



Acting CEO

Shire of Derby/West Kimberley

PO Box 101

Fitzroy Crossing

3/12/24

Dear Tamara Clarkson

Development Application

Proposed Workforce Accommodation

24 Emanuel Way Fitzroy Crossing

Kimberley Regional Service Providers (KRSP) have been appointed as Project Manager by the owners of the above Lot, Marra Worra Worra Aboriginal Corporation.

Please find attached

Completed Development Application

Certificate of Title -24 Emanuel Way Fitzroy Crossing

DA drawings A101-A103

Feature Survey- 24 Emanuel Way Fitzroy Crossing

Planning Report -24 Emanuel Way Fitzroy Crossing

Yours Faithfully

Adrian Hunter

Project Manager

KRSP

**Broome Address -**

Lot 240 Port Drive, Broome WA 6725

PO Box 2709, Broome WA 6725

Ph 08 9195 2000 | Fax 9193 7140

**Perth Address -**

1st Floor, 441 Stirling Highway,

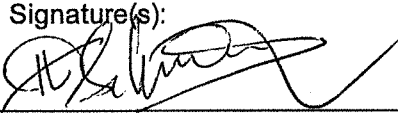
Cottesloe, WA 6011

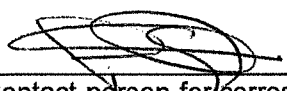
Ph 08 9230 7800 | Fax 9286 1944



# Shire of Derby / West Kimberley

## DEVELOPMENT APPLICATION FORM

OWNER DETAILS		
Names(s): Marra Worra Worra Aboriginal Corporation		ABN (if applicable): 97 272 775 547
Postal Address: PO Box 35 Fitzroy Crossing		State/Post Code: WA
Home Phone:	Work Phone: 08 9193 0600	Mobile Phone: 0488 773 309
E-mail Address: david.selvendra@mww.org.au		Fax:
Owner's Signature(s): 		Date: 01/11/2024
Contact person for correspondence: David Selvendra		

APPLICANT DETAILS (IF DIFFERENT FROM OWNER)		
Name(s): KRSP Pty Ltd		ABN (if applicable): 930829199523
Postal Address: 240 Port drv Broome		State/Post Code:
Home Phone:	Work Phone:	Mobile Phone: 0402791992
E-mail Address: adrian@krsp.com.au		Fax:
Applicant's Signature: 		Date: 3/12/24
Contact person for correspondence: Adrian Hunter 0402791992		

### Derby

☎ (08) 9191 0999 | 30 Loch Street  
✉ [sdwk@sdwk.wa.gov.au](mailto:sdwk@sdwk.wa.gov.au) | PO Box 94, Derby WA 6728

### Fitzroy Crossing

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✉ [sdwk@sdwk.wa.gov.au](mailto:sdwk@sdwk.wa.gov.au) | PO Box 101, Fitzroy Crossing

ABN: 99 934 203 062

🌐 [www.sdwk.wa.gov.au](http://www.sdwk.wa.gov.au)





# Shire of Derby / West Kimberley

## DEVELOPMENT APPLICATION FORM (con't)

PROPERTY DETAILS		
Location No(s):	Lot No(s): 95	Street No(s) (urban or rural):
Diagram or Plan No: 213656	Certificate of Title Volume/Folio:	Title Encumbrances (if any):
Street Name: 24 Emanuel way	Suburb/Locality: Fitzroy Crossing WA 6765	
Nearest Street Intersection:	Total Land Area (m <sup>2</sup> or ha): 2400m2	

PROPOSED DEVELOPMENT		
Nature of development: (Circle) <u>Works</u> Use Works and Use		
Description of proposed works and/or land use: Work force accomodation		
Nature of any existing buildings and/or use:		
Is an exemption from approval claimed for part of the development? (Circle) <u>No</u> Yes If yes, is the exemption for: Works Use		
Description of exemption claimed (if relevant):		
Approximate cost of proposed development:	Estimated time of completion:	
Services known to be available: (tick)	Y	N
Electricity	Y	
Scheme water	Y	
Reticulated sewer	Y	
Stormwater drainage		
Sealed road access	Y	
Development already commenced or completed? (Circle) * Y <u>N</u> * Penalty fees may apply		

OFFICE USE ONLY:	Date received: _____	Shire Reference: _____
Checked (Officer's Initials): _____	Fee received: _____	Plans Attached: Y N

### Derby

(08) 9191 0999

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PLANNING REPORT  
PROPOSED WORKFORCE  
ACCOMODATION DEVELOPMENT

24 Emanuel Way  
Fitzroy Crossing

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Prepared by:  
David Hay Architect Lty Ltd

Prepared for:  
KRSP



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# 1. INTRODUCTION

David Hay Architect Pty Ltd acts on behalf of Kimberley Regional Service Providers (KRSP) in relation to the proposed Workforce Accommodation Facility to be located at 24 Emanuel Way Fitzroy Crossing.

In discussion with the Shire of Derby/West Kimberley (SDWK) Planner, it is understood that:

The subject site is not zoned under Local Interim Development Order (LID09). The development requires development approval from the Shire including for the proposed workers accommodation facility.

A development application would be required to be submitted to the Shire, given the use proposed within the proposed Rural Townsite zone is in accordance with the Draft Local Planning No 9, which is a seriously entertained document expected to be in effect by the end of 2024.

The proposed development is considered as workforce accommodation as per the definitions on accordance with SDWK Draft LPS9, with the use of the site, which is an "A" (Advertising ) use and therefore subject to the submission of a development application and requires the exercise of discretion by the council after neighbour consultation.

This report has undertaken an assessment focused on the proposed LPS9, and where relevant, State Planning Policies and existing Local Planning Policies

This report considers the proposed planning issues affecting the development of the site are:

## **LPS9**

The actual design and layout of the proposed buildings onsite can be contemplated on its merits given the LPS 9 requirements stipulate allowance of discretion by the Local Government for street, side and rear setbacks.

The carparking requirements for workforce accommodation are not stated in the Schedule 1 Carparking Requirements and are discretionary, the carparking dimensions to be in accordance with Australian Standard AS/NZS 2890

**State Planning Policy SPP5.4** in relation to Road and Rail Noise requirements

## **Local Planning Policies**

**TP5** Transportable Relocated Dwellings will apply to any new or second hand transportable dwellings proposed

**TPG1** Minimum Floor Level for New Buildings in Fitzroy Crossing . Emanuel Way has a minimum habitable FFL of 111.4 AHD

## **Planning and Development Act 2005**

**Under the Planning and Development Act 2005 planning decisionmakers can control**

1. Where a planning application is required, the terms of approval related to
  - (a) Timeframe
  - (b) Setbacks
  - (c) Landscaping
  - (d) Parking and access

- (e) Location and appearance of buildings
  - (f) Integration with surrounding areas
  - (g) Any other land use matters relevant to the site
2. Where a planning application is required , the ability to approve/refuse a proposal considering local planning scheme requirements

#### **Building Code of Australia**

The Building Code of Australia (BCA) is a national code, produced and maintained by the Australian Building Codes Board (ABCB). The BCA is Volume one and Volume two of the National Construction Code (NCC).

The requirements to comply with BCA will generally be addressed under the building approvals process except regarding **Volume 1 Part D4 Access for people with a disability**

The information provided within this report demonstrates the proposal is consistent with relevant planning requirements and other considerations affecting land use planning within the Shire.

## 2. Land Details and Proposal

### 2.1. Site Details

24 Emanuel Way Fitzroy Crossing (the Site) is located within the jurisdiction of the Shire of Derby/West Kimberley. The site is legally described as Lot 95 on Deposited Plan 213656 and has an area of approximately 2400 m<sup>2</sup>. The registered proprietor of the site is Marra Worra Worra Aboriginal Corporation of 158 Great Northern Highway Fitzroy Crossing WA 6765

### 2.2. Site Context



The site is located within the South Eastern precinct of the Fitzroy Crossing Townsite . The immediate areas around the site are principally occupied by Light Industry, Service Commercial and workforce accommodation uses.

The site is approximately 150m away from the Great Northern Highway

The site currently contains a single two storey house and ancillary structures with a street frontage to Emanuel Way . The site falls to the south west slightly and is adjacent to a drainage reserve which is part of the Emanuel Way road reserve.

### 2.3. Proposed Development

The proposal seeks to retain the existing two storey house, which acts as workforce accommodation and a large shed on the site, and to demolish other incidental structures on the south eastern area of the site. The proposal Comprises:

1. 6 self-contained 3-bedroom units,  
with one unit compliant with the access requirements of the BCA.  
Each unit comprises
  1. 3 separate bedrooms, each provided with a bed, desk, refrigerator, air conditioning, drawers and hanging space, wall mounted TV.
  2. A kitchenette with refrigerator, gas cooktop and oven, exhaust canopy, ss sink and

- benchtops, dedicated electric hot water system.
3. Central covered recreation space with lighting, communal table and chairs.
  4. 2 separate bathroom/laundries with toilets, shower, vanity basin and laundry trough for the exclusive use of the Unit occupants.
  5. Each unit features 1800mm high security fencing and gates to all openings
  6. Wall hung clothesline.
  2. Bitumen carpark, accessed from Emanuel Way. comprising 12 car bays to AS/NZS 2890.1, including one accessible carparking bay.
  3. A covered communal BBQ area with appropriate cooking facilities.
  4. Pedestrian paved areas connecting units, Common area and parking area complete with bollard lighting as required.
  5. Landscaping adjoining paved areas and accommodation units.

The facility features an 1800mm high Colourbond fence over a concrete post and plank retaining wall along the boundary with Emanuel Way and the area adjacent to the existing two storey house.

A new crossover to service the proposed carpark is proposed in addition to the existing crossover servicing the Two Storey House and shed.

### 3. Town Planning Considerations

#### 3.1. LPS 9

The proposed development is an approved use ( Advertising) for the site under the Use Class table of LPS 9

##### Setbacks

Emanuel Way – minimum 1300mm

Adjoining Lots-1170mm

##### Carparking

12 Carbays compliant with AS/NZS 2890 proposed, including an accessible bay.

For occupant use and visitor use.

As The carparking requirements for workforce accommodation are not stated in the Schedule 1 Carparking Requirements it has been assumed that occupants would not have access to private cars and that the carparking would largely be used by company workforce vehicles. An allocation of 12 bays is proposed as sufficient given this assumption

#### 3.2. State Planning Policy SPP5.4

See attached consultants report

ND Engineering Consulting Engineers

Acoustic (SPP5.4) Report 24100106 Revision 0

Addressing the application of SPP5.4 to the proposed development.

#### 3.3 local planning policies

**TP5** Transportable Relocated Dwellings

TP5 applies to planning consent for residential developments.

The proposed development is not a residential development so the policy does not Apply to the development

**TP1** Minimum Floor Level for New Buildings in Fitzroy Crossing . Emanuel Way has a minimum habitable FFL of 111.4 AHD. The proposed habitable level of the units proposed for the Development is 114.80,compliant with TP1

#### 3.4 Building Code of Australia

Project complies with the requirements of Part D3 Access for People with a Disability

## 4. SUMMARY

This planning report demonstrates the proposed development is consistent with the provisions within the proposed, and seriously entertained, SDWK planning framework.

Accordingly it is considered the proposal warrants the support and approval of the SDWK.

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[ndengine@bigpond.net.au](mailto:ndengine@bigpond.net.au)  
0412 679 431

***ND Engineering***  
Consulting Engineers

***nde***

To Mr David HAY  
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10 Olding Street MELVILLE WA 6156

0417 950 660  
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**ACOUSTIC (SPP5.4) REPORT 2410106 Revision 0**  
**SPP5.4 ROAD AND TRAIN NOISE**  
**24 EMANUEL WAY FITZROY CROSSING WA 6765**

- References:**
- A. SPP 5.4 Road and Rail Noise **Policy** Sept 2019.
  - B. SPP 5.4 Road and Rail Noise Implementation **Guidelines** Sept 2019.
  - C. **Drawings:** Survey Plan, Rev 1, Dated 080824; &  
Site Plan A102 Rev. 1, Dated 120924.

- Annexes:**
- L - LOCATION.
  - P - PLANS.
  - S - SPP5.4 ASSESSMENT.

**Preamble**

- 1.1 ND Engineering was engaged to undertake a SPP5.4 assessment of the proposed development.
- 1.2 Prior to reading the report, please note the following:
  - a. The covering letter contains the assessment outline and recommendations for the Architect, Builder, Building Designer, Client and Local Government Authority; and
  - b. The ANNEXES L, P & S are the technical part of the assessment and are written for the LGA in support of the covering letter.

**Assessment Outline**

- 2.1 This report relates to the State Planning Policy SPP 5.4 for road and rail noise for the single storey accommodation units.  
  
Location and site plans are contained in ANNEX L - LOCATION and ANNEX P - PLANS.
- 2.2 The PlanWA link shows that the residence is within the trigger distance from Great Northern Hwy.  
  
See ANNEX L - LOCATION and also ANNEX S's TABLE A - SPP5.4 POLICY APPLICATION.
- 2.3 ANNEX S shows in TABLE B - SPP5.4 GUIDELINES APPLICATION that the following Quiet House packages as contained in this report is required to be implemented in the Drawings in order to meet the requirements of the Policy: **NIL**.



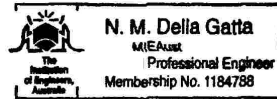


- 2.4.1 The Outdoor Living Area (OLA) requirements for at least one of either item 2.4.1a or 2.4.1b below are to be met if a 70A Noise Notification is required:
- a. At least one outdoor living area located on the opposite side of the building from the corridor; and/or
  - b. At least one ground level outdoor living area screened using either a solid continuous fence (or integral screen wall) of minimum surface density 15 kg/m<sup>2</sup> or other structure (i.e. other buildings) both of minimum 2.1 metres height above ground level.
- 2.4.2 Given that a QH package is not required then the issues of the OLA and noise notification is not applicable.

### Recommendations

- 3.1 The following QH packages are recommended: **NIL**
- 3.2 The following recommendations are made for the Outdoor Living Areas: **NIL**.
- 4.0 If you require further advice, please contact me.

Yours Sincerely



17 October 2024

**Annexes:**

- L - LOCATION.
- P - PLANS.
- S - SPP5.4 ASSESSMENT.



## ANNEX L – LOCATION

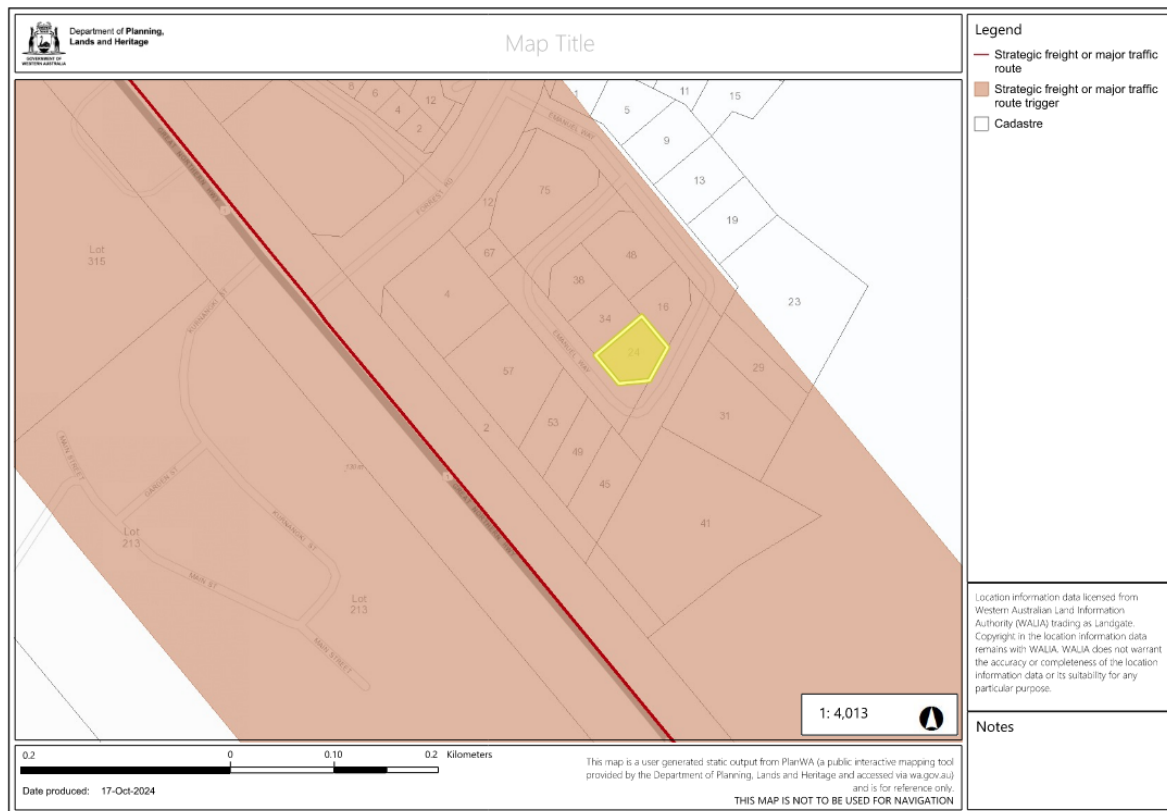


FIGURE L1.1 – PLANWA EXTRACT

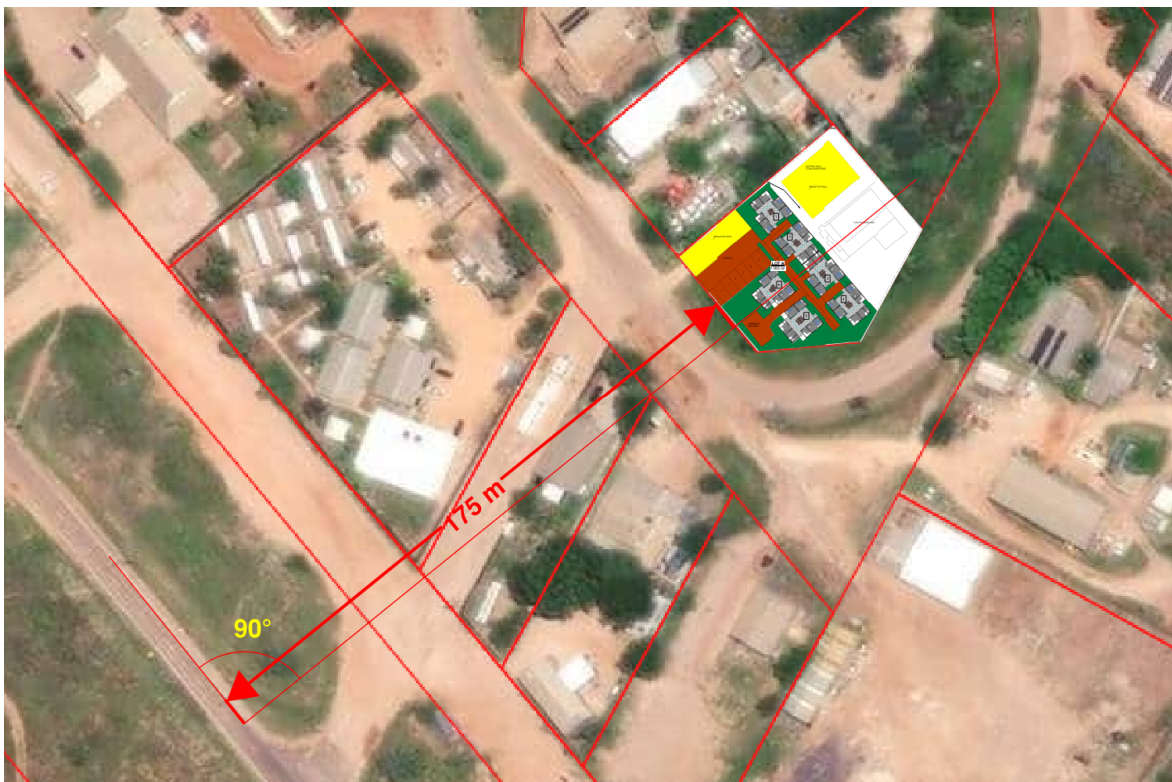
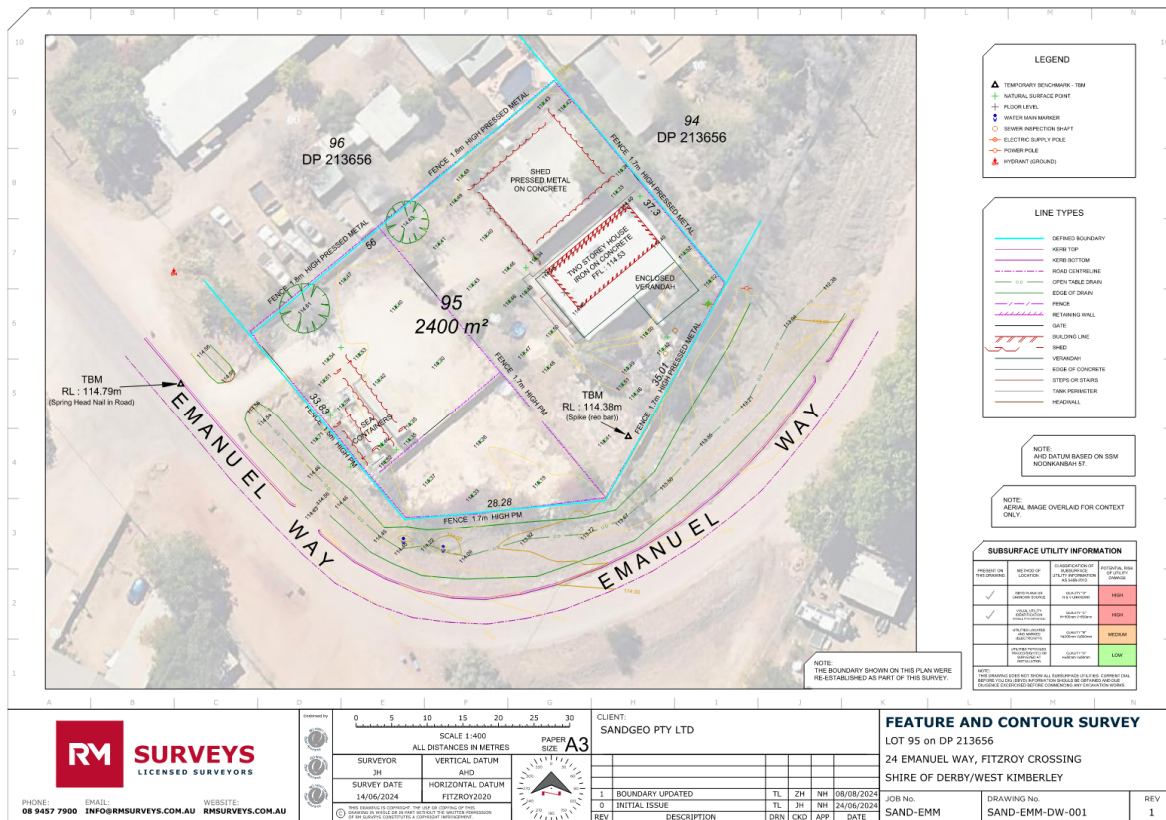


FIGURE L1.2 – DISTANCES



ANNEX P – PLANS





## ANNEX S – SPP5.4 ASSESSMENT

**TABLE A – SPP5.4 POLICY APPLICATION**

Extract from Table 1 - Transport corridor classification and trigger distances		Transport corridor Distances	Policy Application
Transport corridor classification	Trigger distance	Number of Lanes	
<b>Strategic freight/major traffic route:</b> <ul style="list-style-type: none"> <li>- 500 or more Class 7-12 Austroads vehicles per day; or</li> <li>- 50,000+ vehicles per day.</li> </ul>	300 m	Great Northern Hwy  Distance ~ 175m	<b>Yes</b>  See Annex L for PlanWA extract showing applicability

**Table 1: Transport corridor classification and trigger distances**

Transport corridor classification	Trigger distance	Distance measured from
<b>Roads</b>		
<b>Strategic freight and major traffic routes</b> Roads as defined by Perth and Peel Planning Frameworks and/or roads with either 500 or more Class 7 to 12 Austroads vehicles per day, and/or 50,000 per day traffic volume	300 metres	Road carriageway edge

**Table 2: Noise targets**

Proposals	New/upgrade	Noise targets		
		Outdoor		Indoor
		Day ( $L_{Aeq}(\text{Day})$ dB) (6 am–10 pm)	Night ( $L_{Aeq}(\text{Night})$ dB) (10 pm–6 am)	( $L_{Aeq}$ dB)
Noise-sensitive land-use and/or development	New noise-sensitive land-use and/or development within the trigger distance of an existing/proposed transport corridor	55	50	$L_{Aeq}$ (Day) 40 (living and work areas) $L_{Aeq}$ (Night) 35 (bedrooms)



TABLE B – SPP5.4 GUIDELINES APPLICATION			
Extract from Table 2 – Noise exposure forecast		Transport corridor	(1) Forecast Excess Noise Level dB (shielding -4 dB if applicable*)
Transport corridor classification	Trigger distance	Distances  Number of Lanes	
			(2) Exposure Category  (3) Policy requirements for noise sensitive land use and/or development
<b>Strategic freight/major traffic route:</b>  - 500 or more Class 7-12 Austroads vehicles per day; or  - 50,000+ vehicles per day.	300 m	Great Northern Hwy  Distance ~ 175m	(1) 55 -55 -0 = 0 dB.  (2) 0 dB = Not Applicable.  (3) Noise-sensitive land-use and/or development is acceptable.

Table 2: Noise exposure forecast.

Transport Corridor Classification	Forecast noise exposure category based on lot distance(m) from edge of nearest main road carriageway (not entrance/exit ramps)																									
	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	175	200	225	250	275	300					
Number of lanes (both directions), including bus/priority lanes and entrance/exit ramps																										
Before shielding is taken into consideration																175m										
After shielding -4 dB is taken into consideration																175m										
Strategic freight/major traffic route:	E	D	QH C			QH B						QH A				NA (Not Applicable)										
	72	68	66	65	63	62	61	61	60	59	59	58	57	57	56	55	54	53	52	51	50					
2 to 4 lanes																										



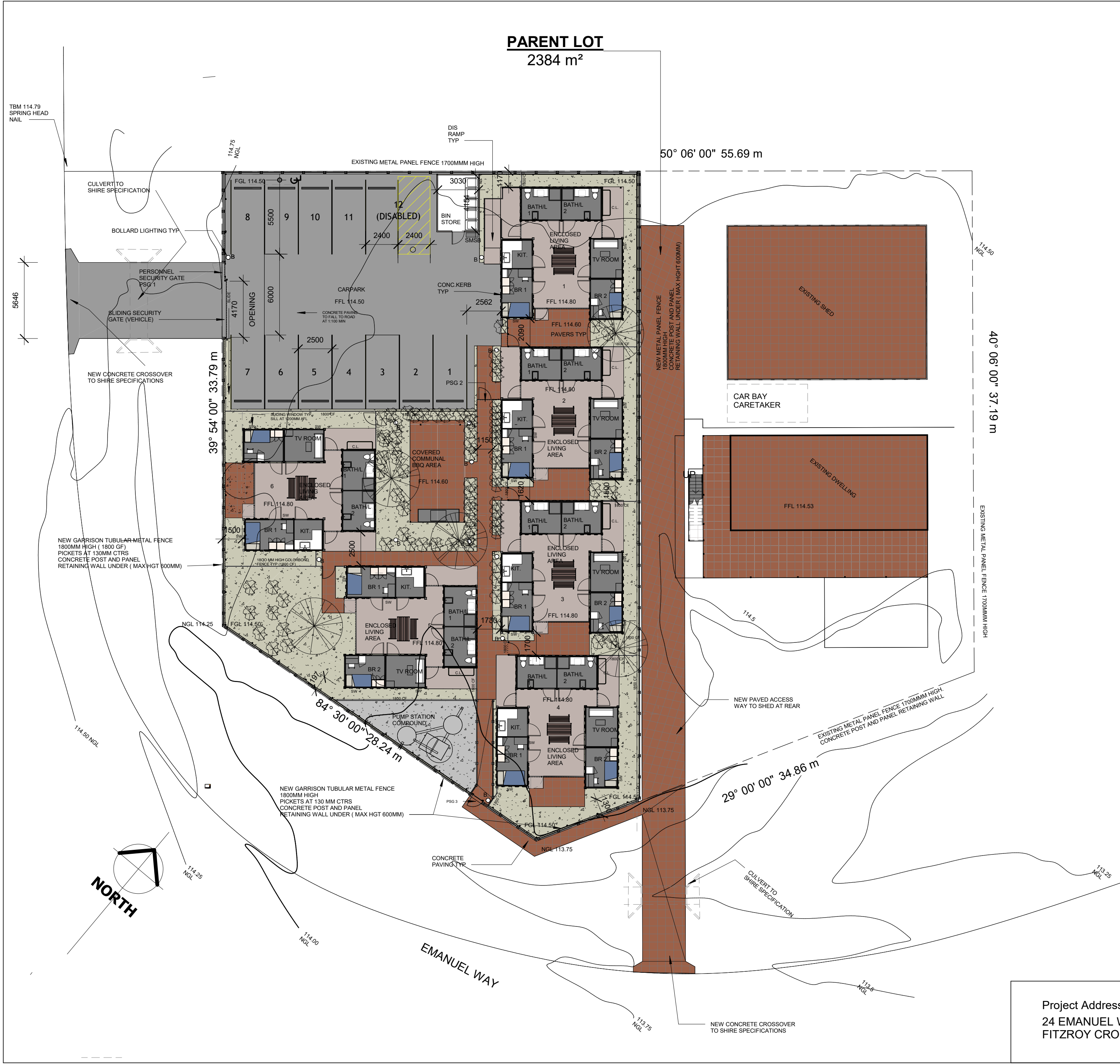


Forecast Excess Noise Level, dB	Exposure Category	Policy requirements for noise- sensitive land-use and/or development
0 or less	-	No further measures
1 to 3	A	Noise-sensitive land-use and/or development is acceptable, subject to: Mitigation measures in accordance with an approved noise management plan; or Quiet House package as specified
-	*A+	
4 to 7	B	
-	*B+	
8 to 11	C	
-	*C+	Noise-sensitive land-use and/or development is not recommended. There is no default quiet house option due to excessive forecast noise: professional design input is required in order to achieve compliance with relevant criteria. If noise-sensitive land-use and/or development is unavoidable, an approved noise management plan is required to demonstrate compliance with the noise target (see Table 1).
12 to 15	D	
16+	E	

The noise levels in noise exposure forecast table are based on a number of assumptions including:

- Level and open ground between the noise source and the receiver and neutral weather effects;
- All values include a +2.5 dB façade correction, typical ground absorption, some scattering from buildings in line with measured data for urban and rural scenarios; and include in-built cumulative noise factors for urban areas;
- Development building outline is within 10metres of the lot boundary facing transport corridor;
- Number of road lanes roughly scale with volume (at up to ~18,000/vehicle per day for a 2 lane road);
- Railway noise levels are based on level straight track with adjustments included for future growth over 20 years in line with historical averages.
- For railway noise levels 3 dB per doubling of traffic per hour can be added if higher noise levels may be expected near tight curves and turnouts.

\* Assists to mitigate short term noise events from freight rail.



No.	Description	Date
1	Revision 1	120924
2	Revision 2	29/10/24
3	Revision 3	19/11/24
4	Revision 4	10/03/25

PROPOSED WORKFORCE  
ACCOMMODATION

SITE PLAN

Project number	120924
Date	Issue Date
Drawn by	Author
Checked by	Checker

A101

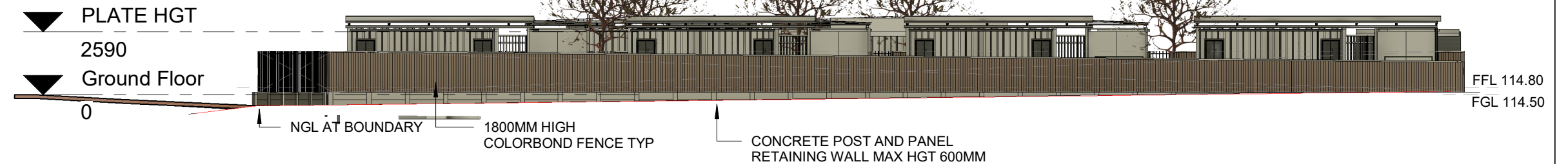
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24 EMANUEL WAY  
FITZROY CROSSING

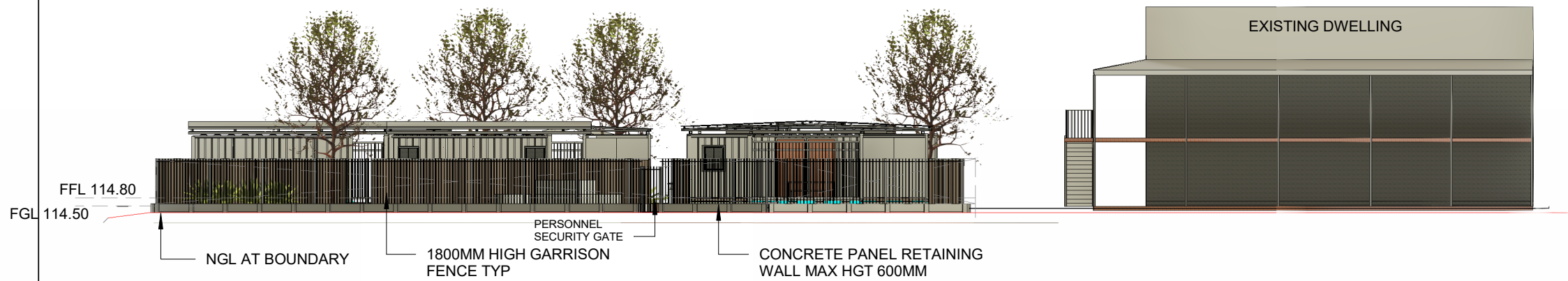




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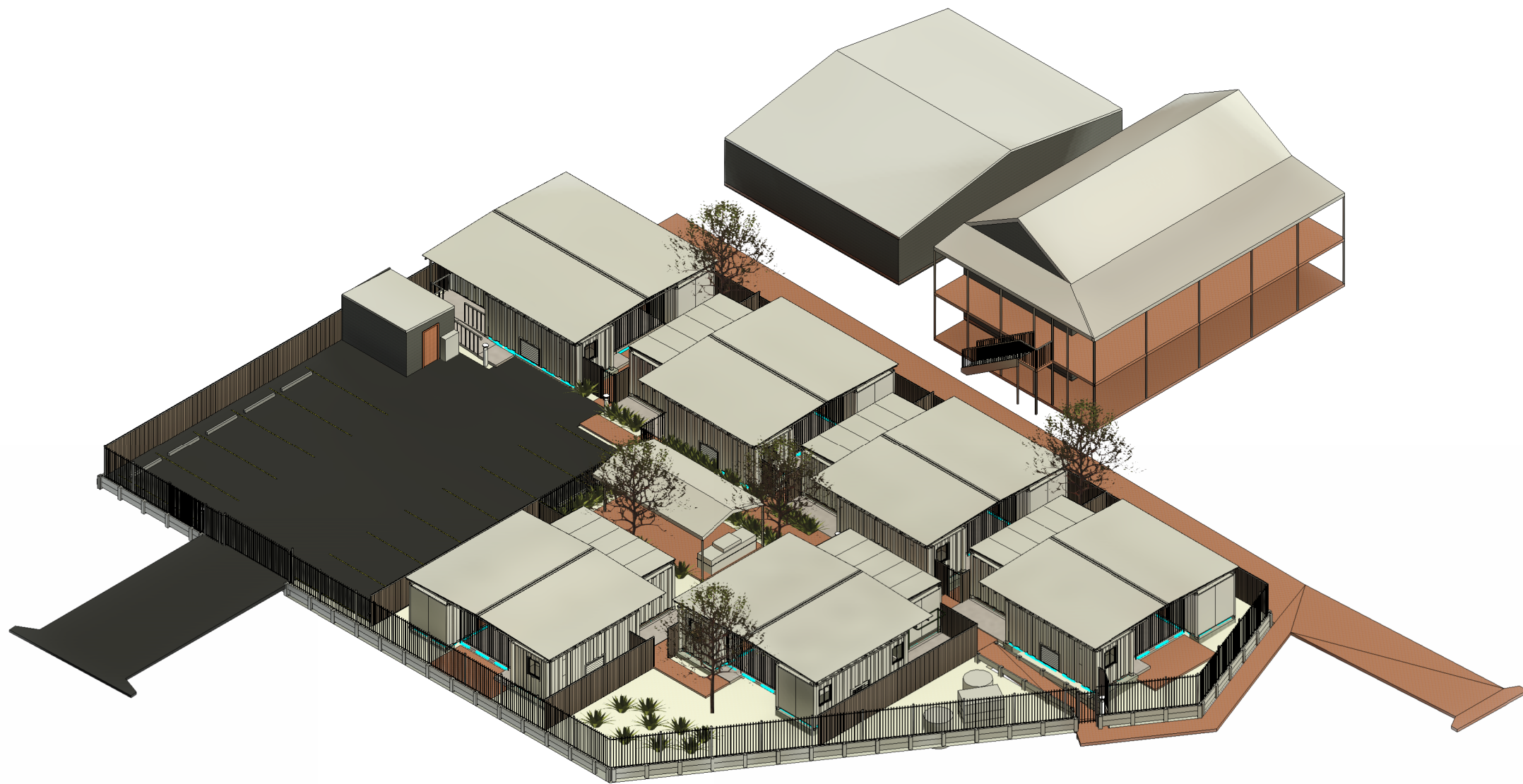
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3 SOUTH EXTERNAL ELEVATION  
1 : 200



5 WEST EXTERNAL ELEVATION  
1 : 200



No.	Description	Date
3	Revision 3	19/11/24
4	Revision 4	10/03/25

## PROPOSED WORKFORCE ACCOMMODATION

### ELEVATIONS, VIEWS

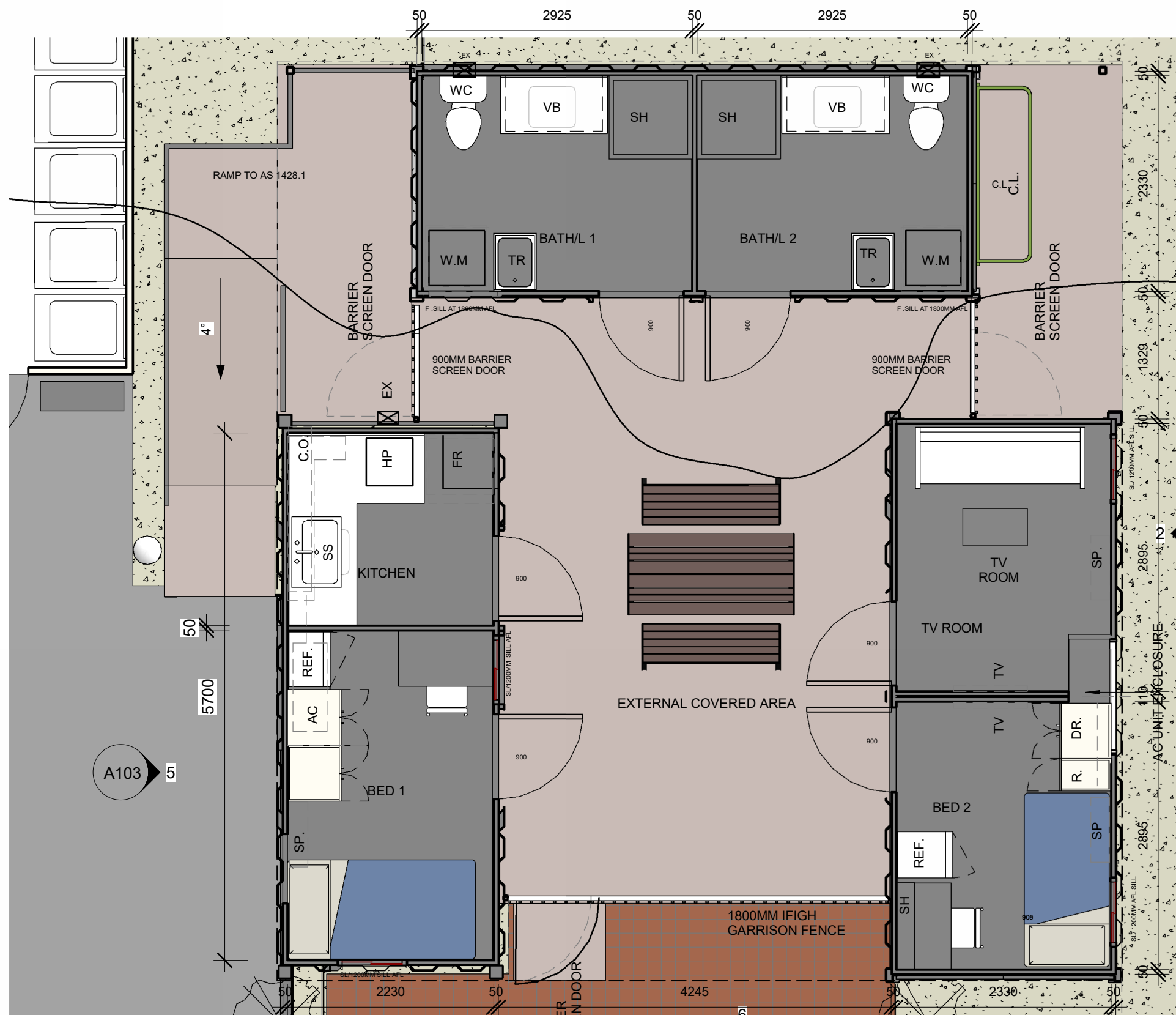
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Date	Issue Date
Drawn by	Author
Checked by	Checker

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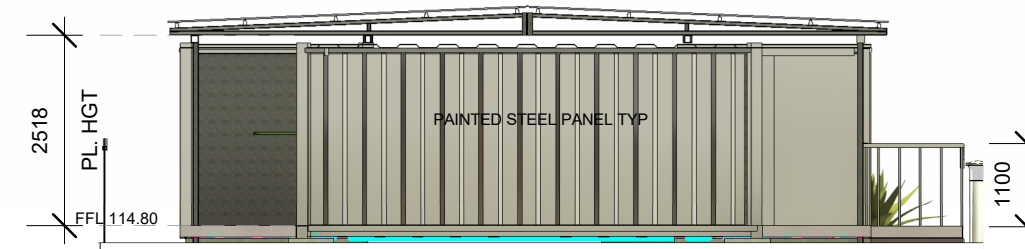
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Project Address  
24 EMANUEL WAY  
FITZROY CROSSING

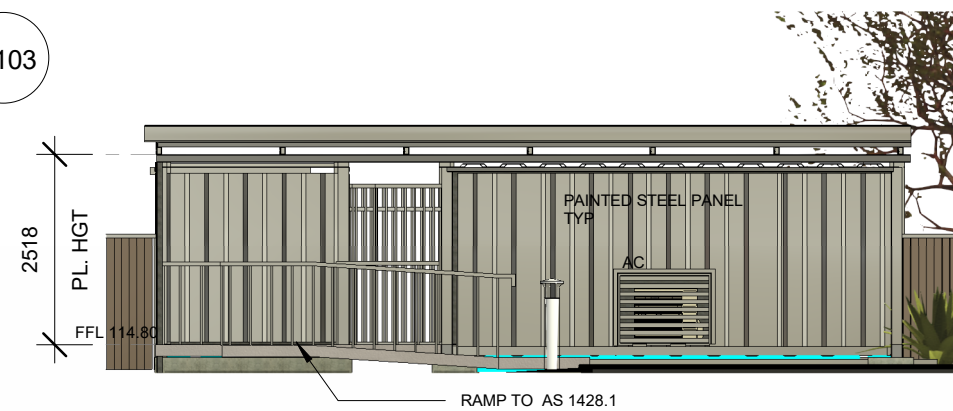




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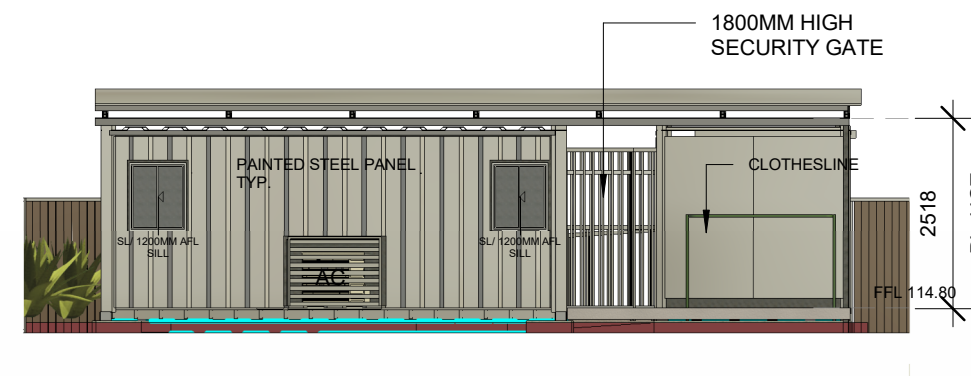
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5 ELEVATION 5- U1  
1 : 100

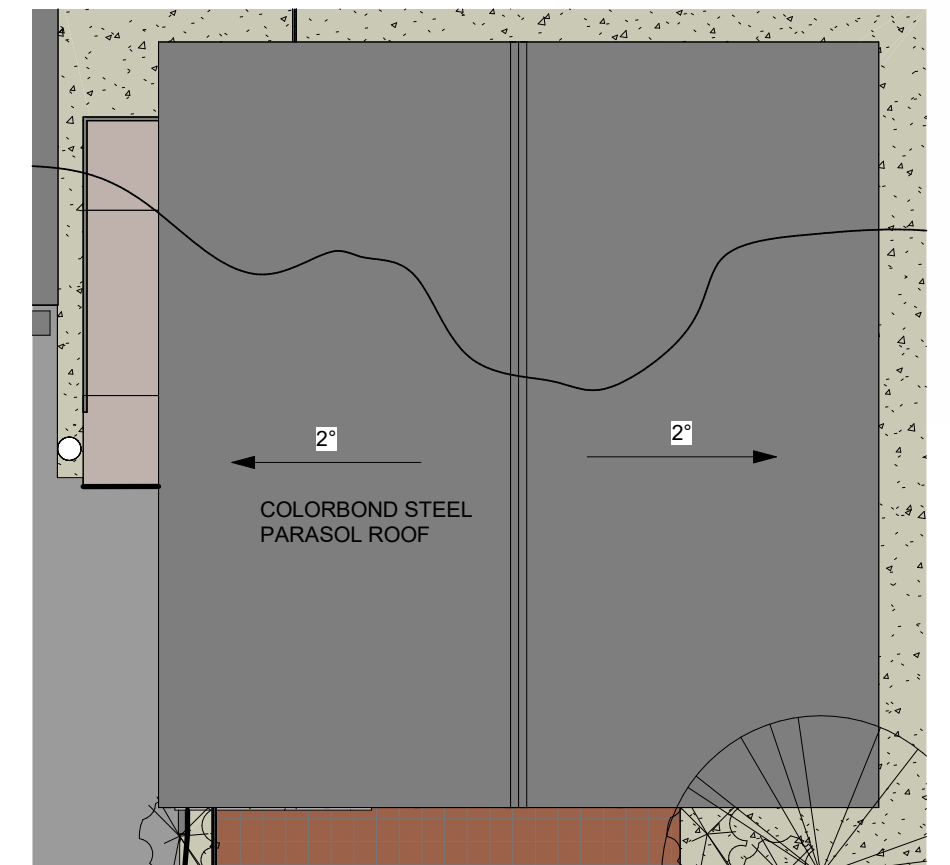


6 ELEVATION 6- U1  
1 : 100



2 ELEVATION 2 - U1  
1 : 100

Project Address  
24 EMANUEL WAY  
FITZROY CROSSING



7 UNIT 1- ROOF PLAN  
1 : 100

No.	Description	Date
3	Revision 3	19/11/24
4	Revision 4	10/03/25

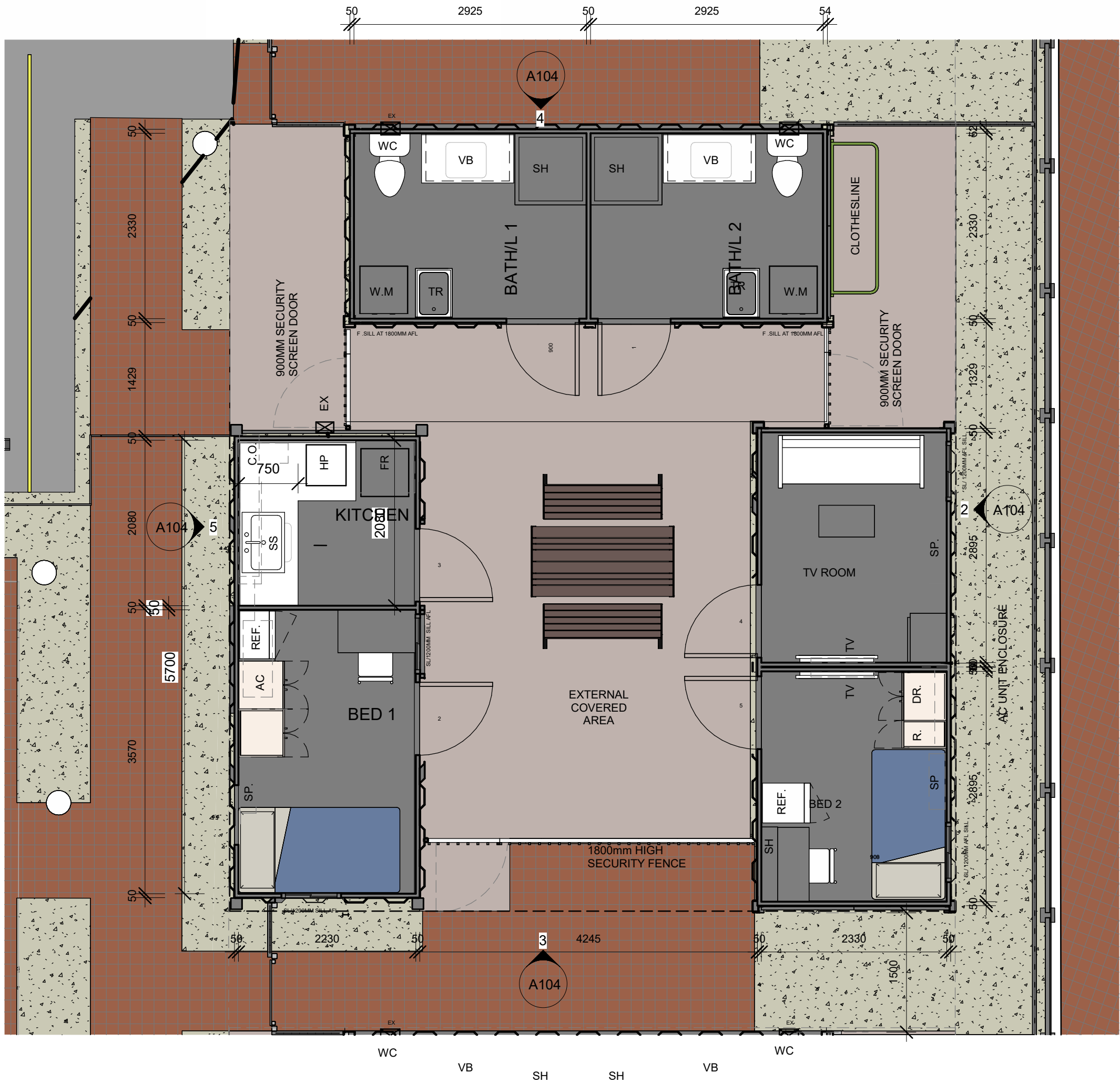
## PROPOSED WORKFORCE ACCOMMODATION

### UNIT 1 PLAN, ELEVATIONS

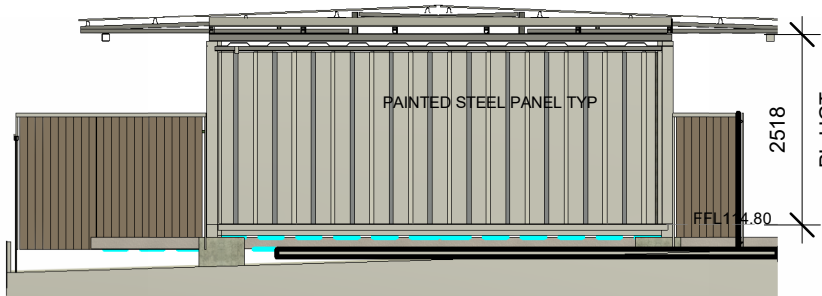
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Date	Issue Date
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Checked by	Checker

A103

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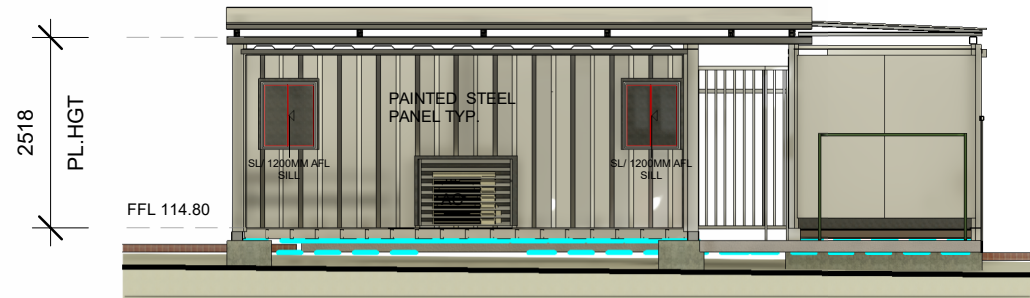
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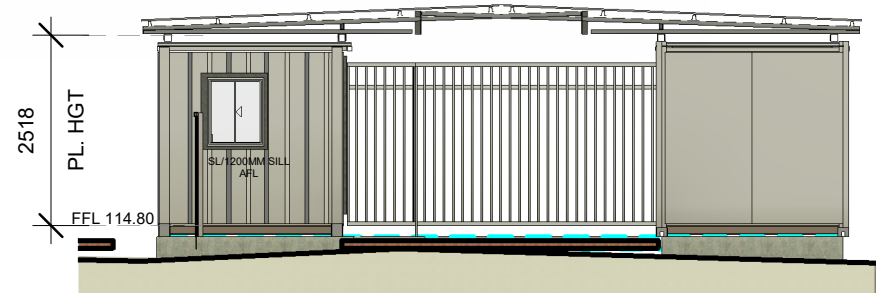
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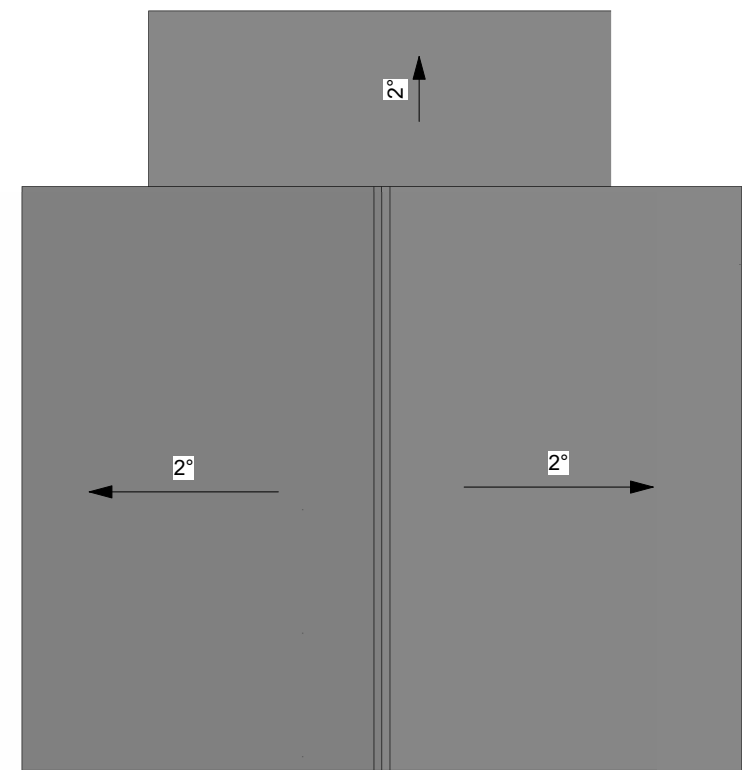
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2 ELEVATION 2-U2  
1 : 100



3 ELEVATION 3 -U2  
1 : 100



6 UNIT 2 - ROOF PLAN  
1 : 100

No.	Description	Date

## PROPOSED WORKFORCE ACCOMMODATION

### UNIT PLAN TYP- 2,3,4,5,6

Project number	120924
Date	Issue Date
Drawn by	Author
Checked by	Checker

A104

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Project Address  
24 EMANUEL WAY  
FITZROY CROSSING