

# LOCAL PLANNING POLICY: LPP 09 WORKFORCE ACCOMMODATION

## PURPOSE

The purpose of this policy is to guide assessment and decision-making on development applications for workforce accommodation.

The overarching objective of this policy is to manage the development of workforce accommodation with a longer-term aim to maximise the residential workforce and ensure that, where workforce accommodation is provided, it is designed appropriately and contributes to the City's vision to be a place people call home.

The specific objectives of this policy are to:

- a) Support fixed-duration major construction projects where it can be substantiated that employment and/or accommodation cannot be locally sourced.
- b) Discourage the construction of work camps or short-stay facilities used only to accommodate fly-in-fly-out (FIFO) employees/contractors.
- c) Achieve reciprocal benefits for the local community and business from an integrated workforce accommodation facility.
- d) Provide guidance and performance criteria to enable the preparation of applications by proponents and the assessment of proposals by the City.
- e) Enable occupants of the accommodation facility to integrate with the community, local businesses and City services.
- f) Acknowledge that workforce accommodation is by nature, a temporary land use and that planning controls will be used to limit the period of use.
- g) Post the use period for a workforce accommodation facility; a new land use is pre-planned and transition occurs seamlessly and in a timely manner.

## DEFINITIONS

**"The City"** means The City of Kalgoorlie-Boulder

**"TPS01"** means the City's Town Planning Scheme No. 1

**"Dwelling – Transportable"** as defined in TPS01, means a structure designed for ease of transporting from one location to another, and includes structures such as "donga" units with skid mountings, metal sandwich panel and flat roof design, and other proprietary names like "Durabuilt", "Atco" and the like.

**"Lodging House"** as defined in TPS01, means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than six persons, exclusive of family or the keeper thereof, for hire or reward; but the term does not

include –

1. Premises licensed under a publican’s general license, limited hotel license, or wayside house license, granted under the Liquor Licensing Act 1988;
2. Premises such as a boarding school, approved under the Education Act 1928; or
3. Any building comprising residential flats.

**“Residential Building”** as defined in TPS01, means a building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:

1. Temporarily by two or more persons; or
2. Permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.

**“Workforce Accommodation”** as defined by the *Model Scheme Text, Planning and Development (Local Planning Schemes) Regulations 2015*, means premises which may include modular or relocatable buildings, used –

1. Primarily for the temporary accommodation of workers engaged in construction, resource, agricultural, or other industries on a temporary basis; and
2. Any associated catering, sporting and recreation facilities for the occupants and authorised visitors.

## APPLICATION

This Policy is made pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* and should be read in conjunction with TPS01 and relevant local planning policies.

This Policy applies to applications for Planning Approval for workforce accommodation made on land in all zones and reserves within the City where the use is permitted under the City’s Town Planning Scheme. All applications for Workforce Accommodation will be presented to Council for consideration.

This Policy also applies to requests to renew the approval for existing workforce accommodation facilities on time-limited approvals.

This Policy provides further interpretation of the City of Kalgoorlie-Boulder’s TPS01 in terms of how the Council applies discretion to decision-making on applications for workforce accommodation in the City. The Policy also provides guidance for the consideration of workforce accommodation proposals under other legislation referred to the City for comment. The Policy further aims to set out the information requirements and provisions the City shall have due regard to in the assessment and determination of development applications.

## CONSEQUENCES

This policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to any deviation from the policy. Disregard for the policy is likely to result in delays in approval processes and a dissatisfied local community. Elected Members and Employees are reminded of their obligations under the Council’s Code of

Conduct to give full effect to the lawful policies, decisions and practices of the Council.

## **BACKGROUND AND COUNCIL POSITION**

### **Background**

The State Planning Strategy 2050 (WAPC, 2014) recognises that Local governments are increasingly involved in providing a range of services and infrastructure to remote settlements. For this to continue sustainably funding and governance arrangements for municipal services may need to be reviewed.

Statement of *Planning Policy No.3 – Urban Growth and Settlement (WAPC, 2006)* seeks to promote a sustainable and well planned pattern of settlement across the State, build on existing communities with established local and regional economies and manage the growth and development of urban areas in response to social and economic needs of the community, and in recognition of relevant community values.

The Goldfields-Esperance Regional Planning and Infrastructure Framework (WAPC, 2012) indicates that the growth of the region's mining industry has heavily influenced infrastructure investment, population growth and the development of many of the region's settlements, and states that Fly-in fly-out workforces help accommodate constantly changing labour requirements, particularly for specialist skills and during the construction stages of projects. However, as those employment opportunities associated with the ongoing operations of resource projects are generally more long-term in nature, it would be preferable from a community-building perspective to increase the amount of mine workers living in the region.

The incorporation of workforce accommodation in a community is a complex issue. The resources sector and its peak bodies (i.e. the Chamber of Minerals and Energy) have a position that access to fly in fly out labour is an essential element of their operations. Local communities benefit from having workers and their families permanently located in their towns and can suffer negative impacts from a large FIFO presence.

It is acknowledged that the need for workforce accommodation is always changing. Experience shows that workforce accommodation can be established quickly to accommodate sharp spikes in demand but it should not be the preferred long-term strategy.

The supply of workforce accommodation should therefore be managed. This in-principle position has implications for any existing or proposed workforce accommodation development. The primary implications are that workforce accommodation should be subject to a time limited approval to allow for their need to be reviewed over time and that any workforce accommodation proposal should be justified based on demonstrated need.

Four main categories of workforce accommodation can be identified. Each has different requirements for accommodation arising from a combination of the nature of their work, their work hours'/shift roster and the specific requirements of the project on which they are working.

1. Construction workforce, major projects. Workforce scale is very large with extended work hours and a temporary workforce.
2. Construction workforce, general projects and sub-contractors. These generally are engaged for a relatively shorter timeframe, with variable shift patterns, and may seek accommodation in general market workforce accommodation facilities provided by

independent operators.

3. Periodic maintenance shutdown, major projects. These are characterised by very short term engagements of multi-skilled teams and extended shift patterns. The nature of the project task means that resource companies prefer control for the period of works with a preference for dedicated workforce accommodation facilities.

4. Operation workforce. These are more likely than other categories to include long term FIFO arrangements and for some to have shorter shift rosters.

The Council's preference is for workers to be accommodated in more integrated forms of Kalgoorlie-Boulder townsite based accommodation wherever possible, preferably housing. Operational workers are employed on a long term basis and ideally from a local community perspective, these workers should be residential. There should at least be plans or options for these workers to transition to residential.

While Council's preference is clear, where FIFO operational workers are to be accommodated on a long term basis, Council expects their accommodation to be: of a high standard; suitably integrated with surrounding development and the community; and not a typical camp design or layout appropriate to an isolated/remote camp.

Integration can bring a range of advantages – to the community in the form of an increased population within commercial catchments with consequent commercial and social benefits – and to the FIFO workforce with opportunities for involvement in the wider community on a regular basis.

The objectives of this Policy are consistent with the report on the parliamentary enquiry into FIFO practices by the House of Representatives Standing Committee on Regional Australia which noted:

*...the (FIFO) work practice is eroding the liveability of some regional communities to such an extent that it is increasingly removing the choice to 'live-in' rather than simply 'cash-in'*

and

*Policy makers must develop a policy mix that ensures the FIFO/DIDO (Drive-In Drive-Out) work practice does not become the dominant practice, as it could lead to a hollowing out of established regional towns, particularly those inland.*

In light of the above, workforce accommodation must be managed carefully, with a long term aim to minimise its use and maximise the residential workforce. This is a consistent approach for policy settings across all tiers of government in most if not all communities with a strong resources economy.

### **Council Position**

The City of Kalgoorlie-Boulder's position on Workforce Accommodation is set out as follows:

- a) The Council acknowledges the critical role Workforce Accommodation can play during the construction phase of major resource projects and to accommodate peak short-term workforce requirements associated with maintenance shut downs;

- b) The Council's preference is for operational workers to be based in the Kalgoorlie-Boulder townsite, and the City will work with industry and the State Government to pursue options to increase residential workforce numbers;
- c) The Council's aspiration is for workforce accommodation to be met, as much as possible, through residential, hotel or motel accommodation;
- d) The Council is committed to helping to grow and develop the local community and the local economy. Workforce accommodation facilities incur a relative loss of contribution to the community compared to a residential workforce;
- e) It is Council's intention for all workforce accommodation to transition towards a residential workforce. Accordingly, workforce accommodation is approved on a temporary basis in all cases. The intention to transition over time towards a residential workforce should be shared;
- f) Only Workforce Accommodation developments that are sufficiently integrated into the community shall receive longer term approval provided they meet the requirements of this policy; and
- g) The Council believes a community contribution should be made by Workforce Accommodation proponents at the time of initial approval as there is a relative loss of community service and benefit in approving Workforce Accommodations due to association with FIFO working arrangements.

## POLICY MEASURES

### *(Matters To Be Considered In Exercising Discretion)*

#### **Time Limited Approvals**

Workforce Accommodation is by its definition a temporary land use and therefore, unless otherwise specified below, planning approval will be conditioned for the use to cease within a specified time-period.

- Workforce accommodation deemed as lawful prior to policy adoption will be subject to a time-limited planning approval if there is an increase in gross floor area or number of beds.
- Planning approval will not exceed a period greater than five (5) years, inclusive of any renewal or extension.
- Workforce accommodation built for a specific project shall have time-limited planning approval generally in accordance with its duration.
- Development applications are required to identify the period for which they are seeking planning approval.
- 12 months prior to the expiry of the planning approval the landowner must provide to Council for approval a site decommissioning program or a plan to transition to a permanent land use.
- At the conclusion of the approved timeframe, the planning approval will expire.

#### **Need**

Proposals for new workforce accommodation facilities, requests to extend approval periods for existing workforce accommodation facilities or proposals to increase the number of beds

associated with existing facilities must be accompanied by information that demonstrates need.

Major projects that require review of workforce demands should be the catalyst for review of workforce practices. The potential for existing settlements to accommodate workers should be considered as part of the workforce model for any such project. As such, the need for additional beds must be considered against the capacity of existing settlements to meet the accommodation demands. The following provisions guide how need will be assessed:

- 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.
- 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.
- 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.
- 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.
- Evidence of occupancy, contracts or bookings may contribute to the demonstration of demand for workforce accommodation.
- 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.

### **Location**

Workforce accommodation facilities are to be suitably located to deliver the objectives of this policy. In determining a suitable location for development, the following should be considered:

- Accommodation at locations that lend itself to community integration and utilisation of local businesses.
- If community integration is unachievable, the planning approval will be conditioned to leverage development contributions to reinvest in community infrastructure.
- Remote workforce accommodation camps are considered acceptable where it can be demonstrated that it is not feasible or practicable for workers to be based in the Kalgoorlie-Boulder townsite.
- Evidence of engagement with neighbouring properties has been undertaken by the proponent prior to lodgment of a development application.

### **Design**

The acceptability of workforce accommodation is dependent upon standards associated with the location that it is intended for. When proposed in an urban setting, a seamless integration



of a workforce accommodation facility with its surrounds, is the preferred outcome.

Design of the facility and its infrastructure must be high quality and demonstrable with best practice standards. Typical transportable workers camp buildings and layouts will not be considered favorably by Council.

The development design guidelines are:

- The development bulk, scale and streetscape appearance is commensurate with its locality.
- Tenant car parking facilities are obscured from the primary street front.
- The facility does not detract from the amenity or character of a locality.
- Predominant building materials and features found in the locality are incorporated into the design.
- Landscape gardens utilise local plant species where possible, and is regularly maintained to a high standard.
- Signage and advertisement devices will not be supported, unless used for information or safety purposes.
- Impermeable fencing to the primary street front will not be supported.
- Active building frontages positioned at the street front boundary.

## **SOCIAL IMPACT AND COMMUNITY INTEGRATION**

All workforce accommodation applications are required to be accompanied by a Social Impact Assessment and Social Impact Management Plan. 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.

Measures to counterbalance any social impact need to be considered in the context of the broader community rather than a specific locality and detail how the measures will offset the identified effect. Contributions should address the adverse cumulative impacts of workforce accommodation on current and future generations.

In considering applications for development approval, the community impacts associated with the development must be taken into consideration. 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.

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.

All workforce accommodation development applications will be presented to Council for consideration. The report will include the Social Impact Assessment, Social Impact Management Plan, and agreed outcomes with the City in relation to any negotiated contributions.

\*If a proponent does not believe a contribution is warranted, 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. 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.

## RELEVANT DOCUMENTS

- **State Planning Policies**  
State Planning Framework Policy (Variation No 2)
- **Local Planning Policies**  
Social Impact Assessment

### **Other legislative documents which have potential to influence applications:**

- Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations 1974
- City of Kalgoorlie-Boulder *Health Local Laws 2001*
- Health Act 1911
- The *Health (Aquatic Facilities) Regulations 2007*
- City of Kalgoorlie-Boulder *Local Planning Strategy (2013)*
- City of Kalgoorlie-Boulder *Local Planning Strategy Amendment (2016)*
- State Planning Strategy 2050 (2014)
- Goldfields Esperance Regional Planning and Infrastructure Framework (2015)