



Our reference: Ltr001-1632024
Enquiries: Zach Croft

23 May 2024

The Chief Executive Officer
Shire of Ashburton
PO Box 567
Tom Price WA 6751

Attention: Kenn Donohoe

Dear Mr Donohoe

RE: TWO DEVELOPMENT APPLICATIONS – USE NOT LISTED (OVERNIGHT ACCOMMODATION FOR TRUCK DRIVERS) – LOT 68 & LOT 10 CAMP ROAD, PARABURDOO

Rise Urban has been engaged by Mobecrete & Construction Pty Ltd to manage the development approval process for the provision of overnight accommodation for truck drivers (a use not listed) at Lot 68 and Lot 10 Camp Road, Paraburdoo. Whilst there are separate Development Applications for each lot, as their use is linked the proposal is described in this single letter. The proposed works have already taken place, and these are therefore retrospective applications.

Each Development Application is supported by the following documents:

- Completed application form including land owner consent;
- Current certificate of title; and
- Plans of the proposed buildings and layout.

Mobecrete & Construction Pty Ltd ('Mobecrete') produce and supply concrete for small to large scale construction projects and own/operate this batching plant in Paraburdoo located across the two lots. The plant is supported by a fleet of agitator trucks, and the batching plants are mobile putting Mobecrete in the unique position of being able to supply concrete in even the most remote areas.

The batching plant at these lots is serviced by a team of truck drivers who, due to the remote location, occasionally require overnight accommodation to ensure a safe working environment. Due to the lack of suitable and affordable options within Paraburdoo, and Mobecrete's duty of care to provide a safe working environment for its employees, Mobecrete needs to provide on-site overnight accommodation on its landholdings. This initiative will directly contribute to fatigue management for truck drivers, mitigating the risks associated with driver fatigue on long journeys.

Site Context

Lot 68 and Lot 10 are situated on the southern side of Camp Road in Paraburdoo's Industry zone, roughly 600 metres southwest of the main settlement (see Figure 1). These lots are currently used for concrete batching plants. Turee Way, which branches south off Camp Road, separates the two lots.

Lot 68 is the larger plot of the two (3,952m²) and has a roughly rectangular shape and features a batching plant, extensive shed structures, temporary buildings, storage containers, and vehicle parking areas. Access is from Turee Way at the eastern end and the site is enclosed by a chain-wire fence.

Lot 10 is the smaller lot (910m²) and includes covered work areas, storage containers, and temporary structures with office, laundry and a lunchroom ancillary to the concrete batching plant. There are 3 existing rooms with bathrooms attached that we understand are already approved and not linked to the application for this lot. Access is from Turee Way on the western boundary.

A local context map depicting the site and its immediate surroundings is shown in Figure 1 below.

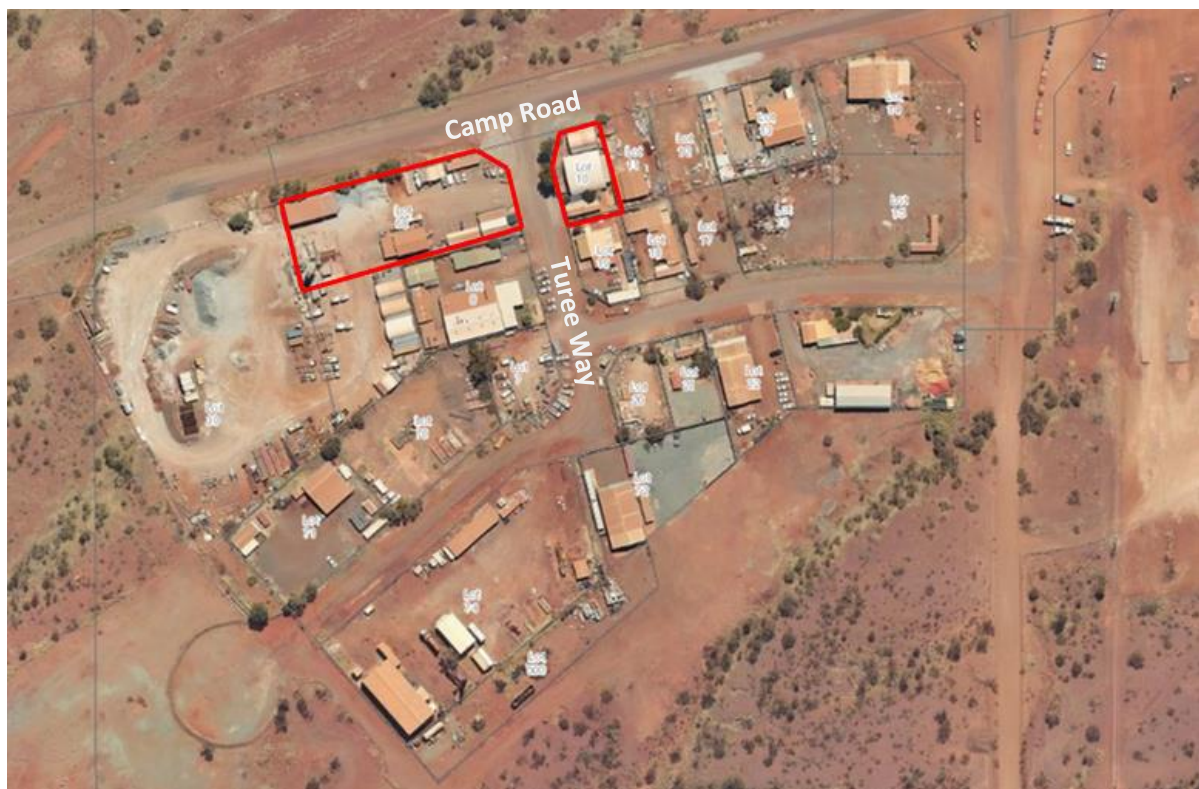


Figure 1 – Local Context Map – Lot 10 and 68 Camp Road, Paraburdoo (source: PlanWA)

Proposal

This proposal addresses the need for overnight accommodation specifically designed for Mobcrete's truck drivers travelling to and from Paraburdoo. It promotes safe driving practices by allowing drivers to get a good night's rest before continuing long journeys.

The accommodation is limited to Mobcrete employees only and is strictly an ancillary component to the concrete batching plant as the predominant use of the land.

Lot 68

No new structures are provided at this lot. This Development Application is for a change of use of existing structures in the south east corner of the site to provide five single driver's rooms with attached toilets, this is shown by the green hatching on the submitted drawing. These rooms were previously used as offices and staff facilities. The remainder of the existing structure will remain the same.

Lot 10

At Lot 10 the caretaker's unit in the south eastern corner of the lot has been removed and is replaced by three portable structures (with a footprint of 2.1m x 6m each), this is shown by red hatching on the submitted drawings. Each of these structures comprises a driver's room with an attached toilet and shower room accessed by a door on the northern side. Due to the urgent demand for suitable driver accommodation, these units are already on site and this application is retrospective in nature. Furthermore, there is a change of use of two rooms in the existing adjacent structure to provide two driver's rooms. This totals five single driver's rooms provided on this lot.

Planning Assessment

The key planning instrument relevant to this proposal is the *Shire of Ashburton Local Planning Scheme No.7*, which establishes land use and development control requirements. The proposed use (overnight accommodation for truck drivers) is not listed in the Scheme. However, it is consistent with the provisions of the Scheme that are applicable to the site. This is discussed in more detail below.

Land Use

Clause 4.3.2 of the Scheme is as follows:

"If the use for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be included in the definition of one of the use categories, the Local Government may determine:

- a) That the development or use is not consistent with the objectives and purposes of the particular zone or precinct and is, therefore, not permitted, or*
- b) That the proposed development may be consistent with the objectives and purposes of the zone or with the strategic intentions for the land and an application for planning*

approval should be determined in accordance with Part 5, including the advertising procedures of subclauses 5.7.3 and 5.7.4.

The proposed use is not listed in the Scheme and cannot reasonably be determined to be Transient Workforce Accommodation (TWA). TWA is defined in Appendix 2 of the Scheme (underlines added for emphasis):

- *Dwellings intended for the temporary accommodation of transient workers and may be designed to allow transition to another use or may be designed as a permanent facility for transient workers and includes a contractors camp and dongas.*

Appendix 2 defines a Dwelling as:

- *A building or portion of a building being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by:*
 - *a single person,*
 - *a single family,*
 - *no more than six (6) persons who do not comprise a single family.*

While both truck driver accommodation and TWA cater to temporary stays, there are key distinctions that differentiate them:

- Use of the building - The proposed truck driver accommodation cannot reasonably be considered to be a *dwelling*, as it is intended for occasional rather than permanent habitation, and it does not provide any of the features that would typically be found in a dwelling such as kitchens, laundries and other ancillary features.
- Length of stay – Limited to a maximum of 24 hours, allowing drivers to rest before continuing their journey whereas stays in TWA can vary significantly, often lasting weeks, or months depending on what the accommodation is for.
- Worker type and purpose of stay – This caters specifically for truck drivers associated with the on-site business, rather than supporting “fly-in, fly-out” construction or mining work. Truck drivers are delivering and collecting materials from the site and are not directly involved in another use.
- Amenities and services – Truck driver accommodation focuses on the basic needs like secure parking and short-term sleeping facilities rather than providing a more permanent level of amenity that could be expected at a mining camp or other workforce accommodation.

The Industry zone objective is to provide for “*industrial and associated land uses*”. The proposed use is strongly associated with industrial land uses as the truck drivers using the accommodation are facilitating the transport of goods related to the concrete batching facilities and these lots are a logical location for this given the lack of suitable alternatives.

Clause 6.11.2 of LPS7 sets out the key matters when considering planning applications within the industrial zones. A summary and assessment of the proposal against clause 6.11.2 is set out in Table 1 below:

Table 1 - Assessment of Clause 6.11.2

<i>6.11.2 In considering planning applications within the industrial zones, community zones, public purpose Reserves, infrastructure reservation or the industry buffers identified in the Policy Manual, Local Government shall have regard for the:</i>	
<i>(a) compatibility of the proposed uses with other surrounding uses,</i>	<p>The proposal is incidental to, and highly compatible with the surrounding land use, being an ancillary component of the concrete batching facility.</p> <p>There do not appear to be any adjoining uses which would be deemed to be incompatible with the proposed truck driver accommodation given it is on a short-term, temporary basis only.</p>
<i>(b) potential impact of the proposal on the efficient and effective operations of existing and planned industry, infrastructure or public purposes, and</i>	The proposal will not have any adverse impact on surrounding industrial uses in the locality.
<i>(c) risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.</i>	<p>Given the accommodation is strictly for truck drivers associated with the concrete batching plant, this proposal will reduce the risks, hazards and amenity impacts compared to if the drivers were to sleep in the truck cabs, which is often what has to occur at present due to the lack of suitable alternatives.</p> <p>This is as the proposed accommodation will likely improve the safety and health of the drivers and other on-site employees through fatigue reduction.</p>
<i>(d) restricting unsewered industrial developments to low wastewater producing type of industries, that is industries predicted to produce a daily wastewater volume of less than 540 litres per 200m2 of lot area intended for disposal on site.</i>	The proposal will only generate a domestic level of wastewater and therefore meets this requirement.
<i>(e) the capacity for infrastructure to accommodate additional loads (particularly where development involves the expansion of existing operations);</i>	Not applicable.
<i>(f) measures to prevent soil and groundwater contamination; and</i>	The proposed accommodation will be connected to an approved wastewater treatment system and will therefore not impact on groundwater or soil.
<i>(g) separation of stormwater and process liquids and the onsite containment of process liquids.</i>	Not applicable.



As demonstrated above, the use is consistent with the objectives of the Industry zone, and responds positively to the 'matters to be considered' in clause 6.11.2, and is therefore suitable for approval.

Setbacks

As per the requirements of clause 6.11.3 of the Scheme, where new structures are provided at Lot 10, these are setback more than 5m from the front boundary of the lot and their footprint does not result in the site coverage exceeding 50% of the lot.

Transportable Structures

Clause 6.15 of the Scheme relates to transportable structures, and as such, must be considered in the context of these applications. In this regard, the structures to be used as overnight accommodation are fully transportable and have been designed and located to sit comfortably next to the other structures on these lots, without impacting on the amenity or the operation of the site.

Car Parking

Clause 6.17.2 of the Scheme applies: *"Where a development is not specified in Appendix 2 the Local Government shall determine carparking requirements having regard to the nature of development, the number of vehicles likely to be attracted to the development and the maintenance of desirable safety standards"*.

Since this proposal is designed for truck driver accommodation, the parking bays are specifically sized to accommodate trucks. When all rooms are occupied, there is sufficient space on these lots for vehicle (truck) parking. The primary location for truck parking will be Lot 68, which offers 9 large bays as detailed in the submitted site plan, however there is sufficient space across the lots should there be a need for more than 9 bays.

Conclusion

The use of Lot 68 and Lot 10 Camp Road, Paraburdoo for overnight truck driver accommodation is appropriate on Industry zoned land. Although the use is not listed in the Scheme, it is consistent with the Industry zone objectives as required for proposals that do not fall within a land use category in the Scheme.

Paraburdoo and the surrounding region suffers from a lack of suitable overnight accommodation for truck drivers, with other mining-related industries competing for any available short-term accommodation. Providing safe and convenient rest areas for drivers enables Mobcrete to meet its duty of care obligations and will improve drivers' well-being and public safety. This proposal directly addresses this issue in a safe and cost-effective manner.

The proposal will not have any adverse impact on the streetscape or adjoining properties, and all relevant planning and site-specific requirements have been addressed via the justification provided in this letter.



We look forward to working with the Shire of Ashburton to progress these two applications to a favourable determination.

Should you require any further advice or information in relation to this matter, please contact Zach Croft of this office on 0451 929 630 or via email at Zach@riseurban.com.au.

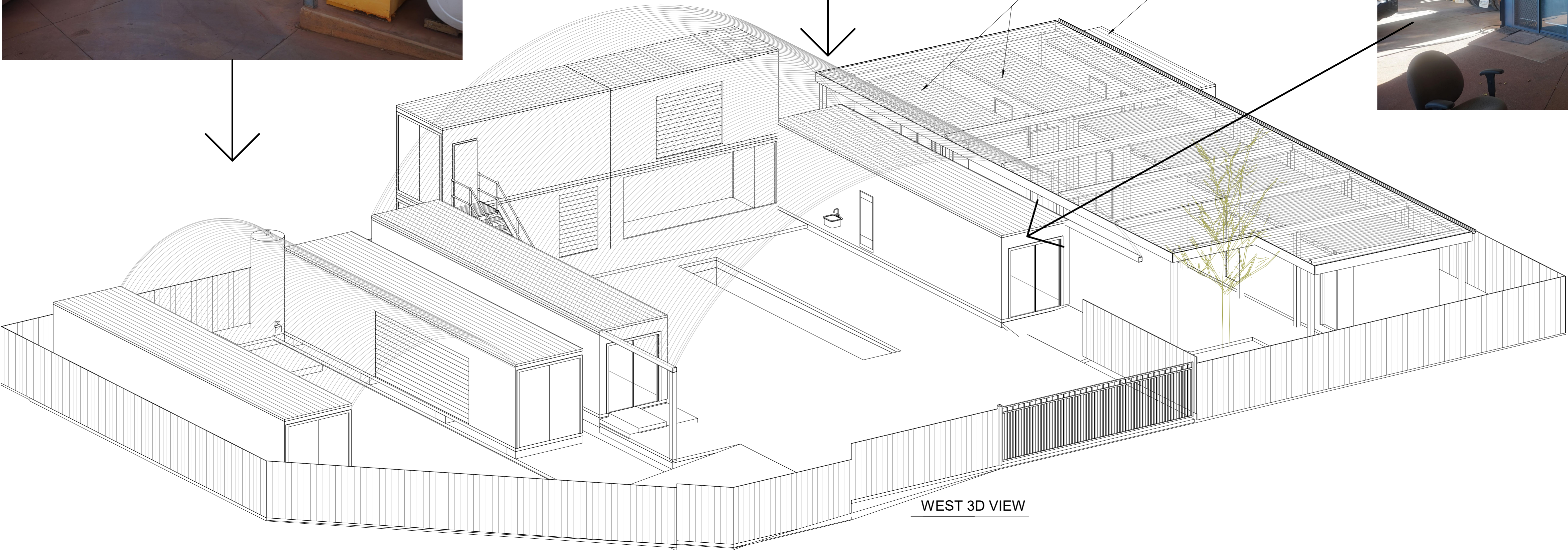
Yours sincerely

A handwritten signature in black ink, appearing to read "C. Leckey".

Cameron Leckey
Director
Rise Urban Pty Ltd



NOTE
CARETAKERS UNIT
REMOVED & REPLACED
WITH 3 PORTABLES



WEST 3D VIEW

VIEW FROM TUREE WAY



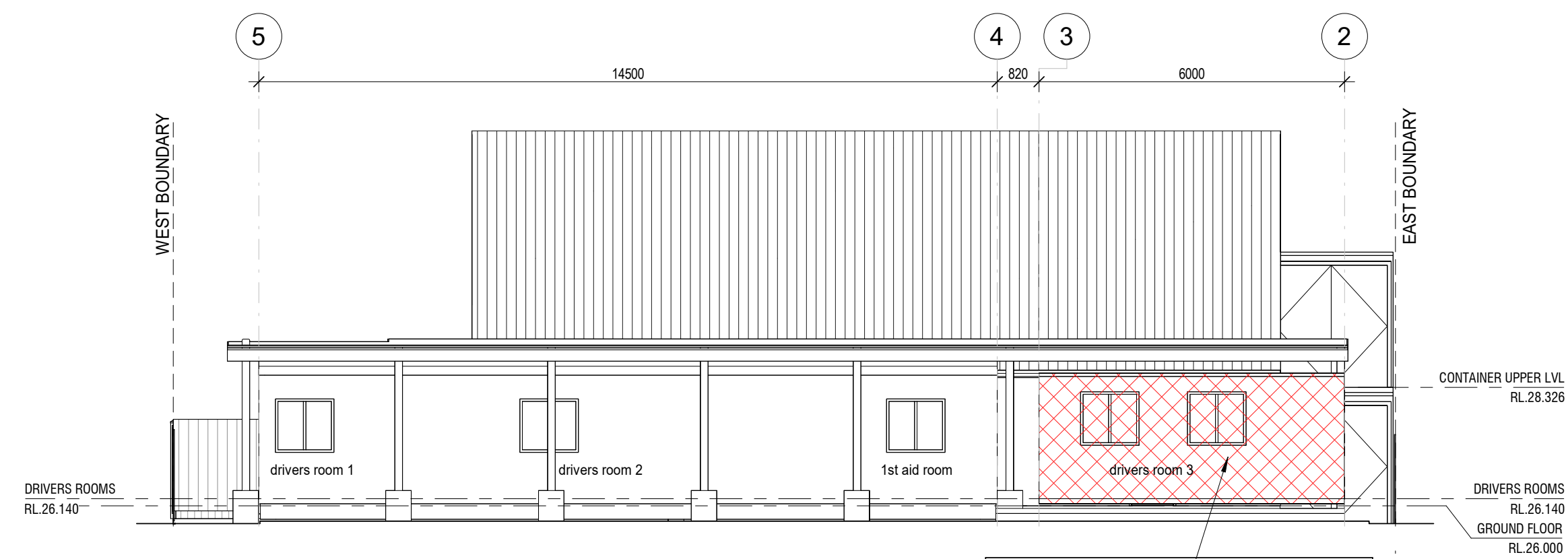
SHEET LIST

Sheet Number	Sheet Name	Drawing size	REVISION	Revision Date
A0.01 - LOT 10	COVER PAGE	A1	C	23/05/24
A1.01 - LOT 10	SITE / GF & UPPER PLANS	A1	C	23/05/24
A2.01 - LOT 10	ELEVATIONS	A1	C	23/05/24
A3.01 - LOT 10	SECTIONS & DETAIL	A1	C	23/05/24

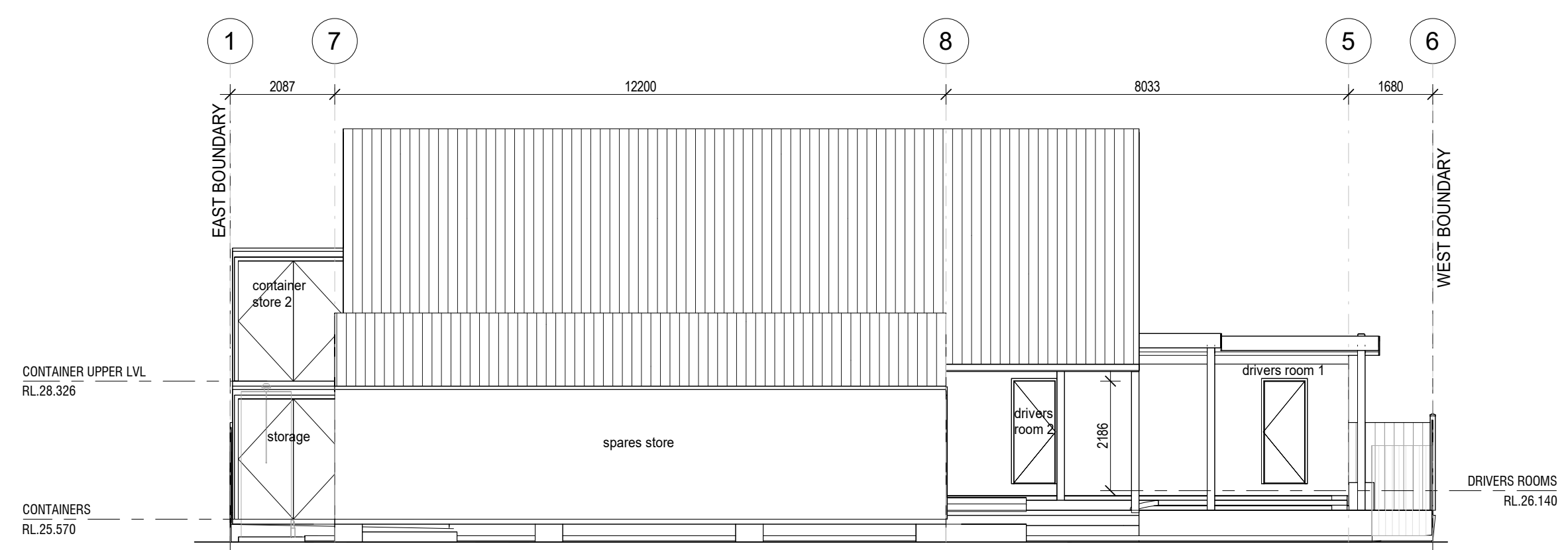
NOTES

- DO NOT SCALE OFF DRAWINGS. THE CONTRACTOR IS TO VERIFY ALL MEASUREMENTS & DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION
- THE DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER CONTRACT DOCUMENTS INCLUDING ARCHITECTURAL & ALL CONSULTANT DRAWINGS, SPECIFICATIONS & SCHEDULES.
- PROVIDE ALL SPECIALIST FABRICATION DRAWINGS TO THE ARCHITECT WITH SUFFICIENT TIME FOR COMMENT PRIOR TO INSTALLATION, FABRICATION, CONSTRUCTION &/OR ORDERING.
- THE CONTRACTOR IS TO NOTIFY ANY DISCREPANCIES BETWEEN DRAWINGS TO THE ARCHITECT IMMEDIATELY.

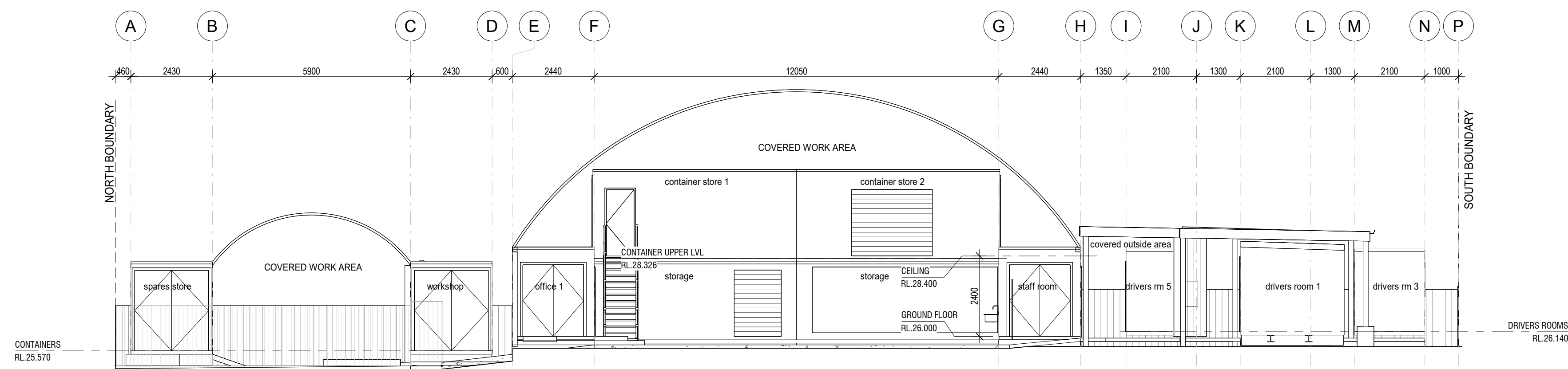
						CLIENT: SNELL RJ PTY LTD OF PO BOX 51 OSBORNE PARK WA 6916		PROJEC NUMBER: 1421		DRAWING TITLE: LOT 10 - COVER PAGE			
						DRAWN BY: M. CASON		DATE: 17/05/24		DESIGNED BY: M. CASON		DATE: 17/05/24	
						CAD FILE No: 20240516-LOT 10 - DA		APPROVED: M CASON		DATE: 17/05/24		SCALE: AS INDICATED @ A1	
										PROJECT NAME & ADDRESS: STORAGE FACILITY/DEPOT/LAYDOWN AREA & DRIVERS ROOMS LOT 10 CAMP ROAD PARABURDOO WA 6754		SHEET SIZE: A1	
												REVISION: C	



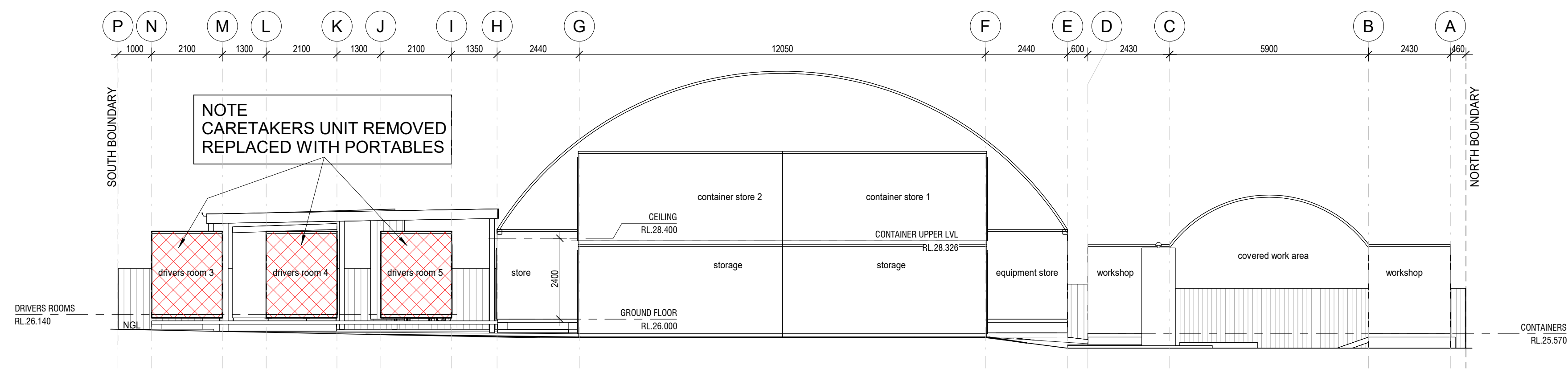
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1 : 100



NORTH ELEVATION
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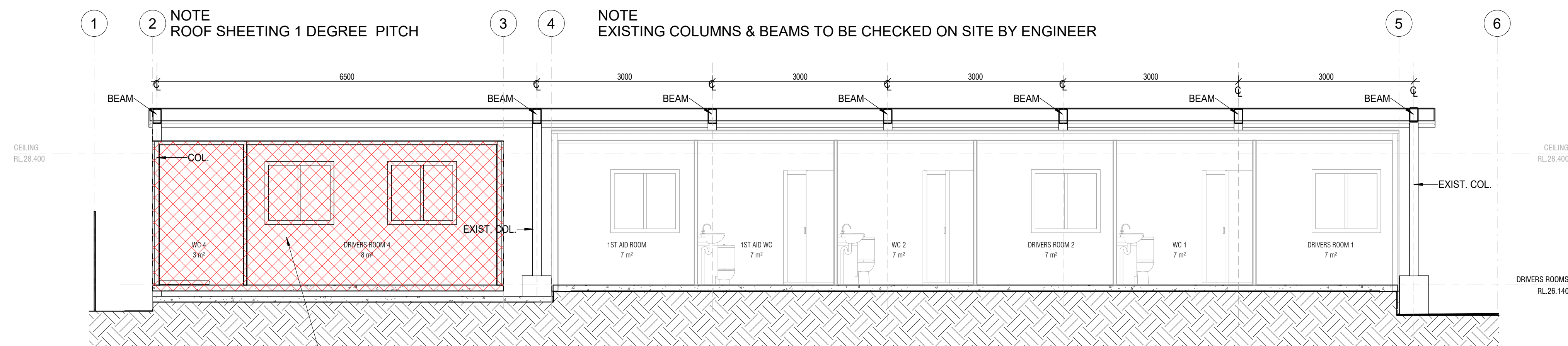


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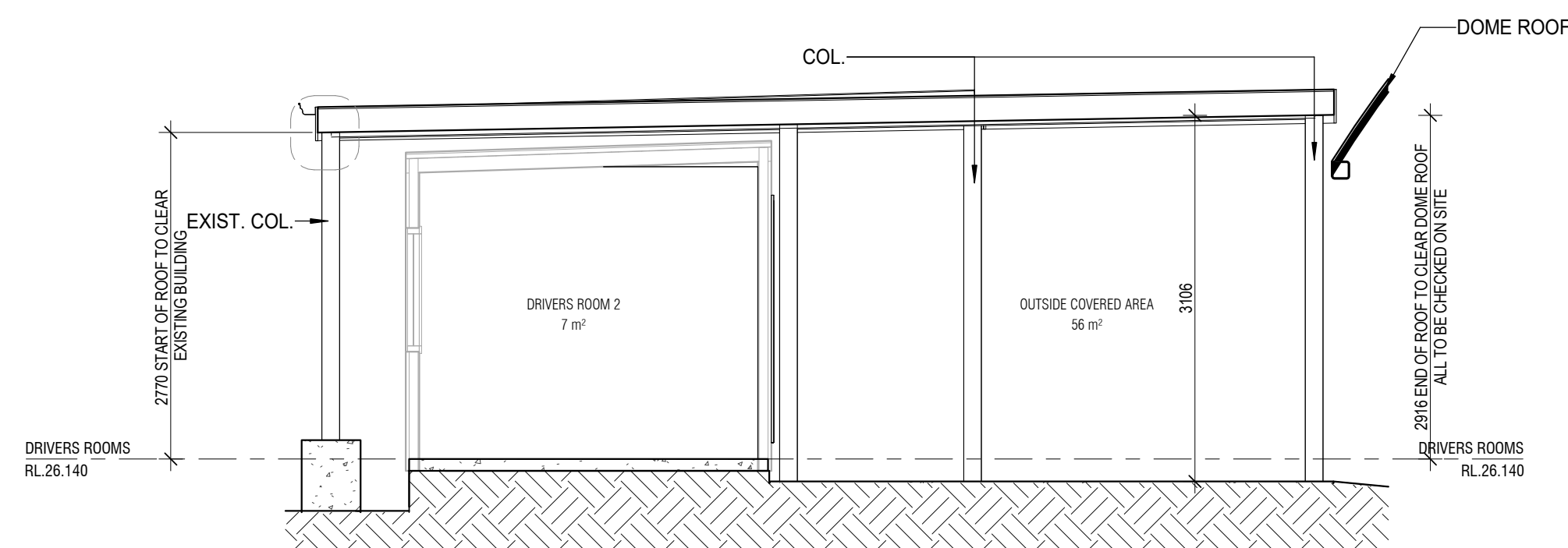
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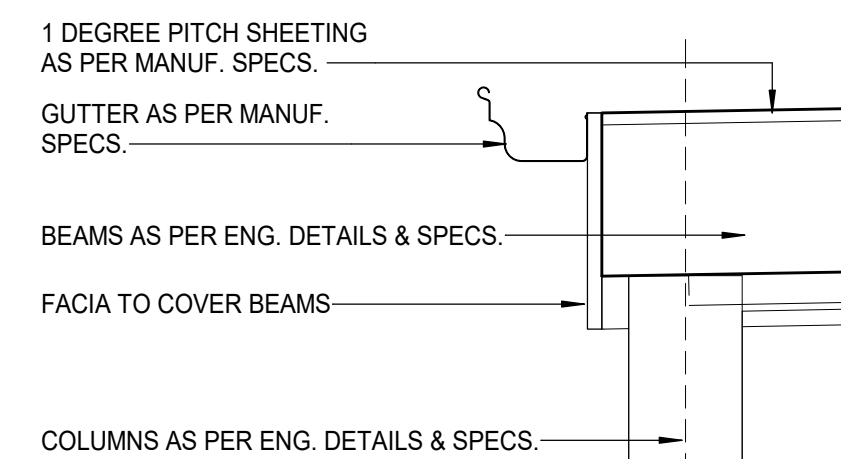


SECTION B-B
1 : 50

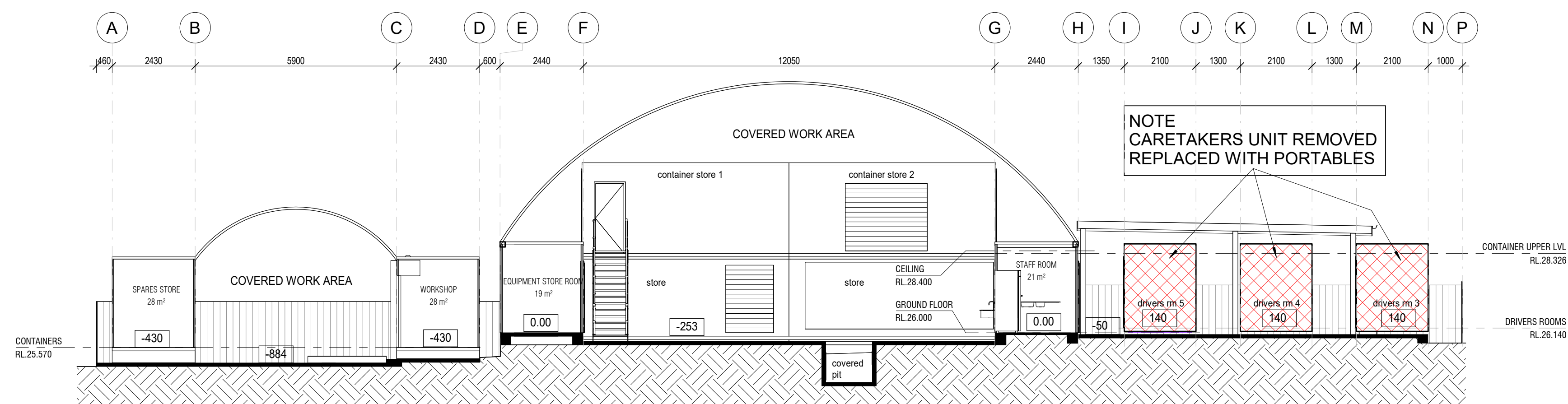
NOTE
ROOF SHEETING 1 DEGREE PITCH
NOTE
EXISTING COLUMNS & BEAMS TO BE CHECKED ON SITE BY ENGINEER



SECTION A-A
1 : 50



DETAIL X
1 : 10



SECTION C-C
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