

Annexure 01 – Grounds for Review
Lots 109 (No.76), 110 (No.74), 111 (No.72) and 112 (No.70) on Plan 222909 Goodliffe Street (corner Alsopp Street) Norseman

DECISION

The application for development approval for a 'Workforce Accommodation' land-use and development ('the development application') was presented to the Shire of Dundas' Ordinary Meeting of Council on 29 July 2025 with a recommendation for conditional approval.

Refer Annexure 2 – Shire of Dundas Ordinary Council Meeting Minutes 29 July 2025

A Notice of Determination dated 30 July 2025 was issued to the proponent of the development (Applicant) by the Shire of Dundas (Respondent) and lists the following reasons for refusal:

- (i) *Permanent use/occupancy of the proposed development – as requested by the proponent by letter to the Shire dated 28 July 2025 - is contrary to the meaning of 'workforce accommodation' described in the Shire's Local Planning Scheme 2;*
- (ii) *No evidence has been provided to support a longer approval period (eg. 30 years);*
- (iii) *No evidence has been provided that the type and structure of the proposed development is compatible with standards that support a longer life span and permanent use/occupancy of the proposed development.*

Refer to Annexure 3 – Notice of Determination and Refused Plan ('the Refusal')**GROUNDINGS FOR REVIEW**

The Applicant applies for the Decision to be reviewed in accordance with Part 14 section 252(1) of the *Planning and Development Act 2005* for the following reasons:

Reason No. 1 – Compliance with definition of 'Workforce Accommodation' within the Shire of Dundas Local Planning Scheme No.2

1. The definition of 'Workforce Accommodation' within the Respondent's Local Planning Scheme No.2 (LPS2):
means premises, which may include modular or relocatable buildings, used –
(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.
2. The land subject of this application is zoned 'Residential' within LPS2. Workforce Accommodation is not a use listed in LPS2 and is therefore capable of approval subject to appropriate conditions.
3. The development application submitted by the Applicant included detailed justification for the land-use and built form. In particular, the justification refers to how the built form is consistent with character of the locality and how the patronage of the development will be managed against adverse impacts on surrounding properties. The Applicant also advised that the patronage will be workers

associated with a nearby gold mine. However, the Respondent has not viewed this justification as being consistent with the definition of 'Workforce Accommodation', rather interpreting the definition as being temporary in use and built form.

4. The Respondent's consulting planning expert recommended to Council that the application should be approved, subject to conditions, particularly Condition XI of the recommendation, which time limited the approval to 10 years.
5. The proposed development is consistent with the 'Workforce Accommodation' definition as it intends to provide accommodation to transient workers within the resource industry.
6. Should the proposal be deemed a 'permanent' residential land-use, this would be consistent with the Residential Design Codes and be capable of approval in the Residential zone.

Reason No. 2 – Lack of evidence to support a longer approval period

7. As described in paragraph 3, the Applicant justified the type and nature of the proposed accommodation.
8. The Respondent does not have a policy or definition of what it considers to be temporary.
9. The Applicant has sought approval for the permanent development of structures on the subject site.
10. Grounds for temporary or time limited use of the development is not consistent with the definition described in paragraph 1.
11. The Applicant considers this reason for refusal raised by the Respondent in relation to the nature and intent of the land-use to be erroneous.

Reason No. 3 – No evidence to support a longer lifespan of development / permanent use of the development

12. Consistent with the response to Reason No.1 above, the Applicant considers that 'permanent use/occupancy' is not a 'Workforce Accommodation' land-use. Rather such land-use lends itself to a Residential land-use as defined in the Residential Design Codes.
13. The type and structure of the development has been clearly articulated in the Applicant's development application (section 3, page 10 of the Applicant's report refers) and conforms to the definition of 'Workforce Accommodation'.
14. The Applicant considers this reason for refusal erroneous.