

Temporary Workforce Accommodation Planning Proposal

Yamba Business Park

24/05/2016

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1.3 Background

Preliminary works on the 155km long Woolgoolga to Ballina Pacific Highway Upgrade Project have commenced and is programmed to be completed in 2020.

It is estimated the Project will directly employ approximately 2,500 workers of which two-thirds will be from outside the local region (see Section A 1). The workforce is anticipated to increase significantly in early 2017 and with it the demand for accommodation.

Yamba is a coastal village located on the mouth of the Clarence River. It is 15kms from the new highway corridor and the new Harwood Bridge which itself is estimated to have a construction workforce of 200.

1.4 Site and Locality

The subject site is located within the Yamba Business Park and is zoned IN1 General Industrial.

The Park is located within Yamba township approximately 3kms by road from the town centre. It is accessed via a 'dead-end' road and is completely visually screened from surrounding developments (which include a caravan park, a residential subdivision and sporting facilities – see Figure 1) and from passing traffic.

Yamba Business Park was originally approved by Council in March 2007 and subsequently further approvals were issued for filling and subdivision. The whole Park has been filled, roads constructed and services provided.

The Park contains 8.92 hectares of industrially zoned land and 4,962 m² of Business zoned land. Currently 2.95 hectares of the industrial component has been developed, leaving 5.97 hectares vacant.

Kahuna No. 1 Pty Ltd owns 5.2 ha of which 0.94 ha contains industrial buildings. Therefore the company owns 4.26 ha of the 5.97 ha currently vacant (see Figure 2).

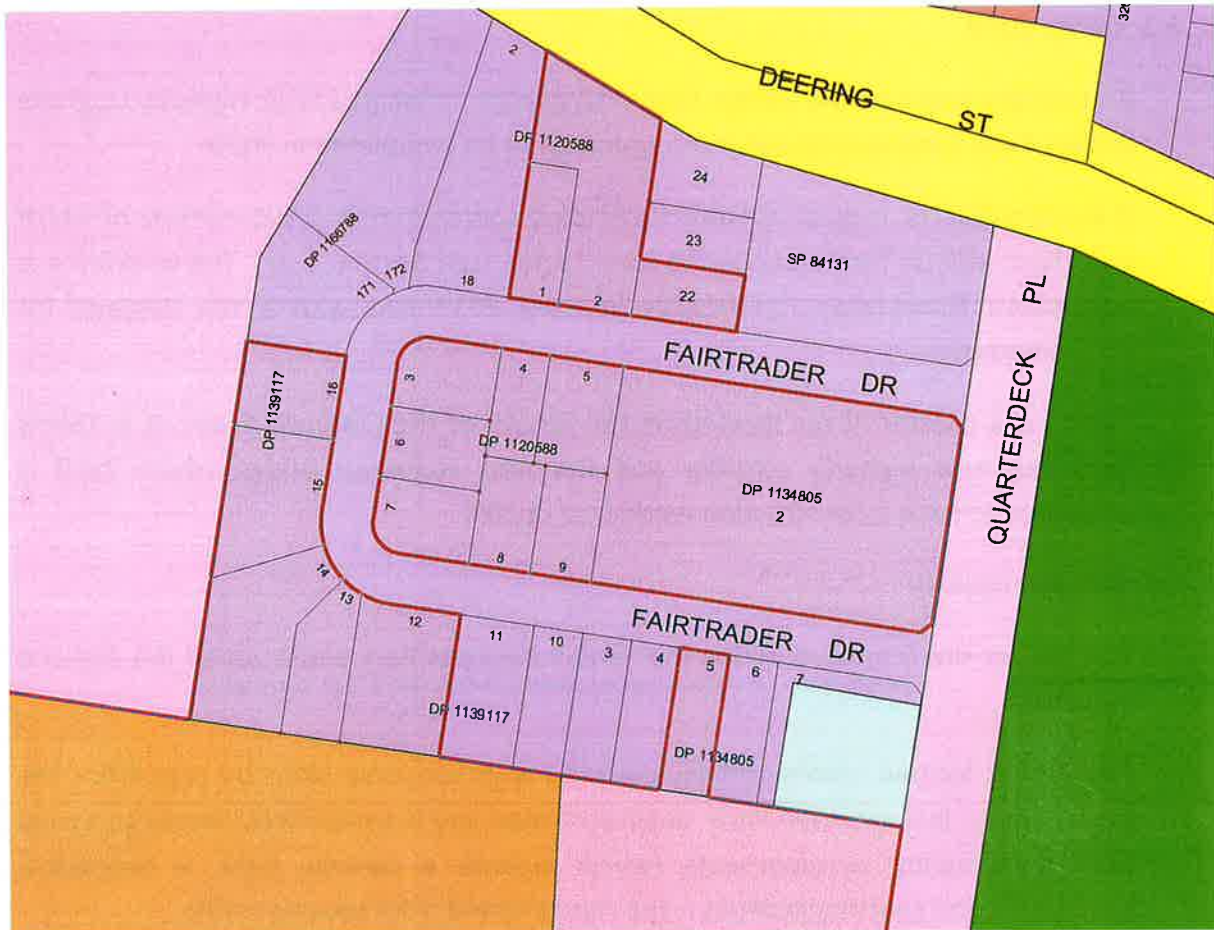


Figure 2 - Land owned by Kahuna No. 1 (outlined in red)

Industrial development within the Park since its initial construction in 2008 can be characterised as slow. Only a block of warehouse units and 2 storage shed developments totalling 1.44 ha site area have been constructed since that time (the balance existed prior to the Park's construction).

1.5 Development Concept and Operating Model

A Concept Plan (Appendix A) has been prepared for costing and engineering assessment purposes (see Appendix B) showing 16 x 8 bedroom residential buildings (128 beds) plus laundry and covered recreational area. This could increase slightly but this will be determined at Development Application stage.

The proponents are Kahuna No. 1 Pty Ltd (the owners) and McFadyen Group (a civil construction company which has worked on previous stages of the highway upgrade). McFadyen's anticipate they will employ approximately 50 workers on the current highway project, two-thirds of which will be from south-east Queensland and the balance locals. The majority of their external workforce will be based in the proposed workforce accommodation at Yamba.

McFadyen's external workforce are predominately 'Drive In, Drive Out', arriving at their accommodation on Sunday night and departing Friday afternoon. This is a common model and is the target market for the proposed accommodation.

The residential buildings will be leased to companies involved in the project and will not be available for walk-in or short term rentals. Each building is trucked to the site in component and prefabricated form and can be assembled in a week.¹ Buildings will not be delivered and assembled until they have been leased and are required. Based on their experience, McFadyen believe that all buildings will have leases in place before the major influx of workers begins and so civil works (services, carpark) can be undertaken as a bulk construction.

This model is extremely demand-sensitive. If there is no demand, there is no development. The advantage of this arrangement is that it does not create an oversupply of accommodation if demand is less than anticipated and so will not depress rental rates for other accommodation catering to the highway workforce in Yamba.

¹ Neil Garrard, Garrard Constructions Pty Ltd

Planning Proposal

Part 1: Objectives & Intended Outcomes

The objective of this Planning Proposal is to amend Clarence Valley Local Environmental Plan 2011 to enable Lots 3 to 9 DP 1139117 Fairtrader Drive Yamba to be developed for the purpose of workforce accommodation for up to 4 years from January 2017. It is envisaged that the 4 year time limit will be mandated through a 'sunset' condition attached to the development consent.

Part 2: Explanation of Provisions

The proposed outcome will be achieved by the following addition to Clarence Valley Council Local Environmental Plan 2011, Schedule 1: Additional Uses.

'Use of Certain Land at Fairtrader Drive Yamba:

1. This clause applies to land at Fairtrader Drive Yamba being Lots 3 to 9 DP 1139117
2. Development for the purpose of workforce accommodation for a maximum period of 4 years commencing January 2017 is permitted with development consent.'

Part 3: Justification

Section A: Need for the Planning Proposal

1. Is the Planning Proposal a result of a strategic study or report?

Yes. Clarence Valley Council at its meeting on 12 April 2016 considered a report on the need to allow for 'workforce accommodation' associated with a number of large infrastructure projects in the Valley including the Woolgoolga to Ballina Pacific Highway Upgrade Project.

The report was accompanied by a Planning Proposal recognising 'workforce accommodation' as part of the overarching 'residential accommodation' definition, and proposing to amend various provisions of CVLEP2011 land use tables to permit workforce accommodation in urban residential and tourist zones. The amendments also include adding Workforce Accommodation to CVLEP2011 'Part 7: Additional local provisions'.

Finally, the Proposal included a 'Workforce Accommodation Policy Statement'.

Council resolved, inter alia:

"That Council:

- 1. As the relevant planning authority, initiate the Local Environment Plan "Gateway" process pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 by endorsing the attached Planning Proposal to facilitate the provision of workforce accommodation (as a form of residential accommodation) associated with large infrastructure projects or other industries or enterprises in the Council area or wide region in residential zones (R1, R2 and R3) and the tourism zone (SP3) under Council's LEP.*
- 5. Endorse the attached Workforce Accommodation Policy Statement as a basis for a Development Control Plan amendment and to provide direction in the interim."*

Council's Planning Proposal (page 6) includes a concise explanation of the legal grounds for the need to amend the LEP to achieve the desired outcome:

Planning Context – Characterisation of use and permissibility

The Clarence Valley Local Environmental Plan 2011 (the CVLEP) is based on the over arching Standard Instrument Order. This Order mandates definitions and certain land use permissibility issues for all LEPs throughout the state. Unfortunately, the Order is silent on the matter of workforce accommodation (including temporary, itinerant workforces, mining camps etc) and hence how to categorise and determine proposals is uncertain. Some clarity has more recently been provided by the courts (Graincorp Operations Ltd v Liverpool Plains Shire Council [2013] NSWCA 171). In short, this decision confirms that workforce accommodation (temporary or otherwise) is a form of the over arching definition of 'residential accommodation' (albeit an innominate, or undefined component of that definition). This effectively means that for the CVLEP, such uses are prohibited in virtually all land use zones, excepting the SP3 Tourist Zone. Other potential definitions, such as 'tourist and visitor accommodation' and 'caravan parks' are not considered to comply with the Court of Appeal's decision as mentioned above.

Hence, it is considered that an amendment is required to the CVLEP to enable consent to such proposals to be considered and to ensure that any approvals are safe from legal challenge from a point of law viewpoint.

The opinion expressed by the author of Council's Proposal is fully supported and as 'residential accommodation' is prohibited in the General Industrial zone, therefore so is 'workforce accommodation'.

Furthermore, the CVC Proposal restricts the zones in which workforce accommodation will be permissible with consent to urban residential and tourist zones and specifically excludes industrial zones. This issue is addressed in the Proposal (page 7).

'Approaches have been made to Council staff about the use of industrial zones for this form of accommodation on a time limited basis aligned to the construction work. While the justification for this is that there is, in some locations, a reasonable supply of vacant, serviced industrial land available, and the use would be separated from impacts on other residential areas, such an approach would be difficult to justify on a broad basis with the zone objective 'to support and protect industrial land for industrial uses'. If the local economy is to be able to maximise potential benefits of the infrastructure through spin-off industrial development, care needs to be taken not to reduce the opportunity for those developments to occur. There is also a potential inconsistency with Section 117 Direction 1.1 (4) (d) which effectively requires that a planning proposal not, inter alia, reduce the total potential floor space for industrial uses in industrial zones.

For these reasons, it is not proposed to include industrial or commercial zones in the Planning Proposal. Any requests on these lands would have to be considered as a separate site specific rezoning application that addresses the significance of the Section 117 Direction in that context. Further clarification of this is included in a proposed Workforce Accommodation Policy Statement.'

The CVC Planning Proposal and accompanying Policy Statement exclude the blanket inclusion of industrial zones from the proposed amendment on sound planning grounds, but do make available the opportunity to prepare a separate rezoning application to permit this form of accommodation on specific industrial sites. This Planning Proposal takes up that opportunity.

The current Planning Proposal is assessed against:

- S117 Direction at (7)
- The Proposed Local Provision clause 7.11 at Appendix C
- The Workforce Accommodation Policy Statement at Appendix D

Demonstrated need to provide workforce accommodation in the locality

Pacific Complete, the delivery partner appointed by the Roads and Maritime Services for the Woolgoolga to Ballina Pacific Highway Upgrade Project have produced a 'Construction Workforce Accommodation Study' for the project.

The following is a summary of relevant information and conclusions from the Study:

- The project will generate approximately 2,500 direct jobs, with two-thirds (1667) likely to temporarily relocate from outside the area including 'Drive In Drive Out' workers.
- Two-thirds of the construction workforce on previously completed sections of the Pacific Highway upgrade preferred to rent self-contained accommodation and stayed in that accommodation for between 1 and 3 years. Coastal locations are popular destinations for the workforce accommodation.

- In locations where existing long-term rental stock is considered insufficient existing short-term self-contained accommodation (predominately catering for the tourist market) may need to convert to long-term rental. This has the potential for a 'low impact' to the available of self-contained accommodation currently used by visitors.
- Pacific Complete is not proposing to establish any camp accommodation; any private developments of this sort would increase the number of rooms available and provide a greater variety of choice both for tourist and construction personnel.
- Pacific Complete proposes to operate a number of office compound sites, including one within the new highway corridor near Maclean, 15 kms inland of Yamba. Also located there will be a separate office compound for the Harwood Bridge construction.

In conjunction with the office compound site, 3 'Park and Ride' compounds will be established, including 1 at Maclean serving the central section of the project, with compounds at Grafton and Ballina serving the southern and northern sections respectively. Workers will park and be taken by bus to their work sites.

- Yamba has:
 - 45 private rental properties, approximately 116 beds
 - 352 rental apartments, approximately 2,051 beds

The Study concludes that Yamba has sufficient accommodation available though there may be a need to utilise existing self-catering accommodation (tourist accommodation) for longer term rental.

It is clear from the Study that Yamba will be an attractive location for highway workers – it is located on the coast and river and is 15 kms from 2 office compounds and a Park and Ride compound.

The permanent rental market in Yamba has low vacancy rates and so limited capacity to provide workforce accommodation unless current occupants are forced out as a result of rental price increases.

Short-stay tourist accommodation tends to be intermittently occupied for the majority of the year and fully occupied at peak periods. Utilising this accommodation during vacant periods would require workers to vacate when required for tourist use. This is impractical.

Converting tourist accommodation to permanent rental for the duration of the project as suggested in the Pacific Complete report has the real potential to impact on the tourist market during and beyond the project to the disadvantage of the local economy.

Alternative Suitable Sites in Yamba

The CVC Planning Proposal identifies urban residential and tourism zones as suitable for workforce accommodation.

This could be in form of occupation of existing housing stock or the development of new stock (permanent or temporary).

There is some capacity for in-fill residential development in Yamba, but as there are very few vacant lots this would most likely be in the form of additions (e.g. granny flats) to existing residences. There is no indication of a trend towards this to date.

The majority of suitable land is held in large development sites (see Figure 3).



Figure 3 - Overview of Sites

- i. **Yamba Quays Estate**
 - Partially completed canal estate, has been developing over 25 years; 22 ha remaining
 - Zoned R2 Low Density Residential
 - Earthworks completed, requires roads and services

- ii. West Yamba Urban Development Area
 - Zoned R1 General Residential
 - Has capacity for 1,100+ lots in multiple ownership
 - No works have commenced
- iii. Park Avenue, Yamba
 - 6.9 ha, filled but requires roads and services
 - Zoned R3 Medium Density Residential
 - Capacity for approximately 100 medium density dwellings
- iv. River Street, Beachside Estate
 - 1.06 ha final stage of large residential/tourism estate
 - Zoned SP3 Tourism
 - Requires earthworks, roads and services

All of these sites would require substantial lead times to obtain necessary approvals and subsequent infrastructure construction for either permanent or temporary housing. This may be achievable by early 2017 in the case of temporary housing due to its short on-site construction timeframe, but is highly unlikely that permanent housing construction could do so. Also, constructing new homes/units would be a high-cost option and would rely on the sale of stock into the limited Yamba housing market once it was no longer required for workforce accommodation.

The proposal by CVC to permit workforce accommodation in urban residential zones will potentially have a more significant impact in Grafton with its supply of suitable sites, but is unlikely to provide a significant solution in Yamba.

2. *Is the Planning Proposal the best means of achieving the objectives or intended outcomes?*

Yes. The proposal cannot proceed under the current zoning. Rezoning to a zone which permitted the proposed development would be inappropriate and impractical. Listing as an Additional Use is the logical course of action.

3. *Is there a net community benefit?*

The local community will benefit from the economic flow-ons from having 128 or more workers located in close proximity to the centre of Yamba, in accommodation located so as to have no visual impact on the town. This accommodation will reduce pressure on the existing rental market and will be removed when no longer required.

Section B: Relationship to Strategic Planning Framework

4. *Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?*

Mid North Coast Regional Strategy

The Clarence Valley is subject to the provisions of the Mid North Coast Regional Strategy (2009).

The Strategy is silent on the specific issue of workforce accommodation, though that silence does not make the provision of that form of accommodation inconsistent with the Strategy.

Under 'Economic development and employment growth', the Strategy includes:

"Action-Employment Lands

1. *Local environment plans will ensure that sufficient lands which are zoned industrial and business and currently vacant are protected to accommodate the new jobs required for each local government area until 2031."*

This is a reflection of the requirements under S117 Direction 1.1 and CVLEP 2011 IN1 General Industrial zone objectives and the response is identical to that provided to each of those.

Draft North Coast Regional Plan (March 2016)

The Plan when finalised will be the State Government's blueprint for the North Coast for the next 20 years. It focusses on generating jobs, providing homes and protecting the region's natural environment.

The draft Plan has 5 broad goals, the relevant one being:

*'Goal 3 - Housing choice, with homes that meet the needs of changing communities.
Direction 3.1 Provide sufficient housing supply to meet the demand of the North Coast.
Direction 3.2 Deliver housing choice to suit changing needs.'*

The proposal will assist in achieving those Directions in respect of the provision of temporary workforce accommodation.

NSW State Plan

The proposal is consistent with the goal of driving economic growth in regional NSW through its connection with the Highway Upgrade project.

5. *Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?*

The relevant CVC local strategies are:

- Our Community Plan 2015-2024
- Clarence Valley Settlement Strategy
- Clarence Valley Economic Development Strategic Plan
- Clarence Valley Affordable Housing Strategy
- Clarence Valley Industrial Lands Strategy

'Our Community Plan 2015-2024' includes a range of objectives, strategies and actions to address the 5 themes around which the Plan is constructed – Society, Infrastructure, Economy, Environment and Leadership.

The Plan does not directly address the workforce accommodation, though under Society there is reference to encouraging the supply of affordable housing. The proposed form of accommodation is not presented as affordable housing, but the provision of temporary accommodation to meet the demand from the highway workforce will relieve pressure on the Yamba rental market which could result in price increases.

The 'CV Settlement Strategy' and 'CV Economic Development Strategic Plan' make no reference to workforce accommodation and so the Proposal is not inconsistent with either.

The Proposal will reduce the supply of industrial land in Yamba for the limited period of accommodation development which may be viewed as inconsistent with the 'CV Industrial Lands Strategy'. This issue is addressed in detail below.

'CV Affordable Housing Strategy' includes a number of strategies and actions aimed at increasing and promoting affordable housing in the valley.

6. *Is the Planning Proposal consistent with applicable State Environmental Planning Policies?*

The proposal is consistent with the relevant State Environmental Planning Policies, with the exception of SEPP 55 Remediation of Land which will require a Contamination Report to confirm compliance or necessary remediation actions prior to public exhibition of the proposal – see Appendix E.

7. Is the Planning Proposal consistent with applicable Ministerial Directions (S117 Directions)?

Yes, with the exception of Direction 1.1 in which the inconsistency is considered justifiable.

Direction 1.1 (d) requires that a planning proposal not, inter alia, reduce the total floor space for industrial uses in industrial zones.

The current Planning Proposal will reduce the land area available for industrial uses in the Yamba Business Park by 1.15 ha for the life of the workers accommodation development.

The current development and ownership pattern in the Business Park is:

Total Area	8.92 ha	Kahuna No. 1 Holdings	5.2 ha
Currently Developed	2.95 ha	Currently Developed	0.94 ha
Currently Vacant	5.97 ha	Currently Vacant	4.26 ha
Vacant if proposal proceeds	4.82 ha	Vacant if proposal proceeds	3.11 ha

It is considered that the inconsistency with Direction 1.1 is justified on the following grounds:

- i. 4.82 ha of vacant industrial land will continue to be available, representing 54% of the Business Park industrial area.
- ii. 3.11 ha of that vacant land is held by Kahuna No. 1 representing 64.5% of the supply. Kahuna No. 1 is strategically placed to ensure that industrial land is available for further purchase or long-term lease for any business seeking to establish in the Park during the life of the workforce accommodation development.
- iii. The occupation of 1.15 ha of Business Park for workforce accommodation is proposed to be limited to 4 years, after which the accommodation would be immediately removed and the site will be returned to the pool of vacant industrial land.
- iv. Relying on past uptake rates to predict future rates in circumstances such as those that Yamba may experience over the next 4 years, i.e. increased industrial development as a result of the highway project, is unreliable. Nevertheless, only 1.44 ha of the Business Park has been built upon since its development, while 4.82 ha will continue to be available for sale or leasing during the Highway project duration increasing to 5.97 ha after the workforce accommodation is removed.

The 4.82 ha remaining available during the project represents 24 years supply at the historical rate of development (0.2 ha per annum). Accordingly, sufficient vacant land will be available over the 4 year life of this development even if the take-up rate were to increase 6 fold.

Section C – Environmental, Social & Economic Impacts

8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats, will be adversely affected as a result of the proposal?*

No. The initial Development Application for the Yamba Business Park was accompanied by a detailed flora and fauna report (James Warren & Associates 2006). After taking into consideration the finds of that report, development consent was issued and the site cleared and filled. The subject site is currently a maintained flat grassed area.

9. *Are there any other likely environmental effects as a result of the Planning Proposal?*

Traffic

A traffic assessment is included in Engineering Assessment at Appendix B

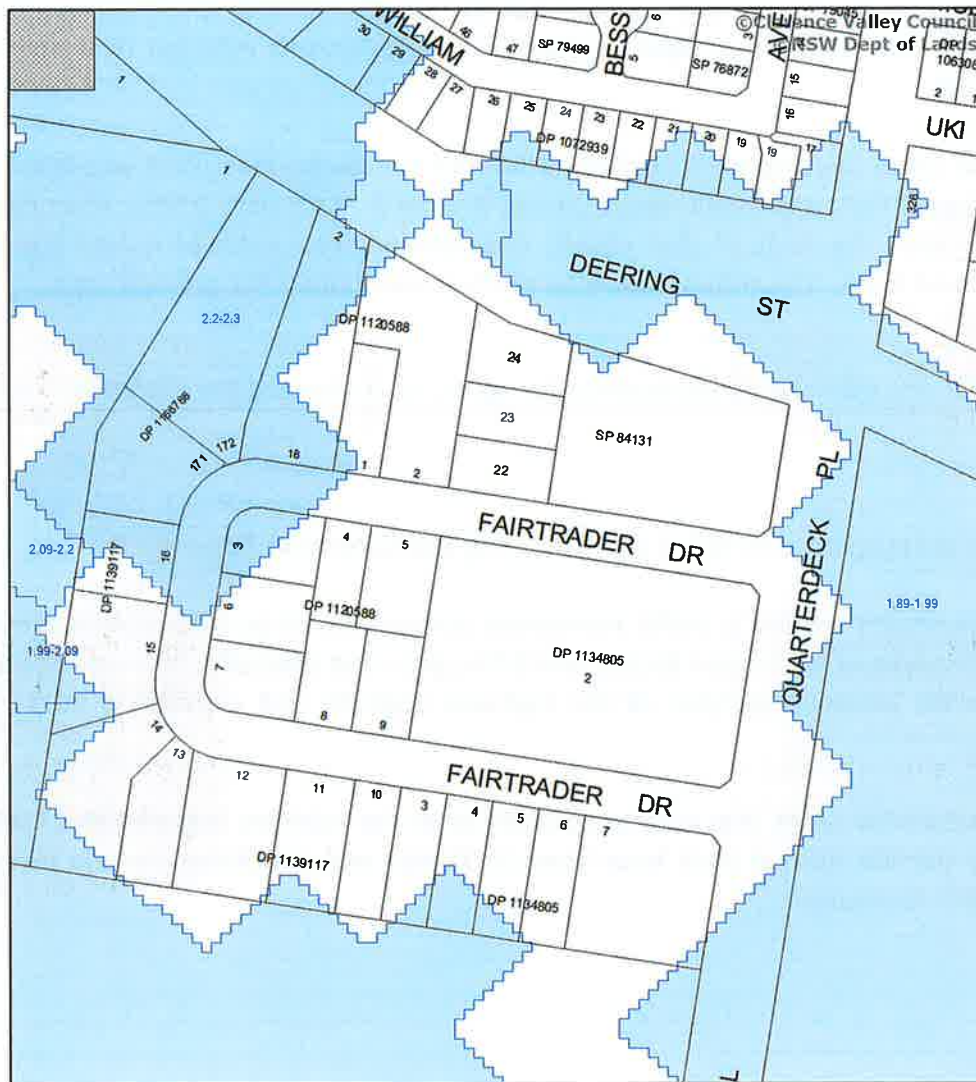
The assessment models a traffic movement pattern based on information provided by Ron McFadyen of McFadyen Group which has provided specialist drainage construction services on previous sections of the highway upgrade and expects to do so on this section.

The assessment notes that estimated peak times for vehicles entering and leaving the site are outside normal peak hour flows in Yamba and concludes that no intersection treatment is required.

Flooding

The following figure indicates that a small section of the north west corner of the site is affected by the 1 in 100 flood level.

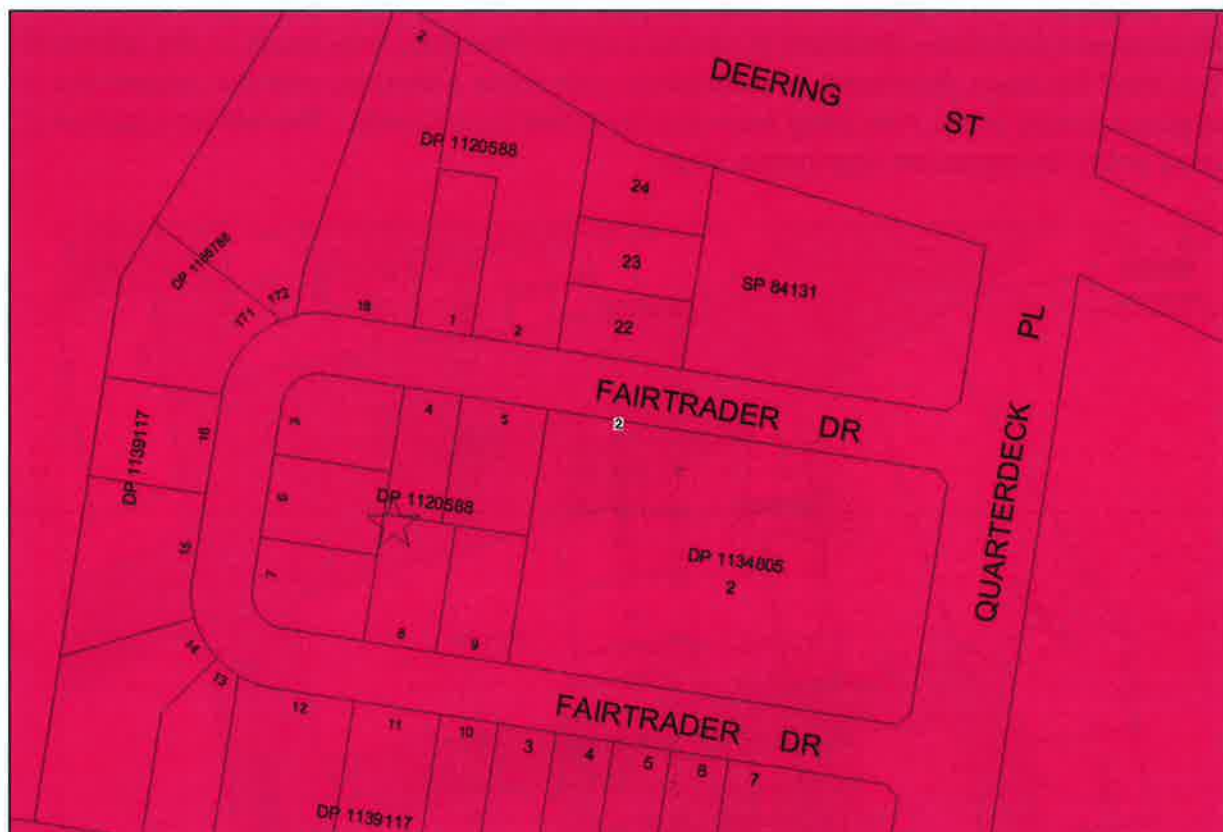
The site was filled in accordance with development consent issued by Council and all buildings will adopt the minimum floor level required by Council with flood-proof construction.



Acid Sulphate Soils

The Acid Sulphate Soils Map classifies the site as Class 2, though this would reflect its pre-development status.

The site has previously been filled in accordance with development consent issued by Council and using clean fill not containing acid sulphate soils.



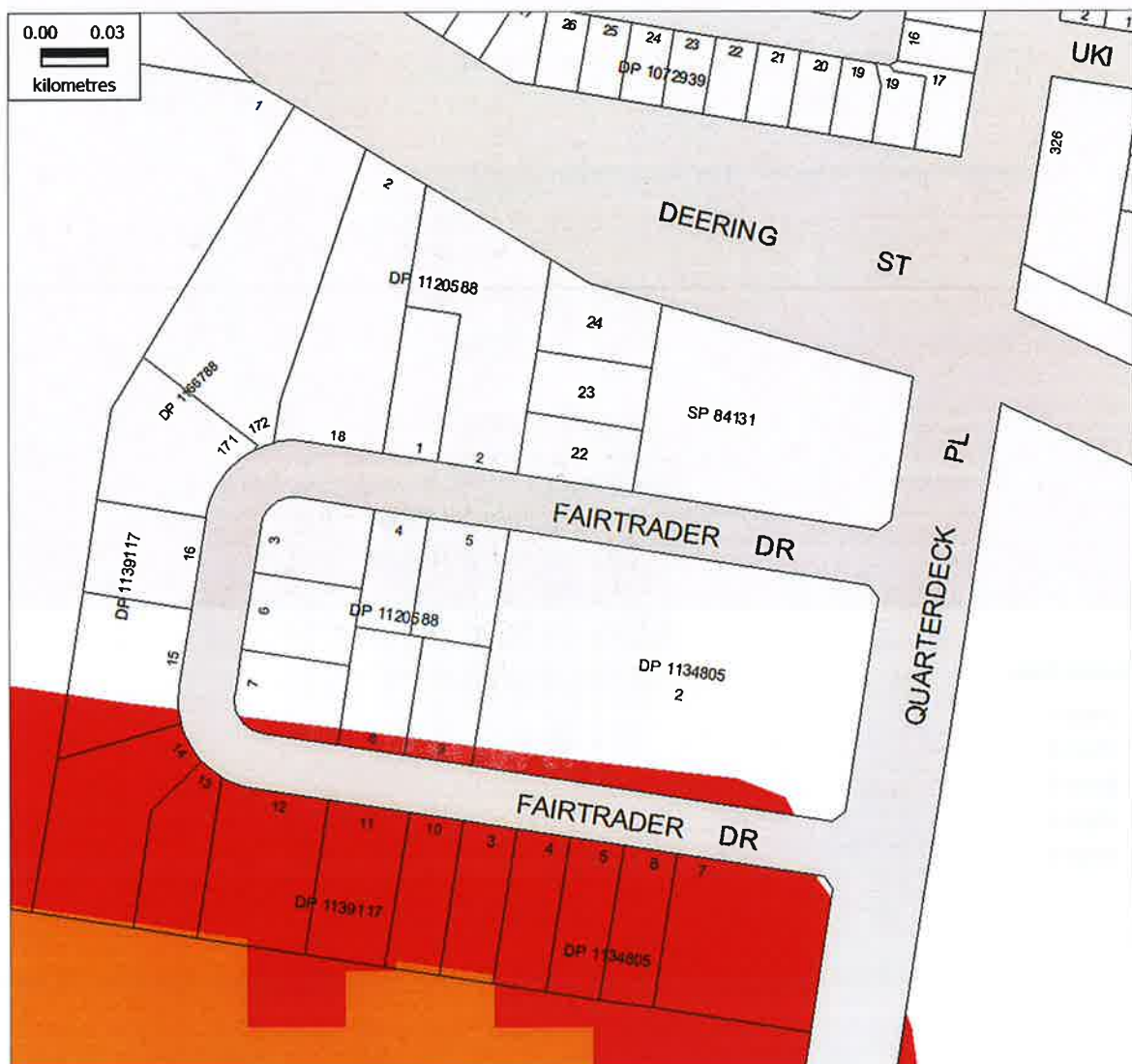
Acid Sulfate Soils

- 1 Class 1
- 2 Class 2
- 3 Class 3
- 4 Class 4
- 5 Class 5

Bushfire Hazard

The RFS Bushfire Prone Land Map indicates that the buffer from the adjoining bushfire hazard area encroaches by a matter of metres along the site's southern boundary and as a result the proposal will need to be referred to the RFS prior to public exhibition. The land within the buffer is either cleared or contains industrial buildings.

The proposed development on the subject site will comply with the appropriate development provisions identified in Clause 6 of the Direction, in as much as the Industrial Park itself has been developed in accordance with those provisions and the subject site is located centrally in the Park away from the identified hazard areas. This will be assessed in detail at the Development Application stage.



BUSH FIRE PRONE LAND LEGEND

- Vegetation Buffer - 100m & 30m
- Vegetation Category 1
- Vegetation Category 2

Heritage and Archaeology

This issue was addressed in the original Development Applications for the Yamba Business Park. The site was cleared and filled in accordance with Council's conditions of consent including any relating to heritage and archaeology.

10. *How has the Planning Proposal adequately addressed any social or economic effects?*

Social Impacts

The subject site, although only 3 kms from the centre of Yamba, is located in a largely undeveloped industrial estate that is visually screened from all surrounding land uses and traffic. It is effectively invisible to residents of and visitors to Yamba. This claim cannot be made about any other potential site in the town.

The density of the 16 x 8 bedroom building shown on the Concept Plan is 1 building per 720 m², 1 bedroom per 90 m². These densities are considerably less than permissible in manufactured home estates or caravan parks and reflect the objective of creating a comfortable and functional accommodation option without attempting to maximise potential through overcrowding.

The buildings will be leased to companies involved in the highway project and so each will be managed by the leasing company or their agent.

The accommodation targets companies utilising 'Drive In Drive Out' workers and as a result will be largely unoccupied on weekends though will still be available for those who work weekends or who wish to spend their leisure time in Yamba. This is a matter for individual workers and their employer. It is not suitable for those who intend to relocate their families to Yamba.

It is considered that all of these features will create a workforce accommodation precinct which will have no deleterious social impacts on Yamba.

Economic Impacts

The economic benefits of locating 128 or more workers in self-contained accommodation 3 kms from the centre of Yamba are self-evident and their integration into the community will benefit many local businesses.

The operating model is designed so as to not provide motel or short-stay type accommodation that is suited to families. The structures consist of 8 bedrooms, each with an ensuite, plus a common kitchen/lounge area. This arrangement is likely to result in occupants seeking meals and entertainments off-site regularly and if they have family visiting they will need to seek alternative accommodation. As a result it will not compete with established businesses within the town, with the possible exception of the

Stella Motel in Clarence Street if the 'Drive In Drive Out' workers are part of their target market. This facility is already attracting highway workers and is likely to be fully operational before the proposed development is completed.

The impact of the influx of workers into the Valley generally and Yamba specifically can only be speculated upon at this stage, though the anecdotal evidence of rising rents, shortage of permanent rentals and some conversion of tourist accommodation to permanent rentals resulting from the current small influx gives some indication.

Yamba will benefit economically if:

- The accommodation is available when required (i.e. from early 2017)
- Workers are based in proximity to services and facilities
- Demand for housing doesn't lead to unacceptable rent price increases due to a shortage of supply
- Constructing dwellings/units for workers does not create housing-over supply at the completion of the project.

The 'workforce accommodation' amendments that CVC is pursuing will permit accommodation which will achieve these benefits, though whether it will be successful in Yamba as distinct from other locations is debatable.

The temporary workforce accommodation proposed for the Yamba Business Park will meet all the criteria for ensuring that Yamba benefits economically from the Highway project.

Section D: State and Commonwealth Interests

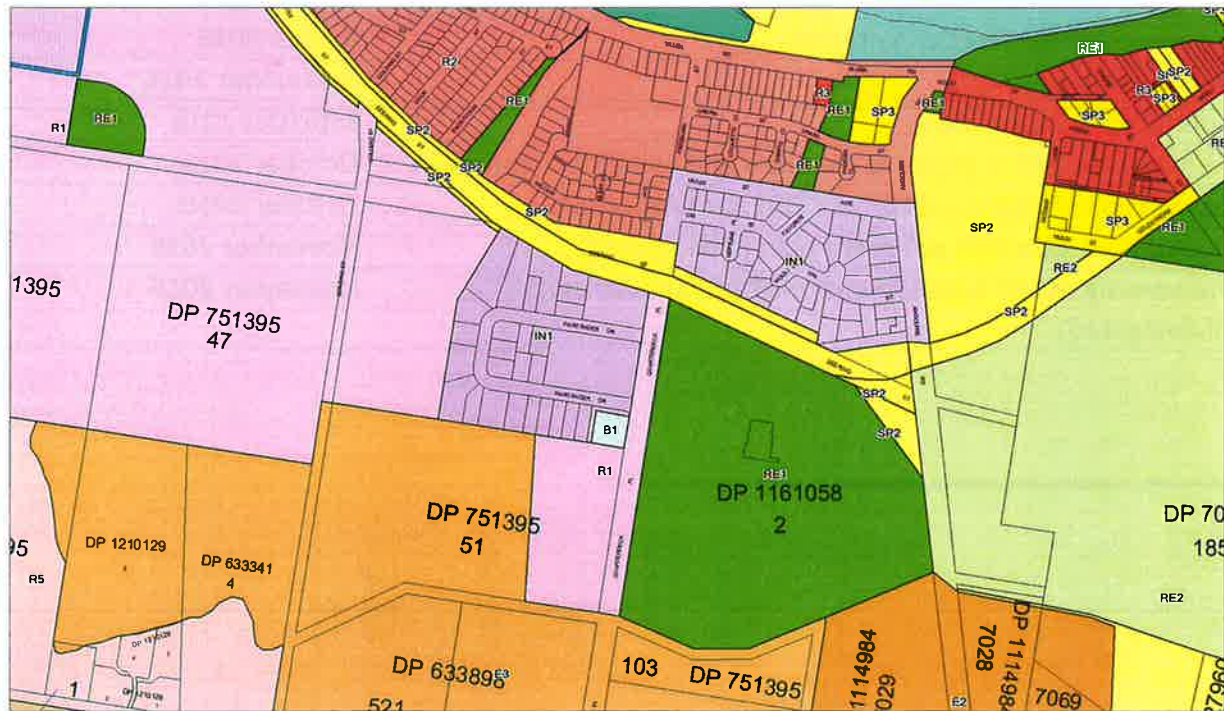
11. Is there adequate public infrastructure for the planning proposal?

All utility services are available on the subject site and their capacity and the need for upgrades is addressed in the Engineering Assessment (Appendix B), and all costs will be borne by the proponents.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

This section will be completed following consultation with the relevant authorities should the Planning Proposal proceed and those authorities are identified.

The proposed amendment to CVLEP2011 does not require changes to the zoning map. Figure 5 indicates the existing zoning of the site.



Part 5: Community Consultation

In this instance the proposal is considered to be low impact due to its location being unlikely to affect local residential amenity and the lack of site constraints. Hence, a 14 day exhibition period is proposed.

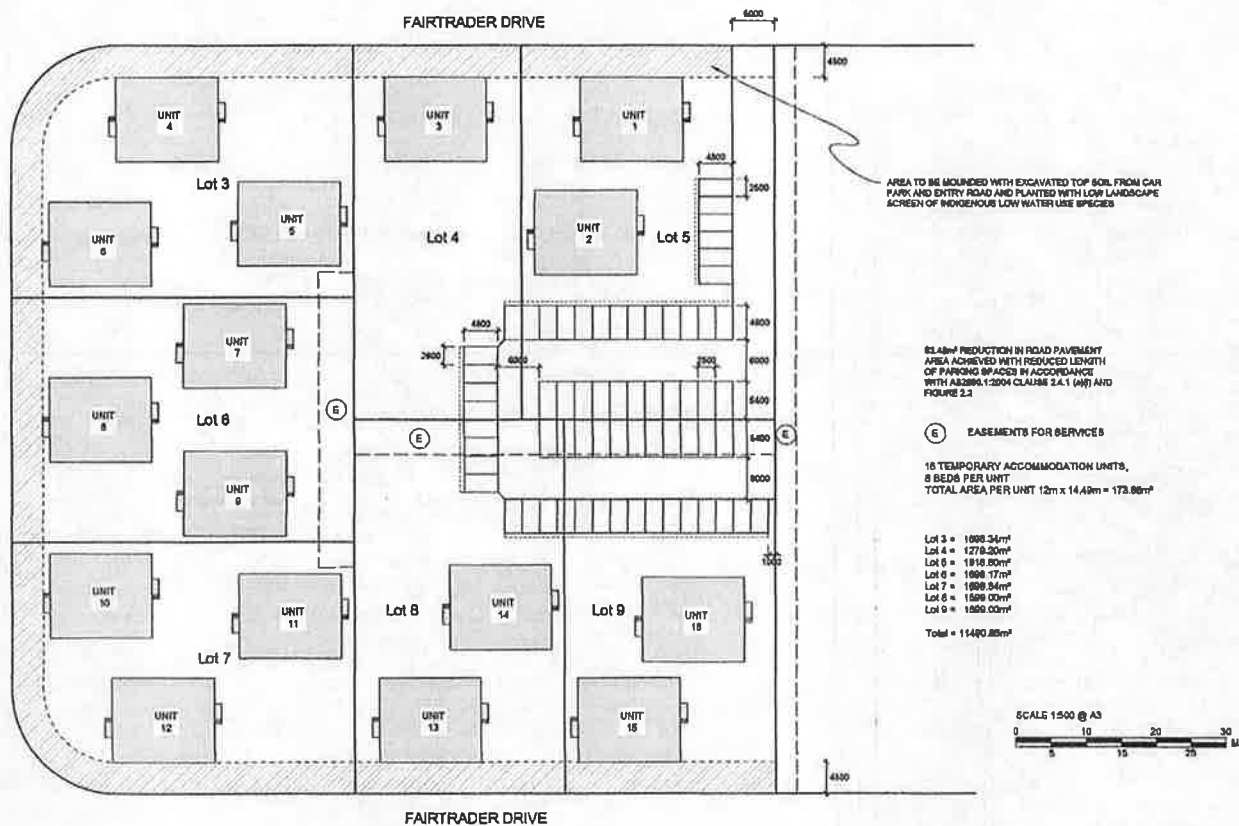
It is anticipated that Agency consultation required prior to consultation will be restricted to the RFS under S117 Direction 4.4 (4).

Part 6: Project Timeline

Plan Making Step	Estimated Completion
Council Resolution	July 2016
Gateway Determination (Anticipated)	August 2016
Government Agency Consultation	August 2016
Public Exhibition	September 2016
Submissions Assessment	Sept/Oct 2016
RPA Assessment of Planning Proposal and Exhibition Outcomes	October 2016
Submission of Endorsed LEP to DP&E for finalisation	October 2016
Anticipated date RPA will make plan (if delegated)	November 2016
Forwarding of LEP Amendment to DP&E for notification (if delegated)	November 2016

Appendix A

Concept Plan



				SCALE		AS SHOWN		Stephen P McElroy and Associates Pty Ltd		Drawn		Date		Job Title		Job Number	
				SURVEY				23 Princes Highway NSW 2474		J. Davidson		23/02/18		Proposed Layout		15/42	
				SATURN		AHQ		Consulting Civil and Structural Engineers		J. Davidson		23/02/18		Temporary Workers Accommodation		Drawing No.	
				Date		App		PH (02) 9532 1181 MOB 0412 136 680 EMAIL: steph@spmc.com.au		Checked		Date		Class		01-01	
				Description						B. McElroy		23/02/18		Plan McElroy		Revision	
																0	

Appendix B

Engineering Assessment Report

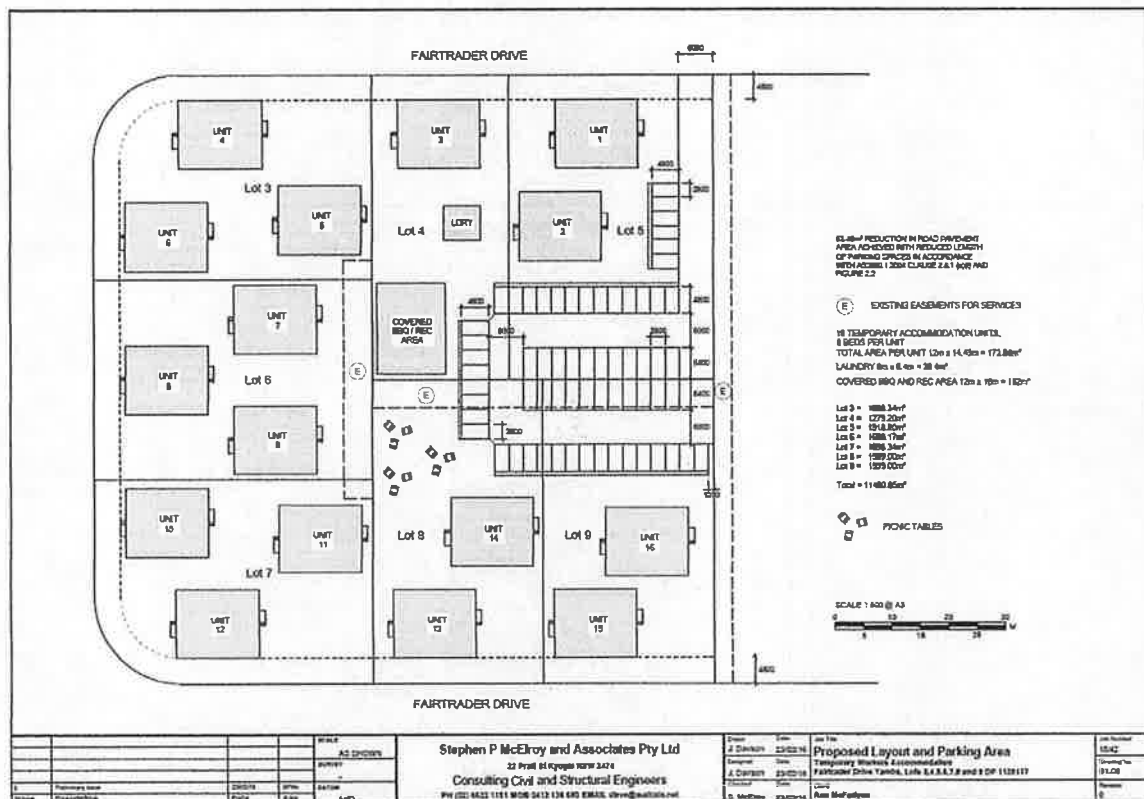
STEPHEN P McELROY and ASSOCIATES Pty Ltd.

Civil and Structural Engineering Design, Project Development and Management,
Feasibility Studies, Professional Management Support Services, Construction Services,
Architectural and Building Design Services, Drafting Services, Planning Services.

Engineering Assessment

Temporary Workers Accommodation

Fairtrader Drive, Yamba



Client: Ron McFadyen

22 February 2016

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1.0 Introduction

Stephen P McElroy & Associates Pty Ltd has been engaged by Mr Ron McFadyen to provide a professional engineer's report on the ability to adequately service from the existing subdivision infrastructure, a proposed temporary workers accommodation site consisting of 16 x 8 bed units on a site of 1.149 Ha.

The site is currently zoned for industrial use and was intended for the ultimate development of a series of model buildings which combined light industrial and a ground floor level and office and commercial use on the upper level.

The infrastructure and roads within the registered subdivision have been constructed in accordance with plans prepared by Mike Samms which were designed for the ultimate industrial/commercial use of the site.

This report shows that the proposed development of a 1.149Ha portion of the site for the provision of 16 x 8 bed temporary workers accommodation units is an under development of the site and can be easily serviced by the existing subdivision infrastructure with no necessity for augmentation or upgrading. **Attachment 1** to this report illustrates the proposed design of one of the identical units and **Attachment 2a** shows the arrangement of the 16 units on the site.

2.0 Background Information

The site is currently zoned for light industrial use and was proposed to become the Yamba Business Park. A model development has been constructed on one of the subdivision lots with its design ultimately to be repeated over the lots subject to this report.

In order to assess the adequacy or otherwise of the existing infrastructure to service the proposed temporary workers accommodation site, an analysis was undertaken on the loadings for specific services that would be generated for the site if 100% occupied.

The services assessed are as follows:

- Traffic generated
- Parking requirements
- Sewerage services
- Water supply
- Stormwater disposal
- Electrical reticulation and loadings

A set of drawings have also been provided in **Attachment 2** to this report which provide initial conceptual designs for the accommodation of the necessary reticulated services deemed necessary to service the site.

The methodology used in this report has been to adopt well documented generation rates for services infrastructure requirements for the use of the 1.149Ha site as a light industrial/commercial site and compare the rates determined with a similar analysis of the site used to situate 16 x 8 room temporary workers accommodation units.

If the calculated loadings for the light industrial/commercial site are found to be more than those calculated for the use of the site for temporary workers accommodation, then the existing reticulated infrastructure is adequate and does not need augmentation or upgrading.

3.0 Traffic generation and parking

Traffic generation rates and parking requirements vary widely depending upon the type of land use and scope and scale of the development on the land. In this report parking has been assessed by reference to the Clarence Valley Council's Business Zones DCP 2011, and traffic generation from data included in the RMS document 'Guide to Traffic Generating Developments Issue 2.2 October 2002'.

3.1 Provision of Parking

The calculation for parking requirements is based on the rates provided in Table E1 of Part E of Clarence Valley Council's Business Zones DCP 2011. The parking requirements have been assessed by considering the requirements for motel accommodation. This is set at:

One (1) space per unit plus one (1) space per two (2) employees.

In this calculation it is assumed that there will be no domestic staff as residents will do their own washing and cleaning, not necessarily on site. Further, each dormitory will approximate four (4) motel units as each will have eight (8) residential rooms each with an en-suite with one shared recreation area and kitchen for all eight (8) residents.

Thus the required parking is $128/2 = 64$ spaces. The design proposed is easily accommodated on site and has allowed for larger 4wd vehicle spaces and manoeuvring areas. **Attachment 2a** of this report shows a dimensioned car park plan on the site.

It is considered that this is a conservative calculation and it is expected that there will be a degree of commuter sharing of vehicles. It is anticipated that a significant proportion of vehicles will remain parked in the site car park for most of the day.

The car park and access driveway will be constructed from a 150mm compacted depth of crushed rock with a CBR not less than 40 and a PI of no more than 10, and will be sealed with a 10mm Class 170 primerseal. At the end of the proposed use for temporary accommodation, the seal will be stripped off and the gravel removed and the site reinstated with stockpiled topsoil from the site.

3.2 Traffic Generation

Section 3.10 of the RMS document 'Guide to Traffic Generating Developments Issue 2.2 October 2002' provides guidance on estimating traffic generated from business parks.

3.2.1 Business Park Traffic Volumes

Generally the traffic generation rates are related to gross leasable floor area (GLFA) and in this case a conservative estimate would be GLFA is 80% of the land area so:

$$\text{GLFA} = 0.8 \times 1.149\text{Ha} = 9,192\text{m}^2$$

From RMS surveys an industrial business park has an employee density of 1 employee per 50m² so for 9,192m² it is estimated that the site could support 184 employees.

Table 3.4 of the Section 3.10 provides a rate of 2,300 vehicle trips per day per 1000 employees so:

$$\text{Total daily traffic volume} = 2,300 \times 184/1,000 = 432\text{vpd}$$

From Section 3.10.4 of the RMS document peak hour vehicle trips are estimated at:

$$1.1 \text{ vehicle per hour two way per } 100\text{m}^2 \text{ of GLFA} = 1.1 \times 9,192/100 = 84\text{vph}$$

The peak times for a business park are from 8:00am to 9:00am and 5:00pm to 6:00pm.

3.2.2 Temporary Accommodation Traffic Volumes

The traffic generation rates for temporary workers accommodation are comparable to those for motel units and are related to a single unit with two beds and 100% occupancy.

Section 3.4.1 of the RMS document provides the following traffic generation rates for motel accommodation:

- Daily vehicle trips = 3 trips per unit
- Evening Peak hour trips = 0.4 trips per unit

So for the proposed development there will be the equivalent to $128/2 = 64$ units which will theoretically generate:

- $3 \times 64 = 192\text{vpd}$ (trips per day) and
- $0.4 \times 64 = 26\text{vph}$ (vehicles per hour) during peak times

The estimate for daily trips is considered very conservative as the site will be un-occupied for most of the day but the peak hour traffic volumes seem a reasonable approximation.

The reasons for this opinion are that traffic generation will only be between specific times due to the nature of the work undertaken in major road work jobs. The peak periods will be:

- Sunday afternoons when workers are returning to the site from distant locations ie in family situations;
- At 5:30am to 6:00am each weekday morning leaving the site for work;
- At 6:00pm to 6:30pm each weekday evening returning to the site from work;
- Friday afternoons from 6:30 pm when workers return m home to their families for the weekend.

All of these estimated peak time for vehicle entering and leaving the site are outside the normal peak hour flows for traffic in the Yamba area and certainly within the currently undeveloped industrial subdivision.

3.3 Comparison of Traffic Generation Rates

The comparison of traffic generation volumes shown in Table 3.3 indicate that the traffic generation for both daily trips and peak hour traffic volumes are considerably less for the proposed temporary accommodation use of the 1.149Ha site.

Development Type	Light industrial and commercial mix	Temporary accommodation
Daily traffic volume	432vpd	84vph
Peak hour traffic volume	192vpd	26vph

Table 3.3 – Comparison of traffic volumes

It is considered that no intersection treatment or any form of road infrastructure augmentation is required to adequately and safely service the proposed temporary workers accommodation site.

4.0 Water and Sewer ETs

4.1 Industrial Park ETs

The NSW Water Directorate (NSWWD) provides guidance for calculating ETs for a range of industrial developments where the final industry type is not known.

The type of land use best described would be light industrial with office accommodation which is based on the prototype building already constructed on one of the subdivision lots.

9 STANDARD ET FIGURES – INDUSTRIAL USER CATEGORIES (GENERAL)

Table 3: Standard ET Figures - Industrial User Categories*

CATEGORY	STANDARD UNIT	SUGGESTED VALUES	
		WATER ET	SEWER ET**
Industrial General			
Light Industrial	Gross Ha	15	15
Future Unknown - Light	Gross Ha	15	15
Future Unknown - Med	Gross Ha	30	30
Future Unknown - Heavy	Gross Ha	50	50
* For industrial categories that have process water, it is suggested that a non-typical development ET is determined based on the methodology in Section 6.3 of the guidelines.			
** Additional ET figures for sewer have been included on Table 4, for a large range of detailed subcategories. These figures are provided for background information and should only be used as a general guide or where actual consumption data cannot be obtained.			

Notes

1 Standard ET = Town Water Usage of 230 kL/a & Sewage Loading of 140 kL/a
Assumed Residential Standard Discharge Factor: 60%
Gross Ha = Total land area of zone

In this case the ET loading would approach medium industry ET loading so the design ET for the subject lot would be:

Gross land area x 30ET = 1.149Ha x 30 = 34.5ET for both water and sewer

4.2 Temporary Accommodation ETs

The NSW Water Directorate (NSWWD) provides a method for calculating ETs for temporary accommodation which includes hotels, motels, bed and breakfast accommodation and back packers accommodation.

The type of accommodation best described would be back packers dormitory for the following reasons:

- There will be nobody present in the units between 6:00am and 6:00pm;
- It is most likely that tenants will go out into Yamba for food and entertainment on most evenings;
- The units will be empty from Friday morning until Sunday evening each week; and
- The arrangement of rooms is in dormitory style with a common eating and lounge area.

Table 2 of the NSWWD publication 'Section 94 Determinations of Equivalent Tenement Guidelines 2009' provides guidance on the calculation of ETs for temporary accommodation as follows:

Table 2: Standard ET Figures - Commercial User Categories

CATEGORY	STANDARD UNIT	SUGGESTED VALUES		COMMENTS
		WATER ET	SEWER ET	
Accommodation (Short Term)				Peak week loading - use peak occupancy
Caravan Park				
Camping Site (temporary)	Site	0.50	0.63	Site approx. equivalent to average caravan site
Caravan / Cabin Site (temporary)	Site	0.50	0.63	Also use for on-site caravans / cabins
Bed & Breakfast / Guest House	Room	0.40	0.50	House based with communal kitchen / laundry
Motel / Hotel / Resort Room	Room	0.30	0.45	Consider food prep, entertainment & sporting separately
Backpackers / Hostel	Bed	0.15	0.23	Communal kitchen, small laundry, not serviced
Serviced / Unserviced Apartments	-	Use multi-res lots (high density)		Self contained (if not use motel)

So for the subject development with 16 units of 8 beds we have:

Water ETs = $16 \times 8 \times 0.15 = 19.2\text{ET}$

Sewer ETs = $16 \times 8 \times 0.23 = 29.4\text{ET}$

4.3 ET Comparison

Table 4.3 shows a comparison of the ETs required to develop the subject site of 1.149Ha for light industrial/commercial use when compared to the use of the site for temporary accommodation.

Development Type	Light industrial and commercial mix	Temporary accommodation	Excess ETs for
Water usage ETs	34.5	19.2	15.3
Sewer usage ETs	34.5	29.4	5.1

Table 4.3 Comparison of development generated ETs for water and sewerage

The table clearly shows that the proposed development for Temporary accommodation generates significantly less ETs for both water consumption and sewerage treatment than the intended final use of the land. As the water supply and sewerage reticulation system was designed for the intended use of the land as light industrial/commercial units, there is no additional loading on the water and sewer infrastructure for the use of the land as temporary accommodation units.

No upgrading or augmentation of water supply and sewerage infrastructure is required to enable the use of the subject 1.149Ha of land for the development of 16 temporary accommodation units with a total of 128 beds.

5.0 Stormwater Management

For the purposes of the comparison of stormwater flows on the site it is assumed that no on-site detention has been included on the approved industrial estate subdivision and that no on site detention will be used on the proposed temporary workers accommodation development. Thus if the flows for the industrial use of the site are in excess of the flows for the use of the site for temporary workers accommodation units, the existing stormwater reticulation system will not be surcharged and no augmentation works will be required.

5.1 Light Industrial Site

The industrial buildings and individual lot layouts for the Yamba Business Park proposal showed in excess of 80% site coverage in impervious roofs and pavement. The theoretical discharge to stormwater infrastructure from the subject 1.149Ha site can be calculated for its use as a light industrial/commercial site by using the statistical rational method for stormwater runoff where:

$$Q = cAI/360$$

where 'c' for impervious surface = 0.90

where 'c' for landscaped surface = 0.40

t_c = Time of concentration = 5 minutes

I_5 = Rainfall Intensity 1:5 years = 170mm/hr

$$\text{So } Q_5 = \text{site runoff} = (0.8 \times 0.9 \times 1.149 \times 170 + 0.2 \times 0.4 \times 1.149 \times 170)/360 = 0.55\text{m}^3/\text{s}$$

The existing stormwater system would have been designed to allow for a discharge of this volume of stormwater emanating from the subject site in the subdivision design.

5.2 Temporary Accommodation Site

The proposed temporary accommodation buildings site shows a much reduced impervious area which includes:

$$\text{Roof catchment} = 16 \times 14 \times 12 = 2688\text{m}^2$$

$$\text{Car park and entry road} = 1660\text{m}^2$$

$$\text{Footpaths} = 400\text{m}^2$$

$$\text{So total impervious area} = 4748\text{m}^2 = 0.475\text{Ha}$$

$$\text{And total pervious area} = 1.149 - 0.475 = 0.674\text{Ha}$$

The theoretical discharge to stormwater infrastructure from the subject 1.149Ha site can similarly be calculated for its use as a temporary accommodation site by using the statistical rational method for stormwater runoff where:

$$\text{So } Q_5 = \text{site runoff} = (0.9 \times 0.475 \times 170 + 0.4 \times 0.674 \times 170)/360 = 0.32\text{m}^3/\text{s}$$

5.3 Comparison of Stormwater Flows

Due to the reduced impervious area on the development site when the future use of the site as light industrial/commercial units is compared with the lower density and reduced impervious area of the proposed temporary workers accommodation units. The estimated stormwater flow into the existing infrastructure is $0.32\text{m}^3/\text{s}$, which is a reduction in the design flow for the system of $0.22\text{m}^3/\text{s}$. This represents a reduction in stormwater flow into the system of 42% which required no augmentation or upgrading of the system as it currently exists.

Drawing 15/42-4/05 Rev 0 is presented in **Attachment 2d** to this report and provides a proposed stormwater reticulation design which connects directly into the existing stormwater system.

6.0 Electrical Reticulation

The electrical reticulation scheme for the approved industrial/commercial subdivision has been reviewed for the use of the site as temporary workers accommodation units.

Each block of units has been contained within the seven allotments which will allow individual metering of each block of 1, 2 or 3 units as is the requirement from the electrical supply vendor.

As the initial assessment is that the accommodation units are too small for individual switchboards a load-centre has been allocated to each eight (8) room building, from which the expected allocation would be:

- One (1) Light Circuit/Unit, although it is possible for one (1) circuit to look after the eight (8) rooms
- One (1) Power Circuit /Unit – probably desirable
- One (1) Air-Conditioning Circuit/Unit – probably desirable

Each lot requires a main switchboard and metering point and the locations of the switchboards are nominal but should be generally in the same location (or mirror-reverse) on each building

Attachment 2e provides a plan which gives the initial run-through of reticulation from the existing street pillars to the accommodation units inside each of the seven (7) lots

car park lighting has not provided at this time, because it crosses four (4) lot boundaries, depending on where the light poles are located and may require up to (4) circuits to serve.

The calculated loadings for electrical power are all below the rated capacity of the subdivision reticulation system and all electrical connection can be made to the existing pillars so no augmentation or alteration to subdivision electrical infrastructure is required.

7.0 Conclusions

From the investigation of the servicing requirements for the ultimate design of the subdivision to service the Yamba Business Park and the comparable servicing of the 1.149Ha lot with 16 x 8 room temporary accommodation units thereon, it is concluded that the loadings for all service infrastructure are substantially less when the site is developed for temporary accommodation units.

Further, it is concluded that no upgrading or augmentation of any services is necessary to adequately and safely service the proposed temporary accommodation unit development.

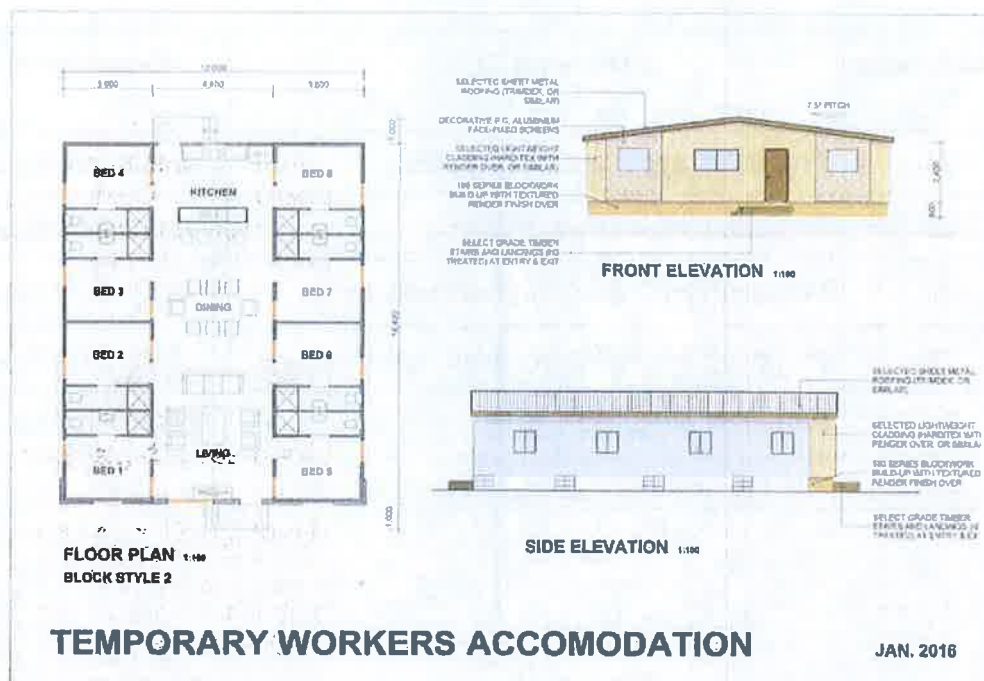
Report prepared by:



Steve McElroy BE(Civil), Grad Dip ME, CE, FIPWEA
Principal Engineer.

22 February 2016

Attachment 1.0 – Layout of proposed accommodation units

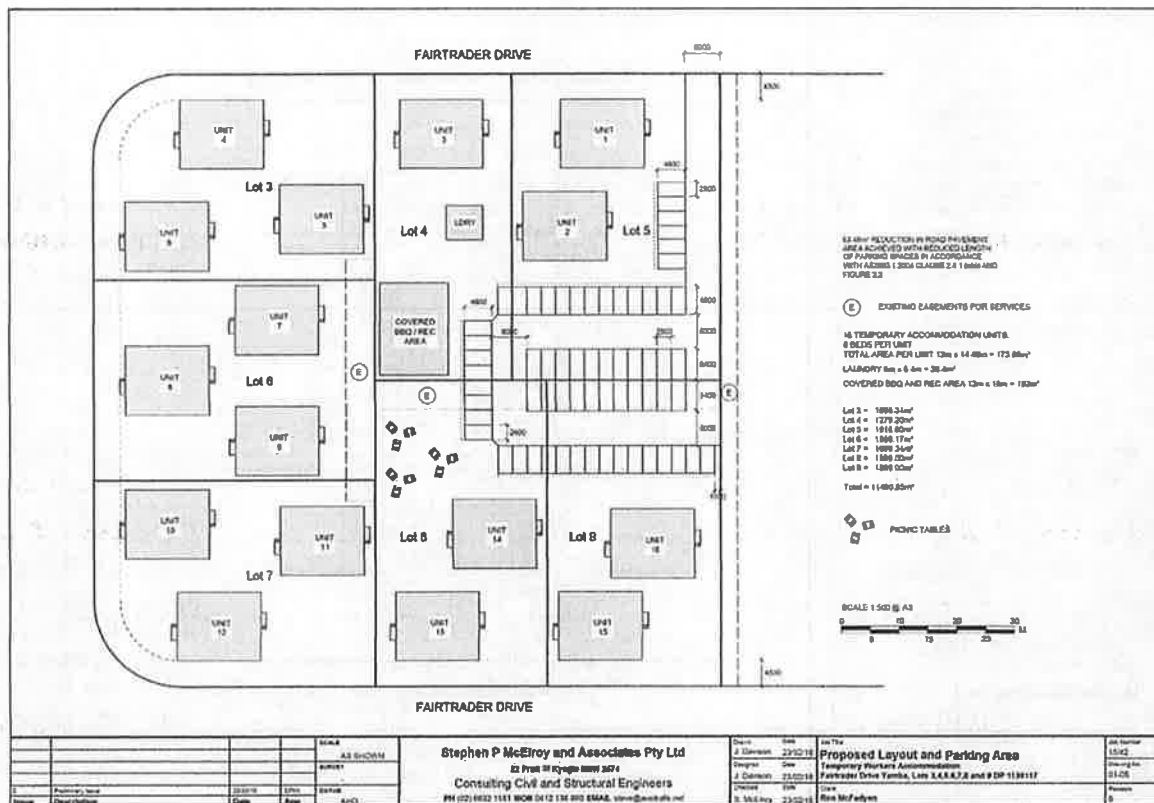


Attachment 2.0 – Servicing Drawings

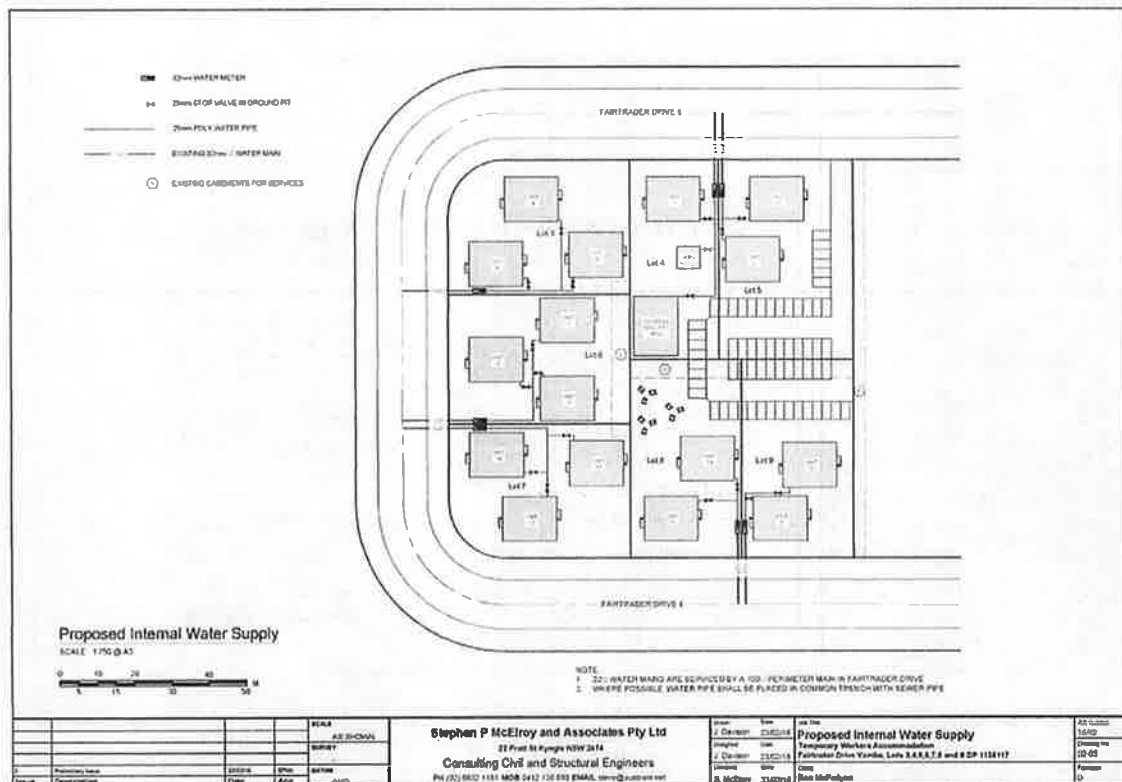
Servicing Drawings

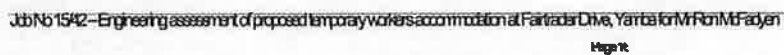
Attachment No	Drawing Title	Drawing No
2a	Proposed layout and parking area	15/42-1/05 Rev 0
2b	Proposed internal water supply	15/42-2/05 Rev 0
2c	Proposed internal sewer connections	15/42-3/05 Rev 0
2d	Proposed internal stormwater infrastructure	15/42-4/05 Rev 0
2e	Proposed electrical supply	15/42-5/05 Rev 0

Attachment 2a

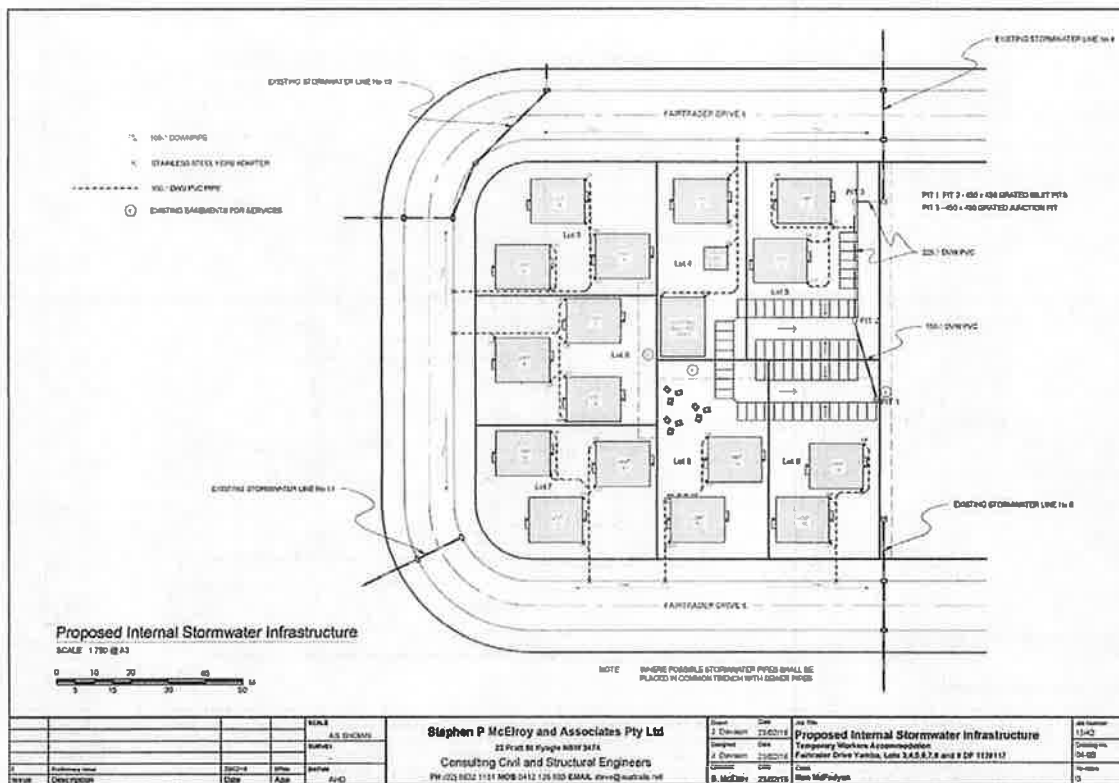


Attachment 2b

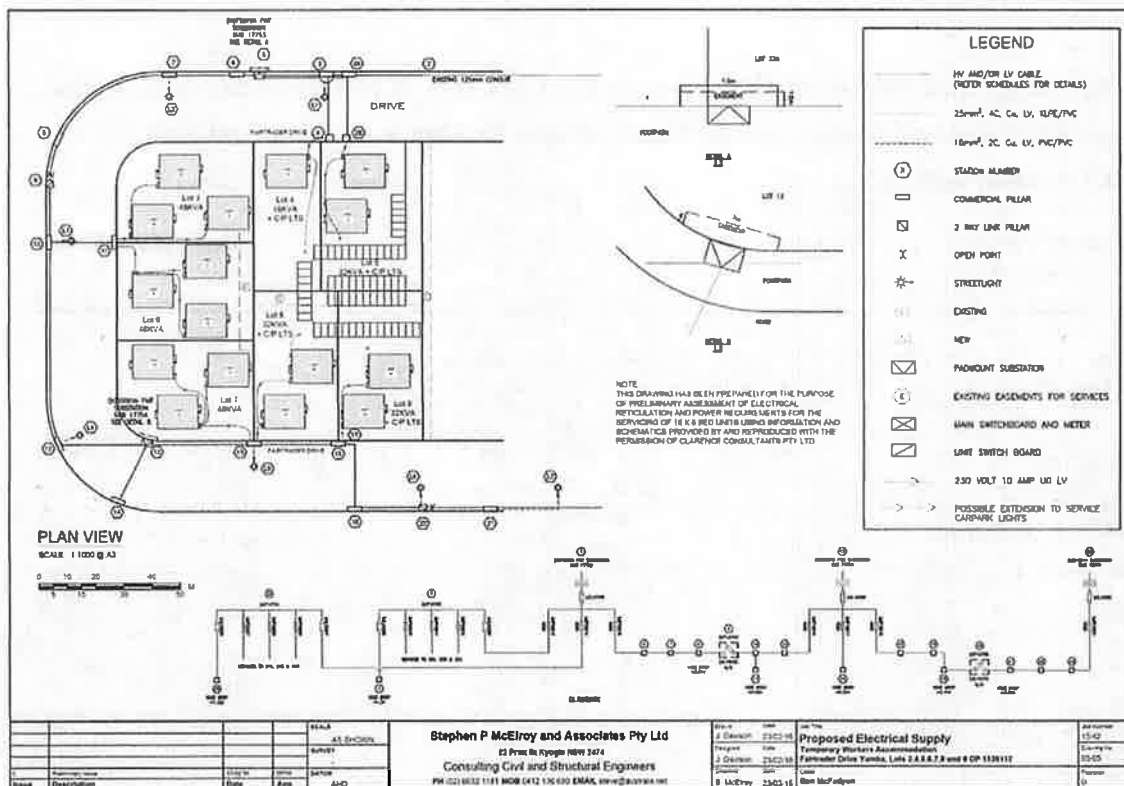




Attachment 2d



Attachment 2a



Appendix C

CVLEP 2011 Proposed Local Provision

Clause 7.11 Workforce Accommodation

Note: The clause includes criteria for assessing the suitability of workforce accommodation in urban residential and tourist zones. These criteria provide a useful assessment for the proposed accommodation.

APPENDIX C: Proposed local provision, clause 7.11 Workforce Accommodation

Assessment Against Clause Objectives

(1) The objectives of this clause are as follows:

- (a) to enable development for workforce accommodation if there is a demonstrated need to accommodate workers due to the nature of the work in which the workers are employed or the accommodation needs of the workforce,
- (b) to ensure that workforce accommodation is designed and located such that it will not have an unreasonable adverse impact on adjoining uses or the amenity of the neighbourhood and maximises its potential for beneficial outcomes for the local economy,
- (c) to ensure that workforce accommodation will not prejudice the future use of the land,
- (d) to minimise the impact of workforce accommodation on local roads and infrastructure.

(2) Development consent must not be granted to development for the purposes of workforce accommodation on land in Zones R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and SP3 Tourist unless the consent authority is satisfied of the following:

- (a) there is a demonstrated need to provide workforce accommodation due to the accommodation needs of the workforce and/or the nature of the development in which the workers are employed and which it is shown cannot be met by other forms of residential accommodation

Response: This demand can be met by forms of accommodation other than the proposed temporary workforce accommodation at the Yamba Business Park and some of it will. The proposed development will contribute to meeting demand for a specific type of worker (drive in, drive out) in a manner that complements other housing types and relieves pressure on existing accommodation supply.

- (b) water reticulation and effluent management systems will be provided to adequately meet the requirements of the workforce accommodation

Response: All services are available on-site and the attached Engineering Assessment Report has deemed them to be adequate for the proposed development.

- (c) any infrastructure provided in connection with the workforce accommodation will, if practicable, continue to be used once the workforce accommodation is no longer required

Response: On-site water and sewer mains plus electrical supply will be utilised by future industrial developments. Connections to individual buildings will be removed.

- (d) the workforce accommodation will not have unreasonable adverse impacts on adjoining uses or the amenity of the neighbourhood

Response: The accommodation will not impact on the operations of the storage sheds and the warehouses/businesses currently in the Park, and those operations will not interfere with the amenity of the accommodation as it will be empty during working hours.

- (e) the workforce accommodation is designed and located so as to provide an appropriate standard of residential amenity to occupants

Response: The site is ideally located for temporary workforce accommodation and will provide an acceptable level of residential amenity at a relatively low density for this form of accommodation.

- (f) the workforce accommodation will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument

Response: The workforce accommodation is proposed to operate for up to 4 years after which it will be removed and the site will be available for industrial development.

- (g) that the workforce accommodation does not unnecessarily duplicate services and facilities that can be practicably and readily available within the local area

Response: The development provides no services or facilities other than a laundry (for personal clothing) and a small covered area. Workers seeking access to social or recreational facilities will utilise existing facilities in Yamba.

- (3) In this clause:

workforce accommodation means any habitable building(s) or place, and associated amenities erected or adapted for the purpose of providing accommodation for employees and/or contractor.

Appendix D

Assessment Against CVC Workforce Accommodation Policy Statement

Note: 5.1 of the Policy Statement requires applications for workforce accommodation sites outside urban residential and tourist zones to address Sections 3 and 4 of the Statement.

Appendix D: Assessment Against CVC Workforce Accommodation Policy Statement

1. Purpose and Context

- 1.0 This Policy Statement is intended to provide some direction to assist consideration of "workforce accommodation" proposals to supplement other planning controls.

2. Planning Issue

- 2.1 It is unlikely that the existing housing market will have sufficient supply to meet a temporary increased housing demand arising from infrastructure and major project construction in the Clarence Valley through conventional housing forms.
- 2.2 A resultant housing market imbalance is likely to distort housing supply-demand and hence the cost of housing relative to income levels.
- 2.3 Such imbalances will likely have adverse social impacts that will arise during and last longer than the period of infrastructure development.

3. Policy

- 3.1 To ameliorate the probable housing imbalance and its associated adverse impacts, it is accepted that there will be a need for dedicated workforce accommodation to be provided.

Response: Agreed

- 3.2 Dedicated workforce accommodation, possibly on a time-limited basis, is not the only solution but has the potential to form part of the overall housing mix and one that supplements rather than competes with conventional housing forms.

Response: Agreed

- 3.3 In particular, dedicated workforce accommodation has the potential to assist in managing possible under supply of housing during the construction phase (2015-2020) and potential over supply in the post construction phase.

Response: Agreed

- 3.4 Proposed workforce accommodation developments will be required to demonstrate:
- 3.4.1 the need for dedicated workforce accommodation in that locality

Response: Agreed

- 3.4.2 that there are insufficient reasonable "conventional" housing alternatives in that locality to meet the identified need

Response: Agreed

3.4.3 how the accommodation benefits the local economy

Response: Agreed

3.4.4 how potential impacts on local amenity will be managed

Response: Agreed

3.4.5 how the accommodation will ensure a reasonable residential amenity for occupants

Response: Agreed

Each of these are addressed in the Proposal and its Appendices.

4. Planning Considerations

[Note : These are broad considerations to provide guidance and supplement any local environmental plan and/or development control plan requirements and may not all be able to be met in every circumstance]

4.1 Scale

4.1.1 There is a preference for a number of smaller developments rather than fewer larger ones.

4.1.2 Large scale "mining villages" are not preferred. Whilst precise scale will be subject to a range of planning considerations, developments over 150 beds (approx.) are not preferred.

Response: The concept Plan accompanying the Proposal indicated 16 x 8 bedroom buildings (128 beds) on a 1.15 ha site.

4.2 Location

4.2.1 Should be in or adjacent to existing urban centres

4.2.2 Being a form of residential accommodation, are preferred in residential and tourist development areas, i.e. where residential development is normally expected.

4.2.3 Developments should be located and designed in a way that has potential to be integrated into the local urban framework and community

Response: The subject site is located within Yamba, approximately 3 kms from the town centre. It is located within a largely vacant industrial/business estate which is considered suitable for this form of accommodation to the lack of conflicting land uses in the estate and the availability of flat, serviced lands. It will be socially and economically integrated into the local community.

4.3 Local Amenity

- 4.3.1 Developments should respect the nature and density of nearby residential areas
- 4.3.2 Potential for traffic impacts in particular need to be managed (noise, timing of movements, street side parking, etc) and hence developments should be located on collector roads or higher and not result in commuting traffic movements through local streets. A traffic assessment will be required.
- 4.3.3 A minimum of one on-site car parking space per bed will be required.
- 4.3.4 A site management plan will be required detailing measures to manage worker movements, impacts etc.

Response: The site is isolated and visually screened from nearby residential areas despite its proximity to the centre of town which is one of its major attractions.

The site accesses the arterial network via a dead end road which serves only the Business Park. A Traffic assessment is included in the Engineering Assessment Report (Appendix B).

Carparking will be assessed at the development application stage, along with site management details.

4.4 Local Economic Benefit

- 4.4.1 Developments should demonstrate how they will benefit the local economy through location and facilities provided (and not provided) within the development.
- 4.4.2 Facilities for workers within developments (such as for dining, recreation, laundry, etc) should only be provided where it can be demonstrated that they cannot reasonably be accessed locally.
- 4.4.3 Development proposals should identify what will happen to the site once the workforce demand ceases including any proposed transition to another use or site rehabilitation.
- 4.4.4 The potential for workforce accommodation to act as a catalyst for transition to another beneficial longer term use is encouraged (eg affordable or aged housing).

Response: The only facilities proposed on-site are a laundry and a covered outdoor area. All retail, social and recreational activities will occur off-site utilising existing facilities in town. It is likely that local businesses/facilities such as clubs, pubs, restaurants, cafes, laundry, gyms, etc. will actively market themselves to the occupants.

All buildings will be removed in accordance with the anticipated development consent sunset clause and the site will be returned to its original condition for future industrial development. There is no potential for long-term use unless individual buildings are purchased by local landowners for residential use elsewhere.

4.5 Resident Amenity

- 4.5.1 Occupants of dedicated workforce accommodation should be provided with a reasonable living amenity and in particular, notwithstanding other planning considerations mentioned in this document, passive recreation space/s on-site.

Response: A small covered outdoor area is proposed which is likely to be equipped with BBQ's. There is a gym in the industrial estate and a sports centre, pool and tennis courts plus sports fields in the adjoining recreational area.

4.6 Services and Hazards

- 4.6.1 Reticulated water and sewer is preferred.
- 4.6.2 Consideration may be given to alternative service provision and treatment where it can be demonstrated that reticulated systems are unavailable or impractical.
- 4.6.3 Developments should be above the 1% AEP flood level with potential for floor levels to have a freeboard 500mm above that level. Consideration may be given to sites with a lesser flood immunity, but not less than 5% AEP, where there is proposed a time limit on the development. A flood risk management and evacuation plan will be required in these instances.

Response: All services and infrastructure exist on site and have sufficient capacity to serve the proposed development.

A small section of the site is affected by the 1% AEP flood level and all buildings will have a 500mm freeboard above that level.

5. Sites Outside the Residential Zones

- 5.1 Sites outside of the residential zones (R1, R2, R3 and SP3) may be considered through a site specific planning proposal (rezoning application) that addresses the following matters in addition to those identified by the local environmental plan and those in Sections 3 and 4 of this document.

Response: Sections 3 and 4 addressed above.

- 5.2 Consideration would be given to any rezoning having a "sunset" provision to limit the time of the rezoning and any subsequent development consent, to ensure the key purpose of these zones is not prejudiced once the need for the residential development has ceased.

Response: It is proposed to have a sunset provision included in the amendment to CVLEP2011 and also included in the future development consent.

- 5.3 Applications will specifically need to demonstrate the need for the dedicated workforce accommodation and that it cannot be reasonably met by the existing residential land supply.

Response: this is addressed in Section A of the Proposal.

- 5.4 If proposed in industrial or commercial zones, the proposal will need to address the potential impact on reducing the supply of that land for employment generating purposes and in particular on the ability of those zones to accommodate increased economic activity generated by the infrastructure development that has generated the need for the workforce accommodation. Section 117 Direction 1.1 – Business and Industrial Zones (in particular clauses (4)(c) and (d) of that Direction) and relevant Zone objectives will need to be addressed in detail.

Response: S117 Direction 1.1 and the potential impact on the supply of industrial land are addressed at (7) in the Proposal.

IN1 General Industrial Zone Objectives

Zone objectives are:

- *To provide a wide range of industrial and warehouse land uses*
- *To encourage employment opportunities*
- *To minimise any adverse effect of industry on other land uses*
- *To support and protect industrial land for industrial uses*
- *To minimise the environmental impact of development*
- *To allow limited commercial activities that provide direct services to the industrial activities and the associated workforce.*

The key objective is the fourth dot point 'to support and protect industrial land for industrial uses'.

As discussed above, the proposal will remove 1.15 ha from the industrial land supply for a period of up to 4 years, but sufficient industrial land will continue to be 'supported and protected' throughout that period.

In respect of the remaining objectives:

- *A wide range of industrial and warehouse uses will continue to be provided for*
- *Sufficient industrial land will continue to be available within the Park to encourage employment opportunities*
- *There will be no adverse impact of industry on other land uses. While in normal circumstances there is a high probability of incompatibility between industrial and residential uses, in this instance the nature of the residential development (temporary) and of the occupants (workers not present during normal working hours) makes this highly unlikely.*
- *There will be no environmental impact as a result of the proposed development*
- *There will be no restriction on commercial activities providing direct services to industrial activities and the associated workforce.*

Appendix E

Assessment Against State Environmental Planning Policies

Assessment Against State Environmental Planning Policies

Name of SEPP	Relevant?	Comment/statement of consistency
<i>The following State Environmental Planning Policies (SEPPs) are current and are applicable to the Clarence Valley LGA and are required to be considered whether applicable or not in a particular circumstance.</i>		
State Environmental Planning Policy No 1 - Development Standards	No	Does not apply to CVLEP 2011
State Environmental Planning Policy No 14 - Coastal Wetlands	No	N/A
State Environmental Planning Policy No 15 - Rural Landsharing Communities	No	N/A
State Environmental Planning Policy No 19 - Bushland in Urban Areas	No	N/A
State Environmental Planning Policy No 21 - Caravan Parks	No	The proposed temporary workforce accommodation is not classified as a caravan park.
State Environmental Planning Policy No 26 - Littoral Rainforests	No	N/A
State Environmental Planning Policy No 29 - Western Sydney Recreation Area	No	N/A
State Environmental Planning Policy No 30 - Intensive Agriculture	No	N/A
State Environmental Planning Policy No 32 - Urban Consolidation (Redevelopment of Urban Land)	No	N/A
State Environmental Planning Policy No 33 - Hazardous and Offensive Development	No	N/A
State Environmental Planning Policy No 36 - Manufactured Home Estates	No	The proposed temporary workforce accommodation is not a Manufacture Home estate which is restricted to land upon which caravan parks are permitted.
State Environmental Planning Policy No 39 - Spit Island Bird Habitat	No	N/A
State Environmental Planning Policy No 44 - Koala Habitat Protection	No	N/A

Name of SEPP	Relevant?	Comment/statement of consistency
State Environmental Planning Policy No 47 - Moore Park Showground	No	N/A
State Environmental Planning Policy No 50 - Canal Estate Development	No	N/A
State Environmental Planning Policy No 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	No	N/A
State Environmental Planning Policy No 55 - Remediation of Land	Yes	The site has previously been filled in accordance with consent issued by Council requiring clean fill. Nevertheless, a Contamination Report will be prepared prior to public exhibition of the proposal.
State Environmental Planning Policy No 59 - Central Western Sydney Regional Open Space and Residential	No	N/A
State Environmental Planning Policy No 62 - Sustainable Aquaculture	No	N/A
State Environmental Planning Policy No 64 - Advertising and Signage	No	N/A
State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development	No	N/A
State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)	No	The workforce accommodation is for a temporary period and will not serve as affordable housing in the terms of the SEPP.
State Environmental Planning Policy No 71 - Coastal Protection	Yes	The subject property is within the Coastal Protection Zone but is located over 1 km from the coast or estuary and as such will have no impact on either.
State Environmental Planning Policy (Affordable Rental Housing) 2009	No	The workforce accommodation is for a temporary period and will not serve as Affordable Rental Housing in the terms of the SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	All accommodation buildings will comply.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No	N/A
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	No	N/A

Name of SEPP	Relevant?	Comment/statement of consistency
State Environmental Planning Policy (Infrastructure) 2007	No	N/A
State Environmental Planning Policy (Kosciuszko National Park - Alpine Resorts) 2007	No	N/A
State Environmental Planning Policy (Kurnell Peninsula) 1989	No	N/A
State Environmental Planning Policy (Major Development) 2005	No	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	No	N/A
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	No	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	No	N/A
State Environmental Planning Policy (Rural Lands) 2008	No	N/A
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	No	N/A
State Environmental Planning Policy (State and Regional Development) 2011	No	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	No	N/A
State Environmental Planning Policy (Three Ports) 2013	No	N/A
State Environmental Planning Policy (Urban Renewal) 2010	No	N/A
State Environmental Planning Policy (Western Sydney Employment Area) 2009	No	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	No	N/A
Deemed SEPP North Coast Regional Environmental Plan	No	Does not apply to CVLEP 2011

Appendix F

Assessment Against S117 Ministerial Directions

Assessment Against S117 Ministerial Directions

Section 117 Direction	Applies?	Comments
1. Employment and Resources		
1.1 Business and Industrial Zones	Yes	Inconsistent but justified. This is discussed in detail at (7) in the Proposal
1.2 Rural Zones	No	
1.3 Mining, Petroleum Production and Extractive Industries	No	
1.4 Oyster Aquaculture	No	
1.5 Rural Lands	No	
2. Environment and Heritage		
2.1 Environmental Protection Zones	No	
2.2 Coastal Protection	No	
2.3 Heritage Conservation	No	
2.4 Recreation Vehicle Areas	No	
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	No	
3.2 Caravan Parks and Manufactured Home Estates	No	
3.3 Home Occupations	No	
3.4 Integrated Land Use and Transport	Yes	Locating the accommodation within 3km of the centre of town will allow occupants to walk and cycle to facilities and services in Yamba
3.5 Development Near Licensed Aerodromes	No	
3.6 Shooting Ranges	No	
4. Hazard and Risk		
4.1 Acid Sulphate Soils	Yes	Consistent. The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils. The site is classified as Class 2 on the Acid Sulphate Soils Map though it has previously been filled using material not containing acid sulphate soils in accordance with development consent issued by council. The classification represents the previous state of the site and the proposal will not have a significant adverse

Section 117 Direction	Applies?	Comments
		environmental impact through the disturbance of acid sulphate soils. As the proposal is not an intensification of development, in accordance with Clause 6 of the Direction and given that the site has been previously filled, the proposal is considered consistent with the Direction.
4.2 Mine Subsidence and Unstable Land	No	
4.3 Flood Prone Land	Yes	Consistent. The Flood Planning Map indicates that a small section of the north west corner of the site is affected by the 1 in 100 flood level. The proposed amendment is not inconsistent with the draft LEP provision of the Direction, and all buildings will be constructed to the minimum floor level required by Council.
4.4 Planning for Bushfire Protection	Yes	Consistent. The objectives are to protect life, property and the environment from bushfire hazards and encourage sound management of bushfire areas. The RFS Bushfire Prone Land Map shows the buffer which is occupied by cleared land and industrial buildings, encroaches into the southern section of the site by a matter of metres. Nevertheless, the proposal will be referred to the RFS prior to public exhibition.
5. Regional Planning		
5.1 Implementation of Regional Strategies	No	
5.2 Sydney Drinking Water Catchments	No	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	
5.5 Development in the Vicinity of Ellalong, Paxton and Milfield (Cessnock LGA)	No	Revoked
5.6 Sydney to Canberra Corridor	No	Revoked
5.7 Central Coast	No	Revoked
5.8 Second Sydney Airport: Badgerys Creek	No	
5.9 North-West Rail Corridor Strategy	No	

Section 117 Direction	Applies?	Comments
6. Local Plan Making		
6.1 Approval and Referral Requirements	Yes	Complies
6.2 Reserving Land for Public Purposes	No	
6.3 Site Specific Provisions	Yes	Proposes addition to CVLEP2011 Schedule 1: Additional Uses
7. Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	No	