

**TITLE:** TRANSIENT WORKERS ACCOMMODATION

**ADOPTED:** OCM 10 June 2010 – pages 54 - 57

**REVIEWED:** OMC 30 July 2015 – Pages 28 – 40  
OMC 17 December 2015 – Pages 110 – 121  
OMC 25 May 2017 – Pages 85 – 260  
OMC 14 December 2017 – Pages 1030 – 1043  
OMC 12 December 2019 – Pages 213 - 221

**ASSOCIATED LEGISLATION:** Planning and Development Act 2005  
Local Planning Scheme No 6 (LPS6)

**ASSOCIATED DOCUMENTS:**

**REVIEW RESPONSIBILITY:** Director Development & Community Services

**DELEGATION:** Delegations are exercised in accordance with delegation granted in terms of Section 5.42 of the Local Government Act 1995 as amended or other statutes as applicable to specified officers.

**APPLICATION** This policy applies to the LPS6 area

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Previous Policy Number: 8.8

**Objective:**

1. Identify Transient Workforce Accommodation as distinct from other forms of short and long term residential accommodation.
2. Provide a safe and functional living environment for the transient workforce associated with industrial and construction development in the Shire of Broome.
3. Discourage transient workforce accommodation in the Town Centre, Residential, Industrial or Tourism zones.
4. Minimise the impact of transient workers on residents and businesses in the Shire of Broome.
5. Ensure occupancy of transient workforce accommodation facilities is limited to transient workers or working couples.

**Definitions:**

**'transient workforce accommodation facility'** is " a building or group of buildings used for the accommodation of transient workers, and it may comprise bedrooms, dining

rooms, kitchens, ablutions, toilets and appropriate amenity area, and associated parking areas, but does not include a hotel, motel, tourist accommodation, permanent residential accommodation or caravan park or camping grounds.”

‘**Transient Workforce**’ is that temporary or intermittent workforce employed on one or more finite projects in or based in the Shire of Broome. It does not include workforce employed in the normal ongoing operation of any business or industry.

## **Policy:**

### **Assessment Criteria:**

- 1.1 Transient Workforce Accommodation is not listed in the list of use classes in LPS6 and the Shire may consider applications for this use in accordance with the “Use Not Listed” provision of the Scheme.
- 1.2 Applications for transient workers accommodation in the Town Centre, Residential, Industrial or Tourism zone will not be supported.
- 1.3 When considering applications for development approval for Transient Workforce Accommodation, the Shire will have regard to:
  - (i) The objectives for the various zones and reserves set out in LPS6.
  - (ii) Any relevant local planning policy.
  - (iii) The location and site characteristics of the property and the immediate surrounding area.
  - (iv) Comments received from surrounding and nearby landowners and residents.
  - (v) The impact on and from adjoining uses.
  - (vi) The time frame for the occupancy of the proposed facility.
  - (vii) The design form and the likely impact on the future use of the land.
  - (viii) Access to existing services and infrastructure.
  - (ix) The safe and efficient transportation of residents, goods and materials to, from and within the facility.
  - (x) The ability of the residents of transient workforce accommodation facilities to access associated services and amenities within the town.
  - (xi) The scale and overall quality of the development.
  - (xii) Proposed management of emergency, environmental, and health issues.
  - (xiii) Relevant legislation, State Planning Policies, Development Control Policies and Planning Bulletins published by the Western Australian Planning Commission, and other publications or guidelines produced by State agencies.
  - (xiv) Whether the applicant has investigated all other avenues for the accommodation of the workforce with existing accommodation providers and can demonstrate that this is not feasible.

- 1.4 The Shire may require, by signed agreement, a statement setting out the agreed management arrangements for the facility and a commitment to the date and details of rehabilitation and conversion or rehabilitation of the site.

## **Development requirements**

### **Site Cover:**

- 2.1 A maximum site coverage of 40% is permitted.

### **Front Building Setbacks:**

- 2.2 Buildings should be setback from a boundary to a public road a minimum of 9.0 metres, although this may need to be increased to provide adequate landscaping and screening.

### **Side and Rear Building Setbacks:**

- 2.3 Buildings should be setback from boundaries a minimum of 6.0 metres, although the need for perimeter landscaping for screening purposes, areas for firebreaks, setbacks and access for maintenance and pedestrians will also need to be taken into account.

### **Building Height:**

- 2.4 A Transient Worker Accommodation facility can include multiple levels but must observe the following height limits; maximum plate height of 6.5 m, and maximum building height of 10.5 m

### **Parking**

- 2.5 Provision is to be made for car parking at a rate of one car parking bay per transient worker accommodated, unless residents are transported to and from the site by the operator and management details are submitted with the application for development approval. Additional parking may be required for transit buses, boats, trailers, caravans and other recreational vehicles at a rate of one parking/storage bay per 10 transient workers accommodated.

### **Landscaping/ Open Space:**

- 2.6 Each transient workforce accommodation facility shall be provided with landscaped and/ or grassed outdoor recreation area(s), at a minimum rate of four square metres per person accommodated (excluding boundary landscaping). This may be reduced by up to one quarter of the rate when recreational infrastructure such as swimming pools, gymnasiums and covered barbecue areas is provided.
- 2.7 As a minimum, outdoor recreation areas shall provide shade and include outdoor cooking facilities.
- 2.8 Car parking and external storage areas, bin compounds and other unsightly structures should be suitably screened to reduce visual impact.

- 2.9 Each accommodation unit/suite shall be provided with an area of private space for the exclusive use of the resident. This space may be provided external to the unit, but must be easily accessible. Desirable forms of private space include courtyards, viewing decks and balconies.

### **Climate Responsive Design**

- 2.10 Accommodation units and outdoor areas are designed to reduce solar penetration and include access to breezes.

### **Other Considerations**

#### **Period of Operation**

- 3.1 Approval will only be given for suitable Transient Worker Establishments for a period of five years. Such facilities are not considered to be required as part of the permanent infrastructure of the Broome Townsite but may be necessary components to facilitate development in the short term.

#### **Liquor Licensing:**

- 3.2 Any alcohol made available for sale will only be supported where alcohol is for resident transient workers. At no time will the Shire support a Liquor License where alcohol is made available to the general public.

#### **Food Premises:**

- 3.3 Any food premises in the facility will only be permitted for the provision of food to the resident transient workers.

### **Management Plan**

- 3.4 Council may require a management agreement in the form of a deed of agreement as a condition of approval. Where Council requires a management plan to be provided in should address the following issues:

- (i) Provision of a full-time on-site manager.
- (ii) The landlord tenant relationship with the employer of the transient workers, not with the workers themselves.

*Note: This is to ensure that facility fulfils its intended purpose of providing accommodation for transient workers and does not get used as budget holiday accommodation or for non-transient workers.*

- (iii) Control of resident transient worker behaviour.
- (iv) Refuse collection arrangements.
- (v) Ongoing maintenance of buildings, fencing, structures, car parking and access ways, and landscaped areas.
- (vi) Appropriate emergency procedures including fire and cyclone.
- (vii) Decommissioning and restoration of the site.

**Rehabilitation of the site:**

- 3.6 A rehabilitation plan must be submitted with the application for planning approval setting out how the site will be rehabilitated to the pre-development conditions upon expiry of the approval period.

**SHIRE OF BROOME LOCAL PLANNING SCHEME No. 6 (LPS6) – LOCAL PLANNING POLICIES**

This Policy is a Local Planning Policy adopted under the provisions of Clause 2.4 of LPS6. LPS6 is administered by the Shire of Broome as the responsible authority under the Scheme. LPS6 was gazetted and came into operation on the 30 January 2015.

Planning policies adopted under LPS6 may be amended or rescinded after the procedures set out in Clause 2.4 and 2.5 have been completed.