

Our Ref: 19-048

31 October 2024

Chief Executive Officer
City of Karratha
PO Box 219
KARRATHA WA 6714

Attention: Lee Reddell - Director Development Services
Chris Sayer – Coordinator Statutory Planning

Dear Lee and Chris,

TEMPORARY DEVELOPMENT APPLICATION – KITCHEN, DRYMESS, ADMIN, ABLUTIONS, STORAGE – LOT 590 (STRATA LOT 77), NO.166 DE WITT ROAD, STOVE HILL

This application has been prepared by Element Advisory on behalf of Ranges Village Karratha Pty Ltd (owner) in support of a Development Application in relation to the approved development (DAP/19/01624) on Lot 590 (Strata Lot 77), No.166 De Witt Road, Stove Hill (the subject site). The site is located immediately behind the Best Western “The Ranges” development and was always planned to be a large scale expansion of the existing development.

In 2019 a Development Application DAP/19/01624 was approved, subject to conditions for Workers Accommodation on the western portion of the subject site. DAP recently approved a 2 year extension of time on 21 March 2024, and made amendments to two other conditions.

The need for this subject temporary development application has arisen through the construction process of DAP/19/01624 to allow for future temporary occupancy certificates, which require these temporary facilities until the permanent facility is constructed as per DAP/19/01624.

To assist in processing this Application, please find enclosed the following:

- Certificates of Title (Appendix A)
- A copy of the DAP/19/01624 determination and stamped plans (Appendix B)
- A copy of the DAP/19/01624 Form 2 determination (Appendix C)
- Completed and signed Application Forms (Appendix D)
- Development Plans for subject application (Appendix E)
- Letter of Support from “The Owners of The Rangers, Survey Strata Scheme 63931” (Appendix F)

Site Details and Context

Lot 590 is subject to a strata scheme (‘The Ranges’) which is described on Survey-Strata Plan 63931 and consisting of 77 survey-strata lots and associated common areas. The portion of Lot 590 subject of this development application is Lot 77 on Survey-Strata Plan 63931 (hereafter referred to as the ‘subject site’). The Certificate of Title particulars for the subject site are summarised in the following table.

Table 1: Certificate of Title Particulars

Lot	Strata Lot	Strata Plan	Volume	Folio	Area	Landowner
590	77	SP63931	2877	993	7.6928ha	Ranges Village Karratha Pty Ltd

Refer to Appendix A – Certificate of Title

To the east of the subject site is the existing Stage 1 ‘The Ranges’ development, currently consisting of 73 (ultimately 108) single bed units in a single level configuration, together with associated communal amenities, car parking and access areas.

The subject site is currently vacant, containing some scrub vegetation. Access to the site is provided via the existing accessways within the Stage 1 development to De Witt Road.

The subject site is situated at the base of the Karratha Hills, approximately 1.7 kilometres south of the Karratha City Centre. Land surrounding the subject site largely consists of undulating grassy hills and rocky outcrops.

Development in the vicinity of the subject site comprises the Tourist Information Centre (1.2 kilometres to the north), the Stove Hill Power Station (1 kilometre to the southwest), and the Karratha Light Industrial Estate (2 kilometres south-east). Location Plan is provided in **Figure 1**.

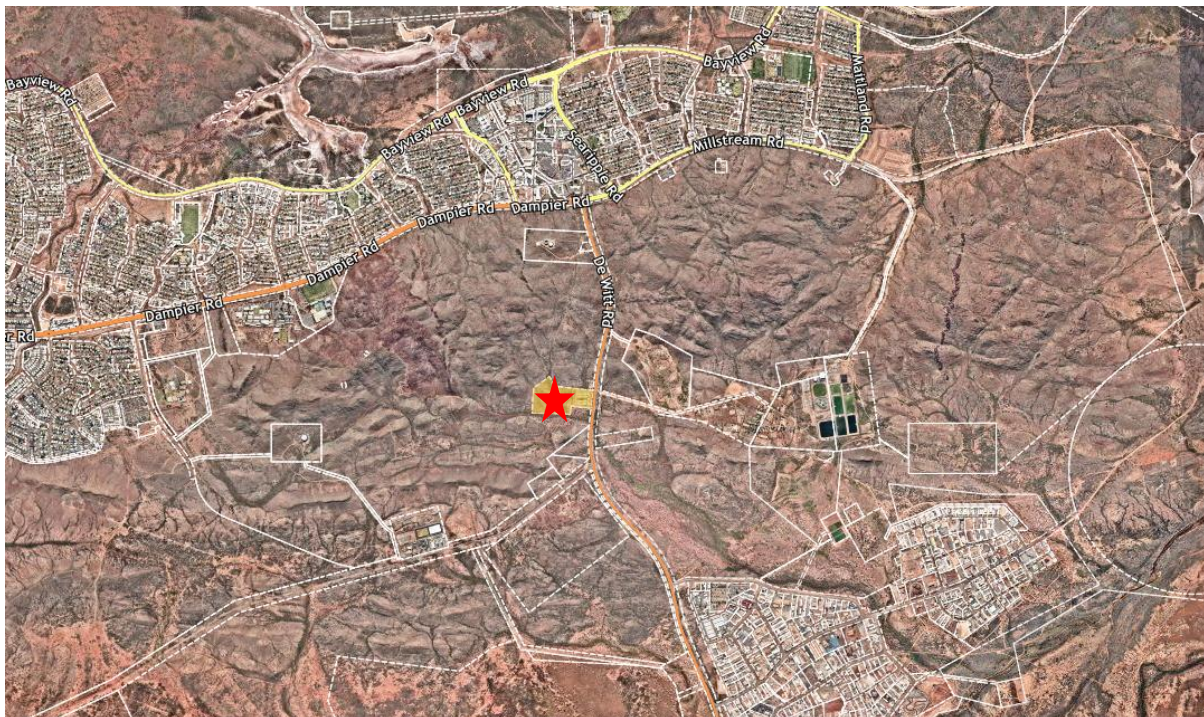


Figure 1: Location Plan, subject site highlighted with red star

Zoning

Pursuant to the provisions of the City’s Local Planning Scheme No. 8 (LPS8), the subject site is zoned ‘Tourism’. The proposed temporary development is considered ‘Workforce Accommodation’ as defined by LPS8.

Workforce Accommodation “means premises, which may include modular or relocatable buildings, used - primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and for any associated catering, sporting and recreational facilities for the occupants and authorised visitors.”

Workforce Accommodation is an ‘A’ class use within the Tourism Zone which means “the use is not permitted unless the local government has granted development approval after giving notice in accordance with clause 64 of the deemed provisions.”

The Owners of The Ranges, Survey Strata Scheme 63931 has been consulted and has provided a letter of support of the proposed temporary development. This is considered to satisfy clause 64 of the deemed provisions.

Refer to Appendix F – Letter of Support, The Owners of The Ranges, Survey Strata Scheme 63931

Background

Current Development Approval – Western Portion of Subject Site (DAP/19/01624)

Conditional approval was granted by the (former) Kimberly/Pilbara/Gascoyne Joint Development Assessment Panel (JDAP) at its meeting held 10 September 2019 for ‘Temporary Workforce Accommodation’ at the subject site. The proposal comprised of the following:

- 322 two-storey units, configured to accommodate a total of 1288 beds;
- A centrally located ‘Clubhouse’ facility and associated amenities; and
- Staff accommodation.

The development approval was due to expire on the 23 September 2021.

Refer to Appendix B – DAP/19/01624 Determination Letter

The approval is, however, subject to the *Planning and Development (Local Planning Schemes) Regulations 2015, Deemed Provisions*. Clause 78H Notice of Exemption from Planning Requirements during State of Emergency was added into the Deemed Provisions following a State of Emergency Declaration on 16 March 2020.

Clause 4.2 of the exemption notice, the new date of expiry was 23 September 2023.

However, on 21 March 2024, the Regional DAP approved a 2 year extension of time. Therefore, the current expiry is 21 March 2026.

Refer to Appendix C – DAP/19/01624 Form 2 Determination Letter

Proposed Development

The proposed development includes a temporary kitchen, drymess, admin, ablutions, and associated storage for a time limited approval of 1 year. It is expected that the temporary facility will only be required until June 2025, however, a full 12 months has been applied for in case of unexpected delays occurring.

Discussion

Local Planning Policy DP10 Workforce Accommodation Policy

DP10 seeks to guide workforce accommodation development within the City. A response to each policy measure has been provided in the table below.

Policy Measure	Applicant Response
5.1 Time Limited Approvals	
5.1.1 Where existing workforce accommodation has a time unlimited approval, works including upgrades and maintenance, shall enjoy the same time unlimited approval rights. Should an increase in the number of beds be proposed, a time limited approval shall be applied to the entire workforce accommodation facility.	N/A
5.1.2 New workforce accommodation applications can be approved for a maximum period of ten years. Longer term approval	This application is for temporary facilities in relation to the approved workforce

periods exceeding ten years, may be approved where performance criteria set out in this policy are met.	accommodation (DAP/19/01624) for a period of 1 year.
5.1.3 Extensions of time may be permitted for a maximum period of five years.	N/A
5.1.4 Construction camp types of workforce accommodation shall be approved for a timeframe based on the timeframe for the related construction project.	N/A
5.1.5 Applications for new workforce accommodation and/or extensions of time limits will require lodgement of a new planning application. New applications will be subject to the current planning framework at the time of determination.	This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.
5.1.6 Applications for workforce accommodation will be required to identify the time period for which they are seeking development approval. In considering applications for development approval, decision makers will consider the consistency of the proposal with the planning framework at the date of application.	This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.
5.1.7 Decommissioning/transition plans are required. As a minimum, a condition will be included on any approval requiring a decommissioning or transition plan to be lodged with the Council 18 months prior to the expiry of the planning approval or a reduced time period considered appropriate at the discretion of Council.	Once the permanent facilities are completed as part of DAP/19/01624, this facility will no longer be required and will be decommissioned
5.1.8 At the conclusion of the approved timeframe, the planning approval will expire.	Noted
5.2 Need	
5.2.1 A proponent of new workforce accommodation, or an increase in the number of beds for an existing facility, must demonstrate a need for the development, as part of their proposal. The need for beds must be demonstrated in the context of workforce accommodation provision across the City and across industry demands.	This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.
5.2.2 Proponents must demonstrate liaison with the City and evaluation of options regarding capacity in local housing and land supply markets, prior to applying for workforce accommodation facilities associated with major projects.	There is currently approximately a 1% vacancy rate within the City of Karratha. This highlights the need for this temporary facility to be built to enable occupation of unit for DAP/19/01624 prior to the more permanent facility being completed
5.2.3 Assertions that there is adequate demand for workforce accommodation to support business investment which are not substantiated with demonstrable demand are not accepted as the basis for demonstrating need for workforce accommodation.	This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.

<p>5.2.4 Advocating for new workforce accommodation in conjunction with a reduction of workforce accommodation beds elsewhere, is insufficient by itself to demonstrate need for workforce accommodation.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.2.5 Evidence of occupancy, contracts or bookings may contribute to the demonstration of demand for workforce accommodation.</p>	<p>The workforce accommodation approved in DAP/19/01624 has a contract with AAA, this contract involves the occupation of units are they are complete. This DA is required to enable the units to be occupied prior to the more permanent facility is built.</p>
<p>5.2.6 Assessment of workforce accommodation proposals must consider the cumulative impacts of multiple workforce accommodation developments on the sustainability and liveability of affected towns and the City generally.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.3 Location</p>	
<p>5.3.1 The City encourages the provision of workforce accommodation at locations that lend themselves to providing for community integration. Where the location does not lend itself to community integration, the need for contributions to offset the relative community loss should be considered.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.3.2 A workforce accommodation facility for which a longer term approval is sought (greater than ten years) must be co-located and integrated with an activity centre to support local business, activate public spaces and provide opportunities for occupants to interact and engage with the community.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.3.3 Where a longer term approval is sought, proponents should liaise with the City prior to lodgement of an application to determine the suitability of the location for a longer term workforce accommodation facility.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.3.4 Workforce accommodation proposals in urban environments should encourage occupants to mix and contribute to a strong sense of community.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.3.5 Workforce accommodation proposals in City or Town Centres should foster a diversity of activities within the centre, supported by a legible street pattern and generally contiguous and active building frontages positioned at the street front boundary.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.3.6 Remote workforce accommodation camps are considered acceptable where it can be demonstrated that it is not feasible or appropriate for workers to be town based.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.4 Design</p>	

<p>5.4.1 The standard of development must be commensurate to its location. In this regard, workforce accommodation within existing or proposed urban areas must consider the standard of development appropriate to its location in the design of the facility.</p>	<p>Modular/relocatable buildings are proposed due to the temporary nature of the proposal. Due to the limited timeframe the buildings will be on site, this is considered appropriate in its context.</p>
<p>5.4.2 Applications for longer term approvals must foster the provision of a balanced and diverse built form which will contribute to the development of an active and interesting character in the public domain.</p>	<p>N/A application is for a period of 1 year.</p>
<p>5.4.3 Proposals for longer term approvals must provide contiguous, activated street front development.</p>	<p>N/A application is for a period of 1 year.</p>
<p>5.4.4 Proposals for longer term approvals must locate car parking areas behind street front buildings.</p>	<p>N/A application is for a period of 1 year.</p>
<p>5.4.5 Proposals for longer term approvals must achieve high intensity land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of an activity centre.</p>	<p>N/A application is for a period of 1 year.</p>
<p>5.4.6 Proposals must consider the compatibility of a use or development with its setting. Associated with this matter are amenity, character, streetscape, scale, integration and similar.</p>	<p>Modular/relocatable buildings are proposed due to the temporary nature of the proposal. Due to the limited timeframe the buildings will be on site, this is considered appropriate in its context.</p>
<p>5.4.7 Unless an alternative emergency sheltering solution can be demonstrated to the satisfaction of the City, each facility must provide a building(s) designed for emergency (cyclone) sheltering purposes. Such building(s) must be designed to a Building Code of Australia importance level four (4).</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624). DAP/19/01624 includes a facility that meets this clause.</p>
<p>5.4.8 Building design shall demonstrate regard for the guidelines for Australian Public Safety Shelters Report to Emergency Management Australia (2002).</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624). DAP/19/01624 includes a facility that meets this clause.</p>
<p>5.4.9 Where applications for workforce accommodation in a suitable location propose a transition to a permanent form of accommodation (not to be used as workforce accommodation) after the time-limited approval period lapses and the proposal meets all other Policy considerations, it may be supported, subject to the need for the transitional workforce accommodation use being demonstrated as a condition of approval.</p>	<p>This application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year.</p>
<p>5.5 Community Integration</p>	
<p>5.5.1 All workforce accommodation applications are required to be accompanied by a Social Impact Assessment and Social Impact Management Plan in accordance with Council's</p>	<p>As this application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year, it is considered that a Social Impact</p>

<p>relevant local planning policy. If the Social Impact Management Plan does not include contributions*, then other management measures need to be considered satisfactory for the purposes of offsetting any relative net loss in community service and benefit.</p>	<p>Assessment and Social Impact Management Plan is not required.</p>
<p>5.5.2 In considering applications for development approval, the community impacts associated with the development will be considered against DP20: Social Impact Assessment.</p>	<p>As this application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year, it is considered that a Social Impact Assessment and Social Impact Management Plan is not required.</p>
<p>5.5.3 Contributions may be in the form of: The ceding of land for an agreed public purpose; Construction of infrastructure works that are to be transferred to public authorities on completion; Monetary contributions to acquire land, community infrastructure and/or facilities; and Monetary contributions to Council programs and/or services.</p> <p>In accordance with Schedule 2, Part 10, Clause 78 of the Planning and Development (Local Planning Schemes) Regulations 2015 the local government may enter into an agreement in respect of a matter relating to the Scheme with any owner, occupier, or other person having an interest in land affected by this Scheme.</p> <p>* If a proponent does not believe a contribution is warranted, then the Social Impact Management Plan needs to clearly articulate in detail, and based on evidence/commitments, the reasons why they believe a contribution is not warranted so this can be considered in determining the merits of the proposal. It needs to be noted that the Council's position on the need for contributions is based on the adverse cumulative impacts of workforce accommodation developments on building sustainable local communities and local economies, not just the impact of an individual workforce on community facilities and infrastructure.</p>	<p>As this application is for temporary facilities in relation to the approved workforce accommodation (DAP/19/01624) for a period of 1 year, it is considered that a Social Impact Assessment and Social Impact Management Plan is not required.</p>

Bushfire

Condition 9 of DAP/19/01624 requires the Bushfire Management Plan (BMP) and Bushfire Emergency Evacuation Plan (BEEP) to be updated prior to commencement of work. It is intended that this updated BMP and BEEP will also include these temporary works.

To coincide with Condition 9 of DAP/19/01624, it is requested that this is conditioned as part of this application so these temporary facilities and the overarching development can be considered as one.

Recommended Conditions

1. This decision constitutes planning approval only and is valid for a period of **two (2) years** from the date of approval. If the subject development is not substantially commenced within the two (2) year period, the approval shall lapse and be of no further effect.

2. The approval is for **kitchen, drymess, admin, ablutions, and associated storage, is time limited to a period of 1 year** from the date of initial occupation. No later than 2 months after the expiry of this approval, the applicant and/or land owner is required to have removed the facilities to the satisfaction of the City of Karratha.
3. A Bushfire Management Plan and Bushfire Emergency Evacuation Plan shall be prepared prior to the commencement of development, and thereafter implemented, to the satisfaction of the City of Karratha.

Recommended Advice Notes

- a) A Building Permit is required for the approved development in accordance with the National Construction Code. Accessible units may be required to be provided in accordance with relevant building legislation.
- b) In accordance with the Environmental Protection (Noise) Regulations 1997, approved construction hours in the City of Karratha are Monday to Saturday between 7am and 7pm. Any works done outside these approved hours (including Sundays and Public holidays) are subject to a separate approval by the City and an application fee.
- c) Under the Food Act 2008, food businesses must comply with the Food Standards Code and food business registration is required before commencement of trade. An application for registration should be submitted to the City including detailed plans of the proposed layout and fit out of the kitchen and associated facilities.
- d) Under the Health (Public Buildings) Regulations 1992, the maximum accommodation of areas falling within the definition of a Public Building (e.g. central dining area, gym) needs to be calculated and a certificate of approval outlining these figures issued. A 'Form 1' application for approval should be submitted to the City.
- e) Development beyond the expiry will require planning approval under the Planning Development Act 2005.
- f) Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained.

Conclusion

Again, it is re-iterated that the City of Karratha currently has a vacancy rate of approximately 1%, down from 7% in only 2019. There is a desperate need for affordable accommodation options that this development can help deliver. By providing these temporary facilities, the workforce accommodation as shown in DAP/19/01624 will be able to be occupied sooner, prior to the more permanent facilities being built as shown in DAP/19/01624.

As outlined in our assessment against the design policy measures of DP10, the proposed temporary development meets all criteria for workforce accommodation.

We trust this information provided will assist with the City in its assessment. We look forward to the City's favourable determination.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact the undersigned on 9289 8300.

Yours sincerely

Christian Parker
Senior Consultant

element acknowledges the Whadjuk people of the Noongar nation as Traditional Owners of the land on which we live and work. We acknowledge and respect their enduring culture, their contribution to the life of this city, and Elders, past and present.

Appendix A – Certificate of Title

Appendix B – DAP/19/01624 determination and stamped plans

Appendix C - DAP/19/01624 Form 2 determination

Appendix D - Application Forms

Appendix E – Development Plans

Appendix F - Letter of Support from “The Owners of the Rangers, Survey Strata Scheme 63931”