWC Civil. Vehicle movements will be kept to a minimum as the subject land shall continue to function as a rural parcel of land where race horses are trained.

In accordance with correspondence received by the landowner from the Shire on 18 December 2019, all skip bins will be removed from site following their sale. The importation of materials for recycling will also cease according to the Shire's instructions.

The attached Floor Plans and Elevations (**Appendix A**) demonstrate the basic configuration of the site offices, position of the shed for which retrospective approval is sought and the area to be used for the proposed nursery. The offices will be used for administrative duties associated with the business.

The site offices (refer to **Figure 3** and **Figure 4** below) and hardstand/parking area will be visually screened from Boomerang Road by existing vegetation (refer to **Figure 5** below). The site offices will be setback approximately 60m from Boomerang Road and the hardstand/parking area 30m.



**FIGURE 3 – OFFICE 1**



**FIGURE 4 – OFFICE 2**



**FIGURE 5 – BOOMERANG ROAD STREET VIEW**

### 4.3 Operational Details

This facility proposes the use of the land as a transport depot, where equipment associated with the operations of BWC Civil will be parked, and for wholesale nursery operations. Operations of the transport depot are such that 1-2 trucks loaded with machinery leave the site per day and return at close of business. Machinery is often left on site for the duration of the job and only returned to the yard when BWC Civil is waiting for it to be mobilised to a new site. Equipment stored on site is strictly used for business operations only, meaning that machinery movements are kept to a minimum. Repairs and servicing of vehicles and machinery will be done by an authorised mechanic off site. A skip bin will occasionally be located on site for a short period before its contents are taken to landfill and the bin once again is mobilised to a job site. Stockpiling of rubbish or building material will not occur on site.

The following vehicles and trailers associated with the operations of BWC Civil may be parked on site (refer to **Figures 6-14** for photos of the vehicles stored on site):

- 2 x Single cab utes
- 1 x Light tool truck
- 1 x medium tray top truck
- 2 x 6 wheel trucks
- 1 x prime mover
- 3 x truck trailers



**FIGURE 6 – SINGLE CAB UTE**



**FIGURE 7 – LIGHT TOOL TRUCK**



**FIGURE 8 – MEDIUM TRAY TOP TRUCK**



**FIGURE 9 – 6 WHEEL TRUCK**



**FIGURE 10 – 6 WHEEL TRUCK**



**FIGURE 11 – PRIME MOVER**



**FIGURE 12 - TRUCK TRAILER**



**FIGURE 13 - TRUCK TRAILER**



**FIGURE 14 - TRUCK TRAILER**



The following machinery will be parked on site when it is not mobilised on site (refer to **Figures 15-18** for photos of the types of machinery stored on site):

- 2 x Front End Loader
- 3 x POSI track
- 3 x Excavators
- 2 x Rollers



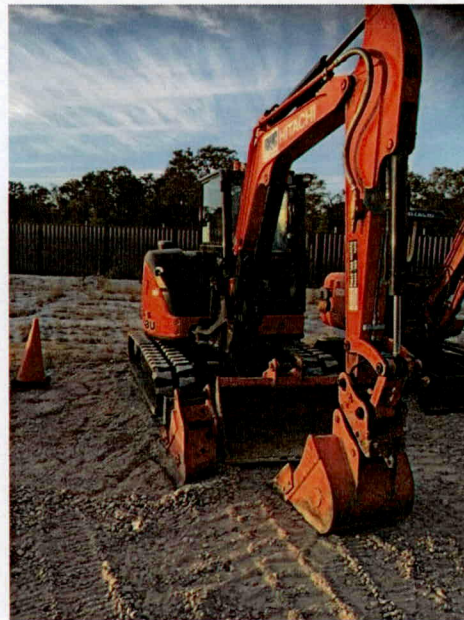
**FIGURE 15 – FRONT END LOADER**



**FIGURE 16 – POSI TRACK**



**FIGURE 17 – ROLLER**



**FIGURE 18 – EXCAVATOR**

In addition to the above, 5 Employee vehicles may also be parked at the subject land at any one time.

The above list of vehicles and machinery represents the maximum number of vehicles that may park at the subject land at any one given time. It should be noted that more often than not, machinery is mobilised to job sites.

Office 1 will be used as a playroom for the children of the landowner while Office 2 will be used for administration/book keeping tasks associated with the business operations of BWC Civil. The playroom shall only be used by Children who already live on the subject land. Staff amenities consisting of a basic kitchen, toilet and washbasin are located in the shed marked number 9 on the development site plan. These facilities were used by nursery operations originally approved in 1997.





The Subject Site is considered an appropriate and efficient location given its close proximity to King Road which is a heavy haulage route providing connections to Thomas Road and Kargotich Road. BWC Civil also operates on projects in close proximity to the subject land and within the Shire of Serpentine-Jarrahdale. These include road widenings, road reserve revegetation and development earthworks. The use of the site as a Transport Depot is compatible with the cluster of surrounding rural businesses along King Road.

The proposed nursery shall occupy a 1.367ha portion of the subject land and operate from 7:00am – 5:00pm Monday – Friday and occasionally on Saturdays from 7:00am – 12:00. The nursery shall function as a wholesale nursery only with no retail component. Operations will contribute to an additional 1-2 truck movements per week and a maximum of 1 additional vehicle movement per day. Staff already employed by BWC will conduct the majority of daily tasks while a part time horticulturalist shall be employed to oversee operations. The location of the proposed nursery will be located on the existing limestone hardstand area constructed in accordance with the 1997 approval.

#### 4.4 Staff & Hours of Operation

BWC Civil currently employs 5 people 6 days a week Monday to Saturday. Weekday hours shall be between 7:00am and 5:30pm and Saturday hours between 7:00am and 12pm. It should be noted that Saturday operations will only happen on the odd occasion and won't be a weekly occurrence.

A part time horticulturalist will be employed to oversee nursery operations. The maximum number of staff to park on the subject land each day is 6 however this will rarely occur as employees, more often than not, park at the job site they are working on. The horticulturalist shall also only be employed on a part time contract basis.



## 5 SITE MANAGEMENT

### 5.1 Bushfire Management

The Western Australian Planning Commission's State Planning Policy 3.7 – *Planning in Bushfire Prone Areas* (SPP3.7) sets out specific guidelines and requirements for subdivision and development in order to preserve life and reduce the impact of bushfire on property and infrastructure. Whilst the subject land is identified as Bushfire Prone by the Department of Fire and Emergency Services mapping, a Bushfire Management Plan has not been prepared in support of this application. This is in accordance with the exemptions contained within Planning Bulletin 111/2016 – *Planning in Bushfire Prone Areas*. In particular, the planning bulletin notes the exemptions from the provisions of SPP3.7 should be applied pragmatically where the proposal does not result in the intensification of development in bushfire prone areas. No new development is proposed as part of this application and so a Bushfire Management Plan has not been prepared. It is noted in the Shire's email dated 18 December 2019 that the preparation of a Bushfire Management Plan has not been requested to accompany the Development Application.

### 5.2 Traffic Management

The development will be accessed via the existing crossover to Boomerang Road. This Application proposes the use of the site by the following vehicles:

- 12 employee vehicle movements per day
- 14 licensed work vehicle movements per day
- 2 additional nursery truck movements per week.

The maximum traffic generation per week for the proposed Transport Depot and Nursery will be 158 vehicle movements per week. This number of movements is based on 2 movements per vehicle per day. It is unlikely that all commercial (likely to be only 6 movements per day) and employee vehicles will enter and exit the site each day and so 158 vehicle movements represent a very conservative count. It should also be noted that Saturday operations will only occur on the odd occasion and will not become a regular occurrence. The horticulturalist will also only work part time and will not attend the site each day. The number of vehicle movements for Saturday operations is also anticipated to be significantly lower than weekday traffic movements. Boomerang Road is designated as an "Access Road" in accordance with the Main Road WA Road Hierarchy. Access Roads generally have the capacity to carry a volume of 3,000 vehicles per day (158 trips is 5.2% of the roads capacity). It is therefore considered that this proposal and the associated traffic generated from the transport depot and nursery would have no material impact on the surrounding road network particularly given that King Road is designated as a "Regional Distributor Road" and Gossage Road a "Local Distributor Road," and due to the conservative method that weekly traffic generation has been calculated.

### 5.3 Dust Management

Should hot, dry and windy conditions occur that result in the creation of dust, employees will manage this through the use of water sprayers or other means of water distribution. It should be noted that vehicles using the internal access ways will drive slowly to reduce dust generation.

### 5.4 Noise Management

Given the low scale nature of the proposed uses, noise levels are not expected to exceed that of a typical rural property. Machinery stored on site will remain stationary apart from times where loading and unloading occurs. The proposed hardstand/parking area is also located approximately 70m from the nearest neighbouring residential dwelling. It is noted that the crossover onto Boomerang Road is located adjacent to the dwelling at 133 Boomerang Road. Given



that the number of vehicle movements is low and that only 1-2 trucks will leave the site per day, the noise impact to this dwelling is considered acceptable.

### 5.5 Drainage

All stormwater will fully be contained within the site via soak wells. A Nutrient and Irrigation Management Plan (**Appendix C**) has been prepared by Bioscience in support of the proposed nursery operations. The NIMP notes that under warm conditions, draining water leaving the pots is likely to be minimal (if any). Drainage will be captured by the existing limestone hardstand area.



## 6 PLANNING RATIONALE

The proposed use and development of the subject land is considered appropriate and capable of development approval for the following reasons:

- The subject land is zoned 'Rural' under the Metropolitan Region Scheme, and hence the proposed Transport Depot is consistent with the intent for the land under the Scheme.
- The subject land is zoned 'Rural' under the Shire's Town Planning Scheme No. 2. The intent of the 'Rural' zone is:
 

*"To allocate land to accommodate the full range of rural pursuits and associated activities conducted in the Scheme Area."*
- The proposed Transport Depot with incidental offices and the proposed Nursery is consistent with the intent for the zone as it is not obtrusive, particularly as it is screened from Boomerang Road. The existing driveway and crossover is to be utilised and so no change to the physical appearance of the subject land will occur.
- The existing rural activities will continue to occur on the subject site, given the low intensity of the use.
- The proposed development will retain the existing dwelling, shed, rural outbuildings and trees.
- The proposal is to carry out a relatively low key land use with no impact to the long term condition or use of the site.
- Vehicle movements to and from the site are low and similar to surrounding rural land uses. The conservative method used to calculate the total number of vehicle movements should be noted.
- The 30m x 15m shed has been included in this application as a result of non-compliance with P00230/03. No change to the approved elevations or floor plans is sought.

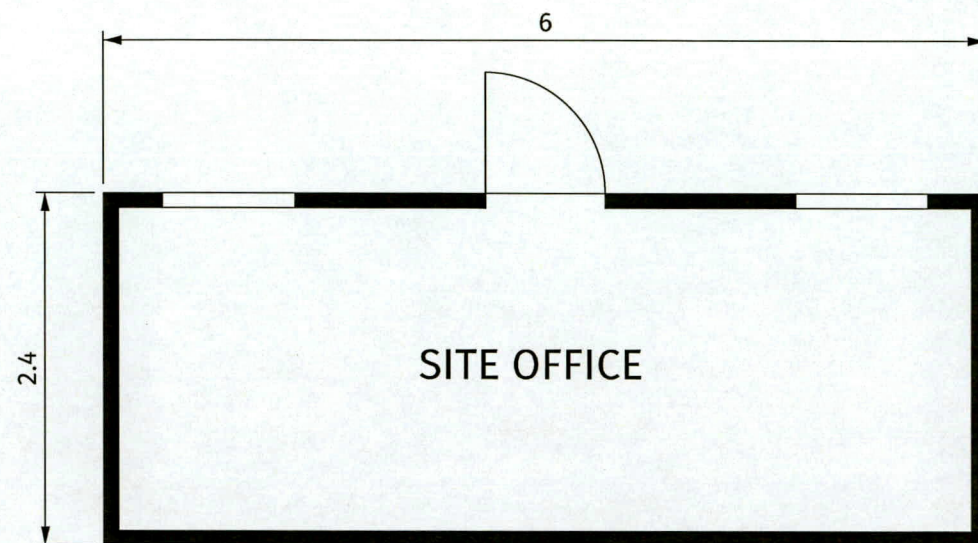


## 7 CONCLUSION

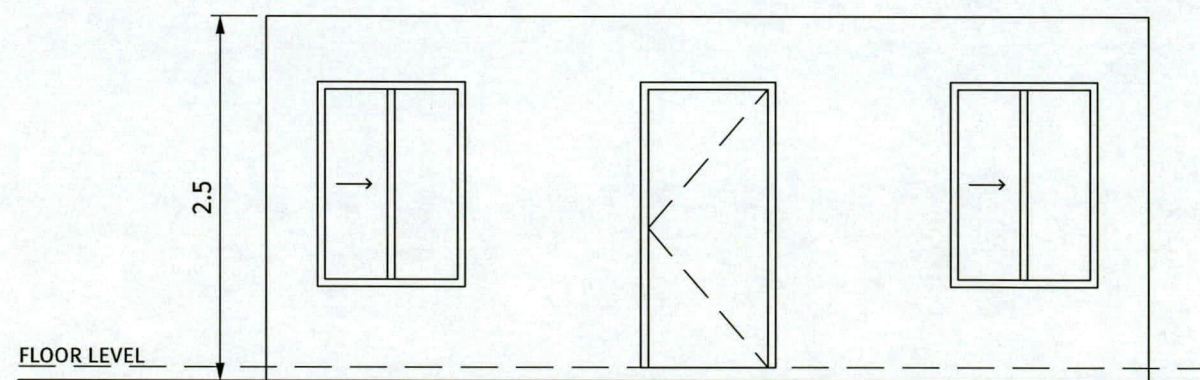
This Development Application has provided the relevant details and rationale in support of the development of a Transport Depot and associated site offices at Lot 101 (No.132) Boomerang Road, Oldbury. Retrospective approval is also sought for the 30m x 15m shed originally approved in 2014. This proposal will allow BWC Civil to continue to operate their small civil and earthmoving business from the site and resolve all compliance issues raised by the Shire.

This submission has illustrated the operational details and requirements associated with the parking of commercial vehicles and machinery and utilising the site offices for administration tasks. This submission demonstrates that this proposal is consistent with all relevant town planning requirements and is therefore capable of approval.

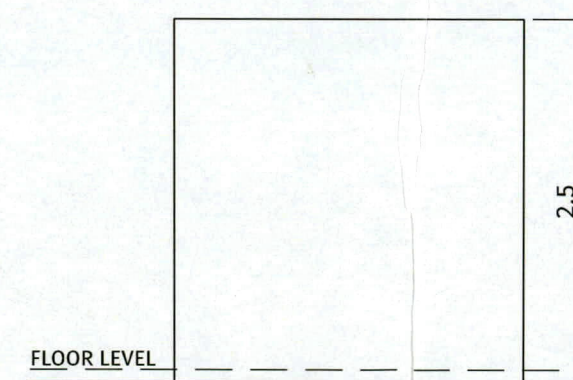
In view of the attributes of the proposal, as provided within this report, and the development plans and supporting information, it is respectfully requested that the Shire of Serpentine-Jarrahdale approve the proposed Transport Depot and associated Offices at Lot 101 (No.132) Boomerang Road, Oldbury and the amendment to the approval for the 30m x 15m shed. Should any queries arise in relation to this development application, please don't hesitate to contact Benjamin Houweling at Harley Dykstra.



FLOOR PLAN



FRONT ELEVATION



SIDE ELEVATION

# TYPICAL SITE OFFICE

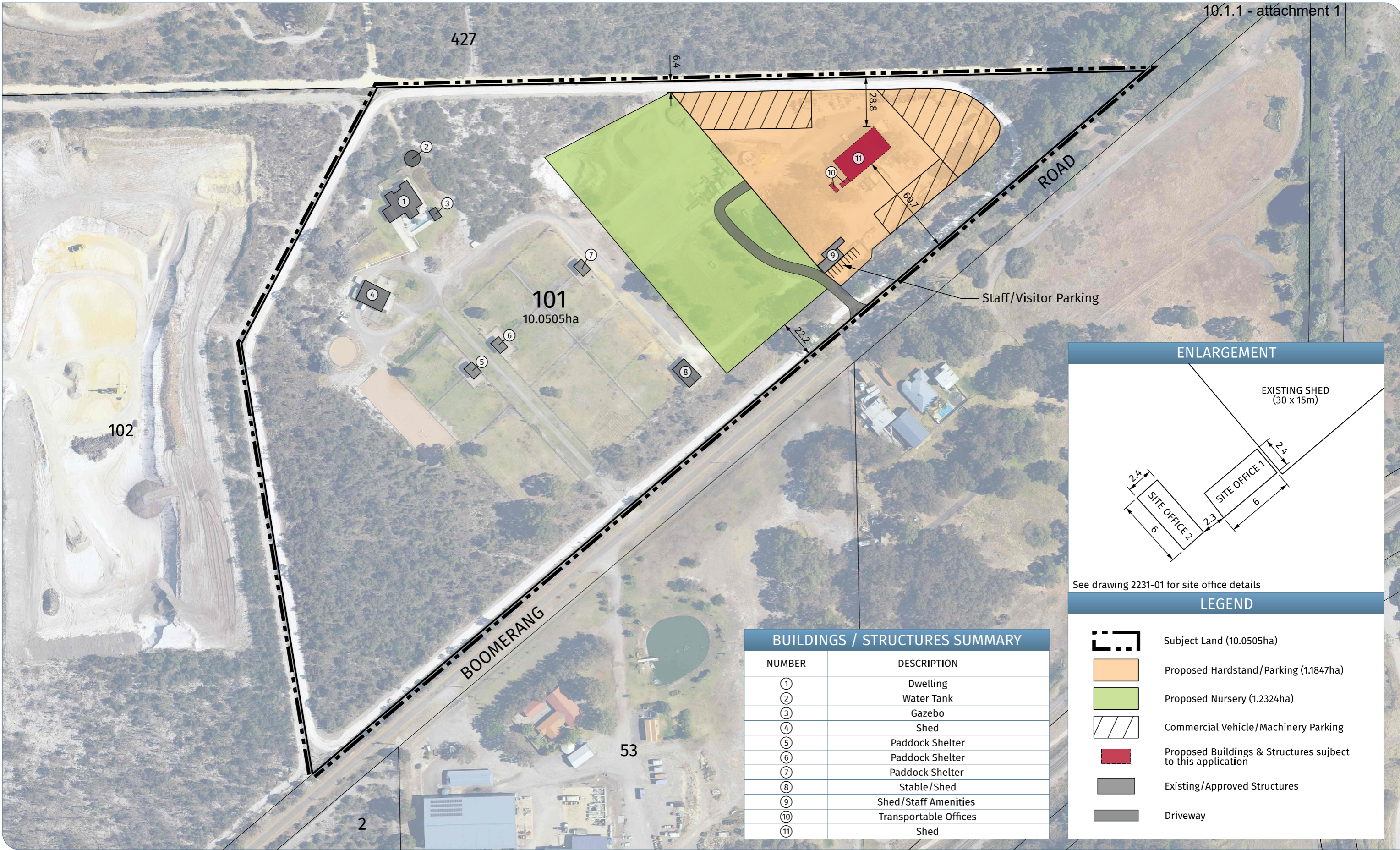
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PLANNING & SURVEY SOLUTIONS



427

101  
10.0505ha

102

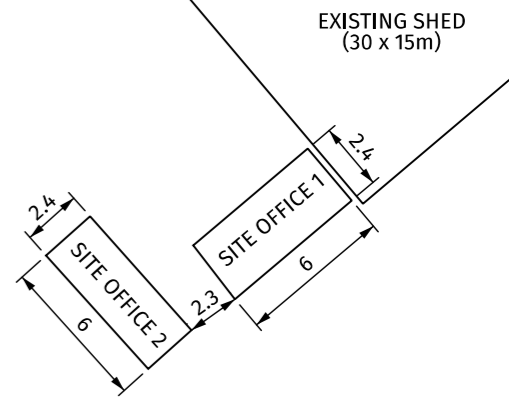
BOOMERANG  
ROAD

Staff/Visitor Parking

**BUILDINGS / STRUCTURES SUMMARY**

NUMBER	DESCRIPTION
①	Dwelling
②	Water Tank
③	Gazebo
④	Shed
⑤	Paddock Shelter
⑥	Paddock Shelter
⑦	Paddock Shelter
⑧	Stable/Shed
⑨	Shed/Staff Amenities
⑩	Transportable Offices
⑪	Shed

**ENLARGEMENT**



See drawing 2231-01 for site office details

**LEGEND**

- Subject Land (10.0505ha)
- Proposed Hardstand/Parking (1.1847ha)
- Proposed Nursery (1.2324ha)
- Commercial Vehicle/Machinery Parking
- Proposed Buildings & Structures subject to this application
- Existing/Approved Structures
- Driveway

**DEVELOPMENT SITE PLAN**

Lot 101 (No. 132) Boomerang Road  
OLDBURY

Plan No. | 22031-01  
Date | 05/06/20  
Drawn | NP  
Checked | BdR  
Revision | E

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**Harley Dykstra**

Ordinary Council Meeting - 14 December 2020