



Shire of Wyndham East Kimberley
Council Policy Manual
LPP12

POLICY NO:	LPP 12
DIVISION:	Development Services
SUBJECT:	Temporary Workers Accommodation (Camp)
REPORTING OFFICER:	Executive Manager Development Services
ENABLING LEGISLATION:	Town Planning Scheme No 7 – Kununurra & Environs Town Planning Scheme No 6 – Wyndham Interim Development Order No.10

1.0 CONTEXT

Temporary Workers Accommodation is occasionally required in the Shire of Wyndham East Kimberley in response to the need for remote and/or short term workers accommodation, mainly for larger scale construction and mining projects.

Temporary Workers Accommodation does not apply to typical transient workforce requirements where seasonal accommodation camps are required for up to 30 workers directly employed in the local agricultural, industrial and tourism sectors – refer to the Shire Local Planning Policy (LPP) 11 – Transient Workforce Accommodation.

2.0 INTERPRETATION AND PERMISSIBILITY

2.1 Definitions

For the purposes of this policy a 'Temporary Workers Accommodation' is defined as:

“Development which remains in place on a temporary basis that provides accommodation for construction-related workers and their dependents, or mine site workers usually on a ‘drive in/drive out’ and ‘fly in/fly out’ basis, and consists of buildings and other structures which by virtue of their design, layout, density and/or location, is not specifically provided for within the Town Planning Scheme/s and can only be approved pursuant to the ‘use-not-listed’ provisions contained within the Scheme.”

2.2 Scope

For the purposes of this Policy Temporary Workers Accommodation incorporates all buildings and structures, facilities and infrastructure/utilities required to accommodate a temporary workforce.

2.3 Permissibility and Determination

A Temporary Workers Accommodation is deemed a 'Use Not Listed' under Clause 3.2.5 of the Shire Town Planning Scheme No.6 and Clause 3.1.6 of the Shire Town Planning Scheme No.7 and any other planning instrument of the Shire that sets out to guide land use development outside of the designated Planning Scheme areas.

Accordingly, determination of an application for a Temporary Workers Accommodation facility will be conducted pursuant to the respective clauses of the Town Planning Schemes mentioned above, and all relevant provisions detailed in this Local Planning Policy.

3.0 GENERAL POLICY POSITION OF COUNCIL

3.1 Objectives

The general objectives of this policy are:

- 3.1.1 To ensure that applications for the development of Temporary Workers Accommodation are assessed in a consistent, fair, thorough and timely manner;
- 3.1.2 To provide guidance to staff, Councillors, other government agencies, landowners, developers, consultants and the general public regarding the assessment of applications for Temporary Workers Accommodation; and
- 3.1.3 To provide, where necessary, for the development of Temporary Workers Accommodation in a way that maximises social benefits whilst minimising social costs.

3.2 Location

3.2.1 The particular location of a Temporary Workers Accommodation/Camp is at the discretion of the Shire and will depend on the capability, suitability and appropriateness of the proposal. The Shire does not support Temporary Workers Accommodation located:

- 3.2.1.1 In a position or area that would adversely affect residential, rural residential or rural smallholdings development and lifestyles or that would detract from any particular scenic or visual attraction;
- 3.2.1.2 Adjacent to recognised tourist routes unless screened or designed for a permanent redundant use;

3.2.1.3 Within any sensitive areas such as mining, industrial, waste treatment or landfill site buffers

3.2.1.4 On land zoned for general industrial development, on lots containing, or with the potential to contain, general industrial uses and/or in close proximity to general industrial uses, unless there are extraordinary circumstances which can be provided and agreed to by the Shire, as to why the Temporary Workers Accommodation is required.

3.2.2 An adequate separation must be provided between Temporary Workers Accommodation buildings to ensure privacy and amenity to occupants and to satisfy any relevant Building Code of Australia or Health Regulation requirements.

3.2.3 Temporary Workers Accommodation must not be located in proximity to land where there may be a perceived level of conflict, specifically when:

3.2.3.1 These land uses (ie agriculture, industry, mining) may adversely affect the amenity, health and safety of workers; and

3.2.3.2 The accommodation facility may adversely, detrimentally or prejudicially affect the use, or the continued use, of the land for its productive agriculture, industry, mining or other purpose.

3.3 Need

The applicant shall detail the need for a Temporary Workers Accommodation facility. The Shire in turn will examine the explanation provided by the applicant and have due regard to the need or otherwise for the Temporary Workers Accommodation in determining the application.

3.4 Environment

The design and location of Temporary Workers Accommodation must not have an adverse impact on environmentally sensitive areas. Where there are concerns regarding the impact of a proposal on an environmentally sensitive area(s), the Shire may seek comment from the Environmental Protection Authority and/or the Department of Environment and Conservation, or equivalent, prior to determining the application.

3.5 Amenity

The Shire accepts that lower levels of amenity than those which could be typically expected within permanent residential accommodation. However, all applications should as a minimum accord with the standards as prescribed in this Policy, Environmental and Health legislation and the Building Code of Australia.

3.6 Density

The overall density of development for Temporary Workers Accommodation should not exceed 100 workers per hectare.

3.7 Specific Application Detail

The following information shall be provided with a development application for planning consent:

- 3.7.1 A minimum of 4 sets of accurately scaled and dimensioned locality plans, site plans, floor plans, elevations (generally north, south, east and west elevations showing all buildings proposed for the site, rather than elevations of individual buildings, or as otherwise agreed by Council);
- 3.7.2 An analysis of the physical characteristics of the site (on sloping sites topographic mapping may be required);
- 3.7.3 Details regarding the maximum number of persons to be housed at the site, including the expected number male and female workers;
- 3.7.4 Details of how development is to be staged, if applicable;
- 3.7.5 Information regarding how essential services are to be provided to the site;
- 3.7.6 Details of proposed/intended accommodation purchaser/s (i.e. whose workforce is the accommodation intended to house);
- 3.7.7 An indication from the proposed/intended accommodation purchaser/s of the suitability of the proposal for their accommodation needs (i.e. in terms of size, location, layout, facilities and detailed design does it meet their requirements for accommodating their workforce);
- 3.7.8 Details of any prior consultation with local communities and government agencies;
- 3.7.9 Details of any ongoing community benefit that will result from development of the accommodation facility;
- 3.7.10 In urban or near-urban situations, details of landscaping, fencing, internal access roads and building materials and finishes;
- 3.7.11 An Accommodation Facility Management Plan; and
- 3.7.12 A Decommissioning Plan that outlines the removal of buildings and structures, disconnection of utilities and rehabilitation of the site to a neat and tidy condition.

3.8 Minimum Requirements

3.8.1 Applications should demonstrate the Temporary Workers Accommodation facility:

3.8.1.1 Is strategically located no further than 50 - 60 kilometres to the primary construction or mining site, and is within reasonable commuting distance to a range of services including social, recreational, commercial, retail and medical, if not provided on site;

3.8.1.2 Has direct access to an established road that meets the specifications of the Shire;

3.8.1.3 Is not located in an area of perceived environmental, social or visual sensitivity;

3.8.1.4 Where practical, offers some level of 'value added' benefit for re-use of the infrastructure, either in part or in whole, beyond the life of the temporary accommodation camp use;

3.8.1.5 Achieves compliance with the *Western Australian Construction Camp Regulations, 2004* and other relevant legislation as required by Council;

3.8.1.6 Is appropriately designed to suit the climatic conditions of the East Kimberley region;

3.8.1.7 Will effectively and appropriately be serviced by connection to utilities, including nature or type of power supply, potable drinking water source, effluent disposal system and telecommunications;

3.8.1.8 Will effectively and appropriately be managed through the preparation and implementation of an Accommodation Management Plan to be submitted with the application for planning consent. The Management Plan is to address:

- noise, dust, odour, light-spill and litter to be maintained to an acceptable amenity level in accordance with the minimum standards prescribed in environmental and health regulations;
- potential conflict with owners and/or occupiers of land within the vicinity of the site that may be affected by the operation of the accommodation facility;
- the method of transportation of workers to the site where construction is taking place; and
- the consumption of alcohol in the accommodation facility (if applicable).

3.8.2 As a minimum applications for Temporary Workers Accommodation should:

3.8.2.1 Include a landscaping plan for the development site detailing hard and vegetated landscaping. Where possible, remnant vegetation should be retained to form a natural buffer around the accommodation site. Landscaping should also focus on achieving shade and privacy/visual screening for practical effect;

3.8.2.2 Show at least 50% of the accommodation site as open space;

3.8.2.3 Illustrate that all transportable buildings can be permanently affixed to the site by footings in accordance Building Code of Australia requirements;

3.8.2.4 Detail that all buildings and structures will have adequate form and appearance, including materials and colours in soft earth browns, creams or greens, which do not substantially detract from the amenity and desired character of the area. The use of reflective cladding materials on walls will not be permitted. Where the use of second hand buildings is proposed the application must be accompanied by the following information;

- Photographs clearly showing the condition from four separate elevations of the used buildings;
- An inspection report from a certified structural engineer or approved building surveyor.

3.8.2.5 Illustrate that the development includes:

- Ablution facilities to be provided in each accommodation room including shower, toilet and wash basin connected to an approved effluent disposal system;
- Communal laundry and associated facilities connected to an approved effluent disposal system;
- A covered and/or sheltered entry for each building and an outdoor activity area;
- An uncovered outdoor activity area, of which part may be shaded.
- Kitchen/cooking facilities or a commercial kitchen and eating areas.
- Adequate and secure storage space for workers, equipment and other materials associated with management, maintenance and upkeep of the accommodation development.
- Adequate lighting for pedestrian and vehicular safety and security throughout the development.

- Internal pedestrian access to and between all buildings and facilities by way of adequately paved pathways with appropriate directional signage.
- Internal roads and vehicular service access ways.
- Designated car parking area/s with one car parking space for every 2 workers (or part thereof) accommodated within the development site.
- Designated bus parking and collection/drop off area/s located within the development site with suitable turn around area.
- Internal stormwater drainage system to be connected to the Council drainage network.
- Provision of a potable water supply capable of providing a minimum of 80 litres per person per day.
- Provision of waste collection with a common collection area and bins to be provided for each accommodation 'block' and in all common areas.
- Uniform boundary fencing around the accommodation site to a minimum plain post and wire standard.
- Emergency service and first aid facilities for Temporary Workers Camps located outside of a 50 kilometre radius from an established fire brigade and hospital.
- Signage at the entrance of the Temporary Workers Accommodation that clearly details:
 - Site Manager/Operator
 - Specific rules of the Accommodation Camp
 - Map of the Accommodation Camp area
 - Emergency Contact Details
- The provision of public telephones at strategic locations through out the Accommodation site, unless alternative communication arrangements can be demonstrated.

3.8.2.6 Where the accommodation facility is required for a mining project, or similar, in a remote location for an extensive period of time, the Shire may consider the establishment of a more permanent settlement, with a design and layout to reflect the nature of long term use.

3.9 Decommission

Applications shall be accompanied by a Decommissioning Plan committed to by the applicant by means of a legal agreement that addresses the following issues:

- 3.9.2 When the accommodation facility shall be decommissioned;
- 3.9.3 Works that shall remain in place following decommissioning;
- 3.9.4 The clean-up and rehabilitation of the site; and

3.9.5 The transfer of assets to public ownership or other where this has been committed too.

3.10 Keeping of Pets

The Shire does not support the keeping of pets within the Temporary Workers Accommodation site and therefore may require a written agreement be provided by the site manager/operator to this effect.

3.11 Application Process

The following process shall be undertaken to assess an application for a Temporary Workers Accommodation facility:

Step 1 – Preliminaries

The proposal should generally be discussed with Shire planning staff prior to an application being submitted and in some instances preliminary, written advice will be provided. Applicants should ensure, in consultation with Shire staff, that their application contains all the required information.

Step 2 – Initial consideration by Council

Shire staff will present a report to Council detailing the application and addressing all aspects of the policy and any other relevant considerations, including details of a site inspection.

Note, this step may be circumvented through a grant of delegation by the Council to the Chief Executive Officer.

Step 3 – Referral & advertising

The application will be advertised for public comment and referred to relevant stakeholders for a minimum of 21 days in accordance with the Town Planning Scheme requirements. During this period advertisements will be placed in local newspaper/s, letters will be forwarded to adjoining and nearby landowners within a 300 metre radius, a sign/s will be erected on site and plans/documents detailing the application will be made available for inspection at the Shire offices.

Note, in assessing a proposal for Temporary Workers Accommodation the Council may refer the application to other government agencies for comment and recommendations, such as the Department of Fire and Emergency Services (FESA), Department of Health, Department of Environment and Conservation, Department of Indigenous Affairs, and Department of Industry and Resources, or their equivalent, and any other agency the Shire deems as relevant.

Step 4 – Final consideration by Council

The application will be considered in light of any submissions received during the comment period. Shire staff will present a report to Council presenting relevant facts and discussion sufficient to enable Council to make an informed decision on the application for a Temporary Workers Camp.

ADOPTED: 17 November 2009