

Job Ref: 9419
24 June 2026

Keith Woodward PSM
Chief Executive Officer
Shire of Ashburton
TOM PRICE WA 6751

Dear Mr Woodward

**Regulation 17A Amendment Application
Lot 300 (No.5) Back Beach Road, Onslow (DAP/21/02078)**

Rowe Group acts on behalf of Mineral Resources Limited ('MinRes'; 'client'), the developer of Lot 300 (No.5) Back Beach Road, Onslow ('subject site'), with the input of the Buurabalayji Thalanyji Aboriginal Corporation ('BTAC'), the determined Native Title holders of the subject site.

This application has been prepared in respect to DAP Approval DAP/21/02078 in accordance with Clause 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011* (the 'DAP Regulations') and clause 77 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the 'Deemed Provisions'). In particular, the application seeks to refine the layout of both the communal buildings and landscaping spaces, and include fencing and a wastewater treatment plant to service the property.

With respect to this request, please find enclosed the following documents for the Shire's consideration:

- A completed and signed Shire of Ashburton Application Form for Development Approval;
- A copy of the current Certificate of Title;
- A copy of the revised Development Application Plans;
- A copy of the latest two approvals, confirming the current conditions of approval; and
- Detailed technical information relating to the Wastewater Treatment Plant.

BACKGROUND

- 23 December 2021 – DAP resolved to grant conditional approval for a high-quality transient workers accommodation resort at the subject site.



Level 3
369 Newcastle Street
Northbridge 6003
Western Australia

p: 08 9221 1991
f: 08 9221 1919
info@rowegroup.com.au
rowegroup.com.au

- 24 August 2022 – DAP granted approval for minor amendments to the form of the development and amendments to various conditions of development approval.
- 3 March 2023– Shire approved an amendment to the previously approved Transient Workforce Accommodation for primary access via Back Beach Road in Lieu of Third Avenue.
- 1 August 2024 – DAP again granted approval for minor amendments to the form of the development.

Due to the limited potable water supply available from Water Corporation, the project proposes the installation of an on-site Wastewater Treatment Plant (WWTP) to provide a reliable source of recycled water for landscape irrigation purposes.

Further, all relevant conditions of approval to enable commencement of development at the subject site have been satisfied, in consultation with the Shire and its consulting planner - LK Advisory. Construction is accordingly underway.

LOCATION AND SITE DESCRIPTION

The subject site is located within the regional town of Onslow and is bound by State owned 'Conservation, Recreation and Natural Landscape' reservation to the north and north-west (forming Sunrise and Sunset Beaches), Back Beach Road to the south-west and residential land uses to the south and east.

The subject site comprises one (1) freehold land parcel, being:

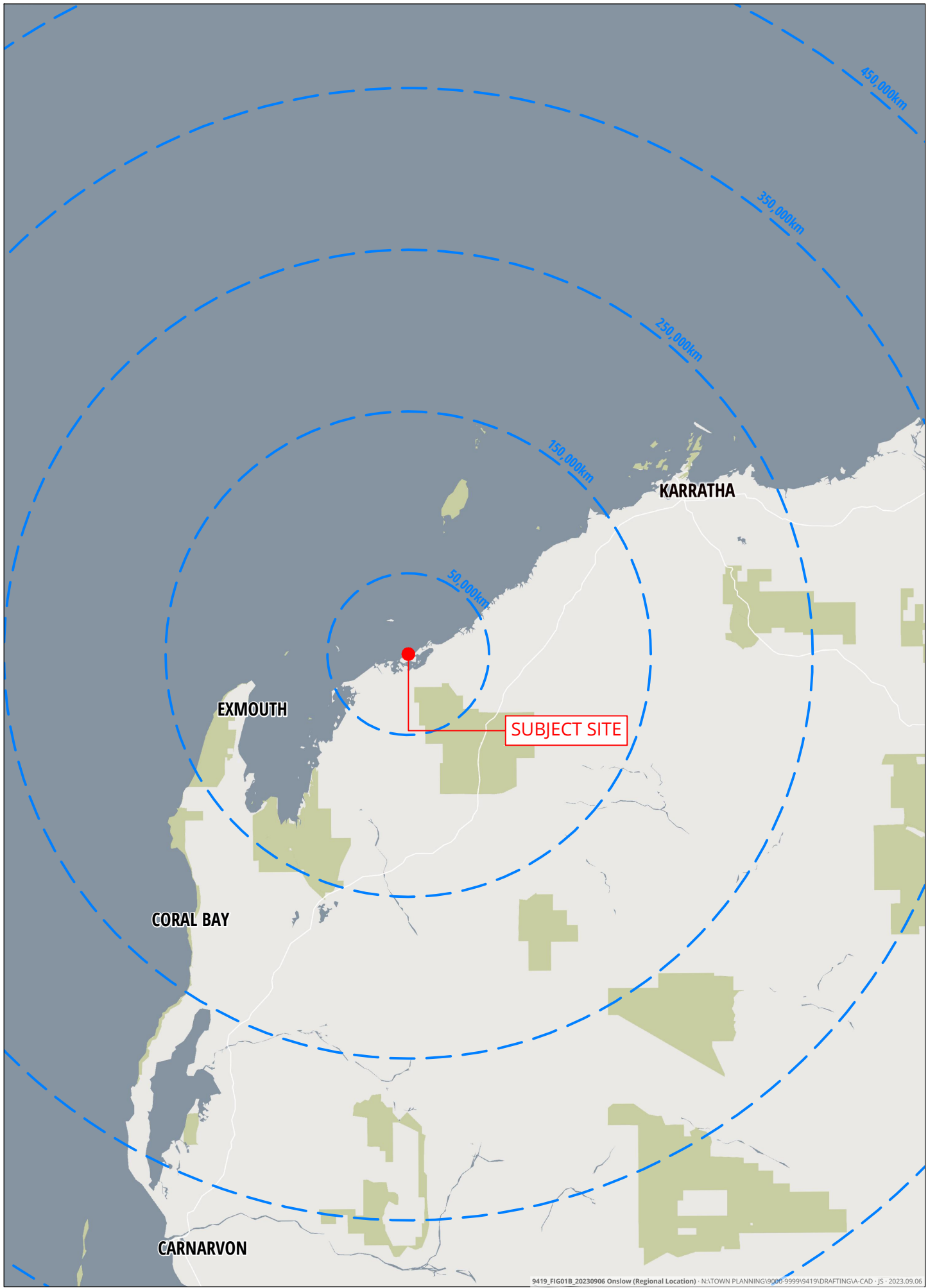
- Lot 300 on Deposited Plan 422325 on Certificate of Title Volume 4014 Folio 669.

The subject site has a total land area of 20.45ha, with a frontage of 467m to Back Beach Road and 1144.17m to Third Avenue.

Refer **Figure 1 – Regional Location** and **Figure 2 – Local Location**.

Refer to **Attachment 1 – Certificate of Title**.

At the time of lodging this Application, the subject site is owned by BTAC. BTAC is also the Registered Native Title Body Corporate that holds native title rights and trust for the Thalanyji people. Authorisation of the lodgement of this Application has been provided by BTAC.



0 100,000m
SCALE @ A4: 1:3,000,000



FIGURE 1
REGIONAL LOCATION



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9419_FIG02A_20210722 Onslow (Local Context) · DRAWN: VEDH RAMKHALAWON · DATE CREATED: 2021.07.26 · PROJECTION: MGA50 GDA94 · AERIAL IMAGE: NEARMAP 11/05/2021



0 250 m
SCALE @ A4: 1:10,000



FIGURE 2
LOCAL CONTEXT

AMENDMENTS TO DEVELOPMENT APPROVAL

In accordance with clause 77(1)(c) of the Deemed Provisions, a number of minor modifications to the approved form of development are proposed, as shown in the amended Development Application Plans provided at

Attachment 2. The amendments to the approved development can be summarised as follows:

- ▲ Addition of the WWTP also providing Grade A water for Irrigation as by-product, in southern portion of the complex.
- ▲ An additional 10 Accommodation Pods (being 20 rooms) onto Stage 1 works (these being previously part of Stage 2. There are no added rooms to the overall approved layout)
- ▲ Added boundary fence (1800H PVC chain-link) throughout, including beach borders
- ▲ Revision of Central Facilities and Services Area. The main changes are:
 - Reduction of Central Facilities building areas (RST, TVN, ADM/MED, GYM, CHD), to be constructed from Modular buildings
 - Overall revision of Central Facilities arrangement, improving levels and people movement
 - Removal of Recreation (REC) building, incorporated into Tavern (TVN) building
 - Reduction of Swimming Pool (SWM) down to 24.9m length
 - Reduction of Bus Shelters / Arbour (A1) down to 1x Shelter only
 - Reduction of Ancillary Sheds (ANC) down 2x instead of 3x, moved closer to RST and TVN
 - Overall rearrangement of Car Park, moved closer to Central Facilities improving access and people movement
 - Revision of Services area (Power Gen, Fuel, Water Tanks, etc) as required
- ▲ Revision of Outdoor Areas, main changes are:
 - Reduction of Oval (O-REC) lawn area
 - Reduction of BBQ Shelters / Comfort Nodes down to 4x only
 - Removal of Cricket Pitch / Turf
 - Removal of Mini Golf area
 - Overall revision of Landscaping and Pathways, improving looks and people movement

Refer to **Attachment 2 – Amended Development Plans**.

An explanation of the intent of each amendment is provided below:

ABILITY TO AMEND A DAP APPROVAL

Pursuant to Clause 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*, a local government is authorised to amend a development approval originally granted by DAP, with the agreement of the applicant. This provision establishes a streamlined mechanism to facilitate minor amendments to an approved development without necessitating formal reconsideration by the DAP.

This application seeks to amend the existing DAP approval under this provision. The proposed amendments have been deliberately limited in scope and are appropriately characterised as minor in nature. Critically, the amendments do not materially alter the approved development, including its land use, built form parameters, overall scale, or intensity. The proposal continues to reflect the design intent and planning rationale that underpinned the original DAP determination.

Collectively, these amendments represent a refinement and rationalisation of the approved development, rather than a substantive redesign. Importantly:

- ▲ There is no increase in overall development intensity, including total accommodation numbers;
- ▲ The land use remains unchanged as Transient Workforce Accommodation;
- ▲ The built form outcomes remain consistent with the scale and intent of the approved development;
- ▲ Changes to built elements are generally reductions in footprint or consolidation of uses;

On-site infrastructure additions, such as the WWTP and fencing, are ancillary and operational in nature and typical of developments of this scale and function.

The reconfiguration of central facilities, services, and outdoor areas primarily improves functionality, efficiency, and internal circulation, without giving rise to additional off-site impacts. Similarly, the staging amendment does not alter the ultimate approved development outcome, but rather facilitates project delivery.

Having regard to the above, the proposed amendments do not introduce any new or intensified planning impacts in respect of amenity, traffic, environmental performance, or visual character. The development, as amended, would not have reasonably resulted in a different determination by the DAP had these refinements formed part of the original application.

Accordingly, the proposed changes are considered to be minor in planning terms, consistent with the administrative intent of Clause 17A, and do not alter the substantive basis of the existing approval. It is therefore appropriate for the Shire of Ashburton, with the Applicant's agreement, to amend the DAP approval under Clause 17A in lieu of requiring a new development application or further DAP determination.

CONSIDERATION OF AMENDMENTS

The proposed amendments arise from continued design development and operational optimisation of the approved and under construction Transient Workforce Accommodation facility. The changes are intended to improve efficiency, constructability, servicing, and user amenity, while maintaining the overall approved development intent and capacity.

Refer **Figure 3 – Site Plan**.



0 100m
SCALE @ A4: 1:4000



FIGURE 3
SITE PLAN

9419_FIG03B_20230906 Onslow (Site Plan) - N:\TOWN PLANNING\9000-9999\9419\DRAWING\A4\A4 - JS\ 2023.09.07

Wastewater Treatment Plant

A key addition is the incorporation the WWTP within the southern portion of the site. The WWTP will service the development and provide treated water for irrigation reuse, thereby enhancing environmental sustainability outcomes and reducing reliance on potable water resources. The infrastructure is appropriately located away from primary accommodation and central activity areas, ensuring it remains ancillary and operational in nature. While the WWTP specific make and model is still to be determined, it is expected that it will consist of the following:

- ▲ 120 kL/day MBR with Irrigation pumps, safety shower and eye wash
- ▲ Sludge Dewatering Unit (Screw Press)
- ▲ Air Scrubbers
- ▲ 2x 50kL Balance Tanks
- ▲ 1x 50kL Sludge Tank
- ▲ 3x 50kL Irrigation Tanks
- ▲ Odour buffer modelling and report
- ▲ DOH approval incl. RWQMP preparation

The proposed WWTP is a high-recovery system, capable of achieving approximately 98% water recovery at Grade A quality output, meeting the standard required for irrigation reuse. The system is highly efficient in both quantity and quality of recovered water, effectively addressing the development's ongoing irrigation demand with minimal waste.

The only residual by-product of the treatment process is approximately 0.3m³ of solid waste per day, which can be readily managed through disposal at the nearest licensed waste facility in town.

Critically, the installation of the WWTP removes the operational need for this development to connect to Water Corporation's reticulated sewer network. On this basis, it is requested that the condition requiring connection to the Water Corporation sewer network be amended to reflect that such connection is a provision only, meaning the infrastructure capacity to connect is acknowledged and preserved, but connection to the town sewer mains is not required as a prerequisite for this development to achieve Certificate of Occupancy.

Staging

The proposal also includes a redistribution of accommodation staging, with the delivery of an additional 10 accommodation pods (comprising 20 rooms) within Stage 1 works. These pods were previously approved as part of Stage 2, and their earlier delivery does not increase the overall accommodation yield across the site. Rather, this adjustment facilitates more efficient project staging and earlier delivery of approved capacity.

Chainlink Fencing

A 1.8 metre high PVC chainlink boundary fence is proposed to be installed around the extent of the development, including along the beach interface. This fencing will improve site security and operational management, while remaining visually permeable and consistent with the functional nature of the development.

Communal Facilities

The Central Facilities and Services Area has undergone a comprehensive refinement aimed at improving usability and construction efficiency. The primary changes include a reduction in the overall building footprints for key facilities (including restaurant, tavern, administration/medical, gym and childcare), with a transition to modular building forms. This approach enables more efficient construction while maintaining the functional role of each component. The layout has been reorganised to provide improved internal circulation, better separation of uses, and enhanced pedestrian movement throughout the precinct.

Further refinements include the removal of the standalone recreation building, with recreational functions consolidated into the Tavern facility, and a reduction in the swimming pool length to 24.9 metres. Ancillary elements have also been rationalised, including a reduction to one bus shelter/arbours, two ancillary sheds (relocated for improved functionality), and a reconfiguration of the car parking area to bring it closer to the central facilities, thereby improving accessibility and user convenience. The services area, including power generation, fuel storage and water infrastructure, has also been adjusted to better align with the revised layout.

Outdoor Facilities

The outdoor recreation areas have similarly been refined to better reflect anticipated use and maintenance requirements. This includes a reduction in the size of the oval, a decrease in the number of BBQ shelters/comfort nodes to four, and the removal of lower-priority recreational features such as the cricket pitch and mini golf area. Landscaping and pathways have been comprehensively revised to improve site legibility, pedestrian movement, and visual amenity across the development.

Overall, these changes represent a coordinated and considered refinement of the approved development, ensuring the facility is more efficient, functional, and responsive to operational needs, without altering its fundamental planning characteristics.

WASTEWATER TREATMENT PLANT

The approved subdivision (WAPC Ref: 200427) over the subject lot includes Condition 2, which requires arrangements to be made with Water Corporation for the provision of a reticulated sewerage service to the proposed lots.

As described, this proposed amendment to the approved development proposes to incorporate a WWTP to service the facility. This system is capable of fully servicing the facility's wastewater requirements and enabling

the reuse of treated effluent for irrigation purposes across the site, detailed as follows by MinRes' environmental advisors:

Mineral Resources Ltd is preparing a Works Approval Application for the construction of the proposed 120m³/day wastewater treatment plant (WWTP), as required under Section 52 of the Environmental Protection Act 1986 (EP Act). The WWTP is a prescribed premises, as listed in Schedule 1 of the Environmental Protection Regulations 1987 and requires a Department of Water and Environmental Regulation (DWER) Works Approval for construction, environmental commissioning and time limited operations (TLO).

The Works Approval Application will be lodged with the Department of Water and Environmental Regulation (DWER) and will detail potential emissions and discharges associated with the construction, environmental commissioning, and operation of the WWTP. The Works Approval Application will also detail relevant management controls to reduce impact to surrounding receptors. The key potential emissions and discharges are recognised as noise emissions, odour emissions and discharge of treated effluent for use as irrigation water in landscaped gardens around the accommodation village. Noise associated with construction will be managed in accordance with the Construction Environmental Management Plan (CEMP) and is regulated under the Environmental Protection (Noise) Regulations 1997. Similarly operational noise is also regulated under the Environmental Protection (Noise) Regulations 1997 and engineering controls will be incorporated to ensure that the facility complies with assigned noise levels. The location of the WWTP has been positioned away from the neighbouring residential property boundaries to further reduce impact to neighbouring residential properties.

Emission controls for odour will be outlined in the Works Approval Application, this includes: all treatment tanks will be enclosed, sludge dewatering unit will be enclosed with an air scrubber for odour removal and sludge cakes will be stored within enclosed bins to reduce odour emissions. The treated wastewater will be treated to a high exposure standard (Class A recycled water, or equivalent) in accordance with Department of Health (DoH) requirements and will be used as irrigation water for the landscape gardens around the accommodation village. Irrigation methods will be selected based on reducing spray drift to neighbouring properties, such as subsurface or drippers.

The WWTP will not be installed until a DWER Works Approval has been granted and once installed and commissioned a Prescribed Premises Licence will be sought from DWER for continual operation pursuant to the EP Act and EP Regulations.

The provision of an on-site WWTP represents a more sustainable and site-responsive servicing solution, particularly having regard to the remote location of the site and the absence of an established reticulated sewer network in proximity to the development. The system removes reliance on off-site sewer infrastructure and delivers broader environmental benefits, including reduced potable water demand through reuse of treated water for landscaping and irrigation.

Importantly, the appropriateness of utilising treated wastewater for irrigation is supported at a strategic level. Correspondence from the Water Corporation dated 15 September 2023 to the Shire confirms that it is a strong supporter of water recycling where fit for purpose, and specifically supports the use of recycled water for

irrigation at the subject development where feasible and safe to do so. The correspondence further recognises the value of conserving potable water resources, particularly in regional and climate-sensitive locations such as Onslow.

In this context, the requirement to connect the development (and resulting Lot 1) to a reticulated sewerage service is no longer necessary or appropriate. Retention of Condition 2 would impose an unnecessary and redundant servicing obligation, given that the WWTP will independently and adequately address wastewater treatment and disposal requirements for the development.

Accordingly, should the Shire determine favourably for the WWTP, it is thereafter and separately considered reasonable and appropriate that Condition 2 of the WAPC approval be modified or deleted to remove the requirement for connection to a reticulated sewerage service, thereby aligning the subdivision approval with the endorsed development outcome and contemporary servicing strategy.

CONSULTATION REQUIREMENTS

We are of the view that due to the minor nature of the amendments proposed, and the positive impact these amendments have on occupant and adjoining resident amenity, the amended development application should not be subject to public or stakeholder consultation. We take this view for the following reasons:

- ▲ The proposed amendments do not introduce any new land uses or alter the fundamental nature of the approved Transient Workforce Accommodation development;
- ▲ The overall scale and intensity of development remains unchanged, with no increase in total accommodation yield and several elements of the development reduced in footprint or consolidated;
- ▲ The amendments are predominantly internal, operational, or site-planning refinements that do not give rise to any additional off-site impacts, including in relation to traffic generation, noise, overlooking, or overshadowing;
- ▲ The inclusion of ancillary infrastructure, such as the wastewater treatment plant and boundary fencing, is typical for a development of this nature and scale, and will not adversely affect the amenity of surrounding land;
- ▲ The reconfiguration of central facilities, services, and outdoor areas results in an overall improvement to internal circulation, functionality, and usability of the development, without altering its external presentation in a material way;
- ▲ The rationalisation of recreational and ancillary elements reflects operational efficiency and reduced maintenance requirements, without diminishing the level of amenity provided to occupants;
- ▲ Landscaping and pathway revisions improve visual amenity and legibility of the site, contributing positively to both occupant experience and the interface with surrounding areas;
- ▲ The amendments do not generate any new planning considerations that would warrant re-referral to public authorities or stakeholders; and

- ▲ The development, as amended, would not have reasonably resulted in a different planning outcome had these changes formed part of the original application.

CONCLUSION

The proposed amendments to the approved Transient Workforce Accommodation development at subject site represent a considered and coordinated refinement of the existing approval, arising from detailed design development, operational optimisation, and infrastructure planning.

The amendments do not alter the fundamental land use, overall development yield, or the strategic planning basis upon which DAP previously granted approval. Importantly, there is no increase in accommodation capacity, and the majority of built form changes comprise reductions, consolidation of facilities, and improved internal arrangement of the development. The resulting layout provides enhanced functionality, more efficient circulation, and improved amenity outcomes for occupants, without introducing any new or intensified off-site impacts.

The inclusion of the WWTP is a key enhancement to the development, representing a sustainable and self-sufficient servicing solution. The system enables on-site treatment and reuse of wastewater for irrigation purposes, reducing reliance on potable water supplies and aligning with broader environmental objectives. The appropriateness of this approach is supported by the Water Corporation, which has confirmed its support for recycled water use where fit for purpose, particularly in regional locations such as Onslow.

In this context, it is both reasonable and necessary that Condition 2 of the WAPC subdivision approval (Ref: 200427) be modified to remove the requirement to connect to a reticulated sewerage service, as this requirement is no longer relevant given the endorsed on-site servicing strategy. Approval of this application will provide the necessary justification to seek WAPC's approval to modify its subdivision approval accordingly.

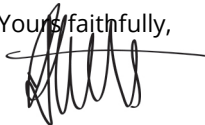
More broadly, the proposed amendments are minor in planning terms, do not alter the external impacts of the development, and will not result in any additional impacts on surrounding land or the locality. Rather, they improve the efficiency, sustainability, and liveability of the development.

Accordingly, the application is considered to be consistent with the intent of Clause 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*, and suitable for determination by the local government without the need for further DAP consideration or public consultation.

It is therefore respectfully submitted that the proposed amendments should be supported, and that the relevant DAP and WAPC approvals be modified accordingly to reflect the refined development outcome.

Should you require any further information or clarification in relation to this matter, please contact the undersigned on 9221 1991.

Yours faithfully,



Peter Stuart
Rowe Group