



Planning,
Industry &
Environment

IRF21/3510

Gateway determination report PP-2021-5320

Temporary Workers Accommodation - Lot 58 DP 1221018, 2-26 Basil Brown Drive, Westdale

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Attachment A – Tamworth Regional Council Planning Proposal – August 2021
Attachment B – Gateway Determination
Attachment C – Letter to Council

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Tamworth Regional
PPA	Tamworth Regional Council
NAME	Temporary Workers Accommodation - Lot 58 DP 1221018, 2-26 Basil Brown Drive, Westdale
NUMBER	PP-2021-5320
LEP TO BE AMENDED	Tamworth Regional LEP 2010
ADDRESS	2-26 Basil Brown Drive, Westdale
DESCRIPTION	Lot 58 DP 1221018
RECEIVED	30/08/2021
FILE NO.	IRF21/3510
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The objective of the planning proposal is to facilitate a change in use from student accommodation within an existing facility at the Tamworth Regional Airport Precinct on Lot 58, DP 1221018, 2-26 Basil Brown Drive, Westdale (Figures 1-3), to temporary workers accommodation, without an association with an international pilot flight training facility.

In light of the current downturn in the aviation industry due to the COVID-19 pandemic, Tamworth Regional Council considers that the student accommodation is suitable and appropriate to fill a gap in the market for temporary workers accommodation in support of existing and future public and private industries including, but not limited to, infrastructure projects, food processing operations, industrial expansion and transport hub development.

The proposal will not impact on the development of aviation related industry at the Tamworth Regional Airport as it only aims to fill a gap in the market left by a temporary downturn in the aviation sector.

1.3 Explanation of provisions

The planning proposal seeks to amend the Tamworth Regional LEP 2010 to include in Schedule 1 'temporary workers accommodation' as an additional permitted use with consent on the site.

Whilst the planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved, 'temporary workers accommodation' is not a defined land use and so cannot be used as part of a Schedule 1 amendment.

As an alternative, it is recommended that the objective and intended outcome of the planning proposal be facilitated through the inclusion of an additional local clause. The final wording of the clause will be determined by Parliamentary Counsel in consultation with Council at the Plan making stage. It is recommended that the Gateway determination is conditioned to require that the planning proposal is updated prior to making a request for legal drafting.

1.4 Site description and surrounding area

The subject site is located within the Tamworth Airport Precinct approximately 10 kilometres west of the Tamworth CBD. The site is occupied by an accommodation village which is associated with an international pilot flight training facility on adjoining land to the west. Council purchased both the flight training facility and the residential village in 2018.

The land on which the village is located has an area of 10.75 hectares and is zoned SP1 Special Activities (Transport Facility) under the Tamworth Regional Local Environmental Plan (TRLEP) 2010. The primary vehicular access is from the south via Basil Brown Drive off New Winton Road. Figure 1 shows the location of the land in context of the Tamworth City town centre, Westdale urban area and nearby employment areas.

The site adjoins Zone SP1 land to the north, east and west (Figure 4). Permissible uses in the SP1 zone are generally limited to airport related and ancillary uses. The flight training facility and associated village are within 700 metres of the Tamworth Regional Airport terminal building to the north (Figure 2). To the south, the land is zoned RU4 Primary Production Small Lots under TRLEP 2010.

Figure 3 provides an aerial of the accommodation village showing the central administration, lecture hall and kitchen facility hub and adjacent accommodation blocks.

Council considers that the highly specialised nature of the flight training facility prevents it from being used by non-flight training related organisations. The accommodation village however is considered flexible for potential uses. Benefits include:

- seven (7) two storey accommodation blocks with a total of 224 single occupancy rooms, all with ensuites; and each block with a shared kitchen and common room on each level;
- reception and administration hub including a lecture hall, offices, commercial grade kitchen, cafeteria, and dining hall;
- a gym, tennis court and swimming pool; and
- secure fencing with on-site parking.



Figure 1 Locality plan (source: North Coast Regional Plan 2036 viewer)



Figure 2 Site context (source: Planning Proposal)

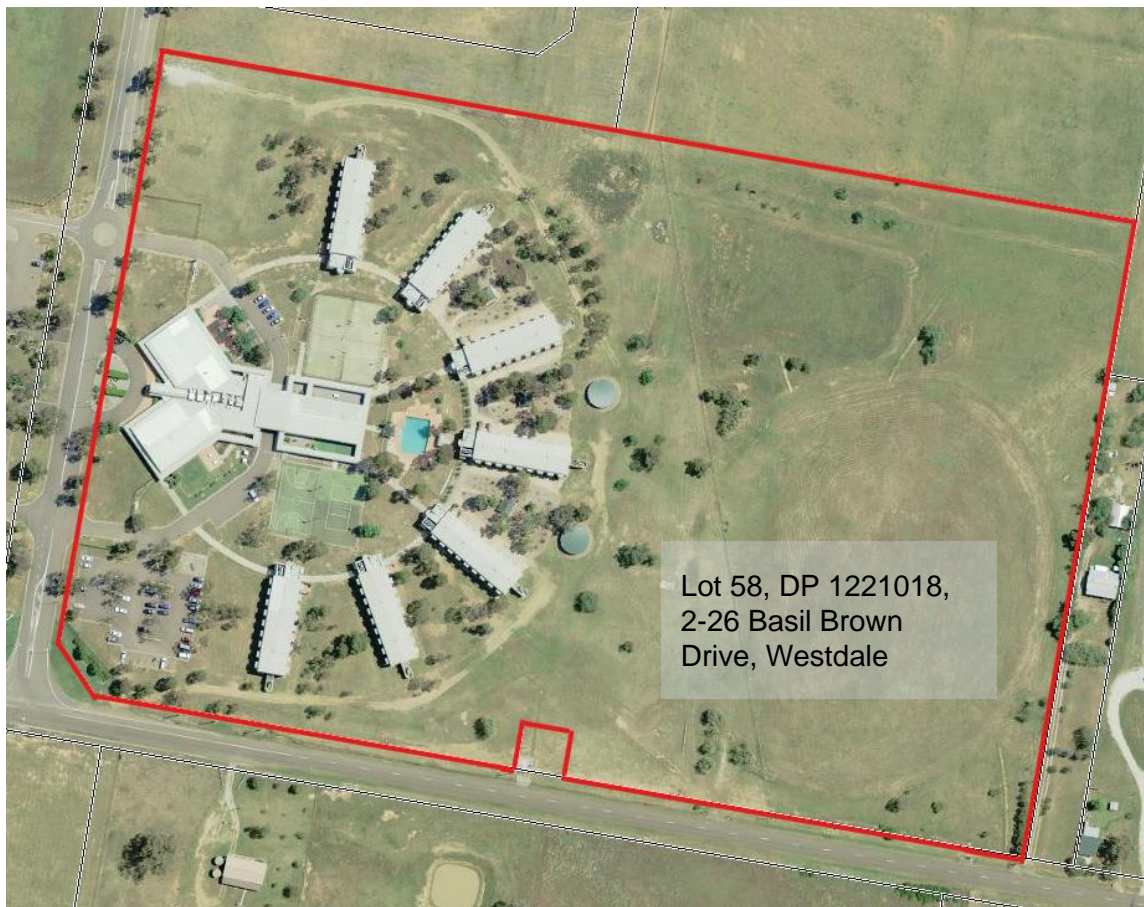


Figure 3 – Accommodation village (source: SIX Maps)

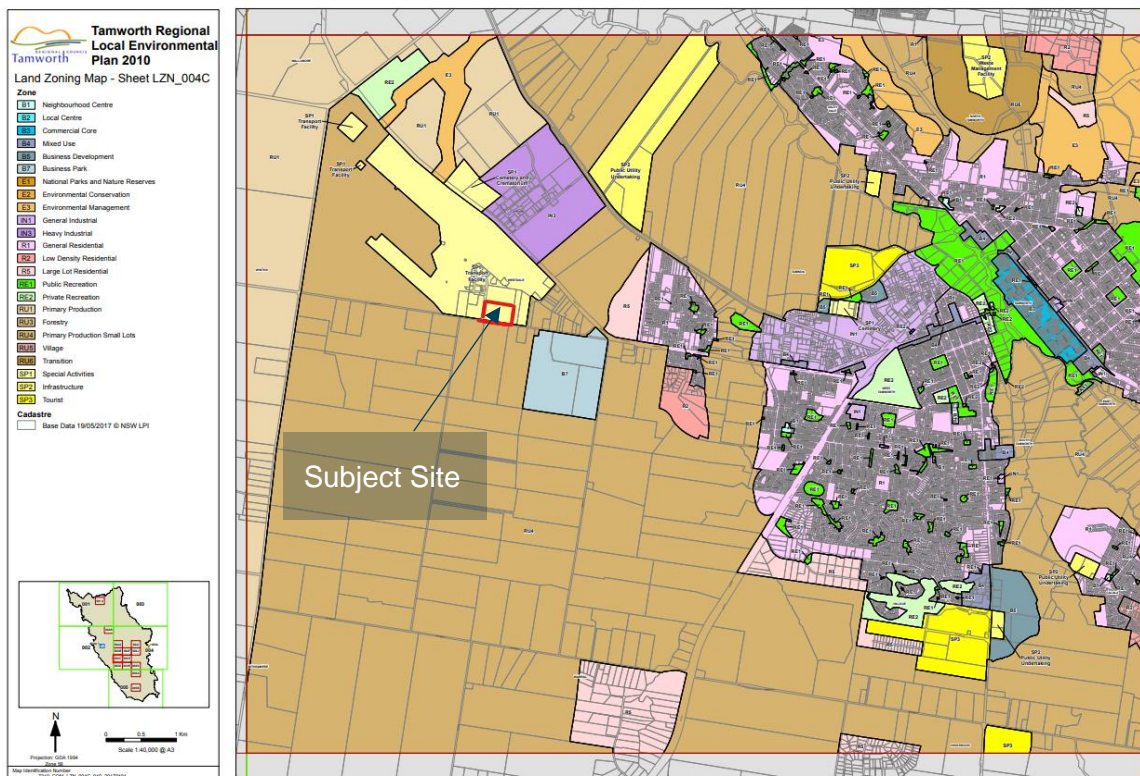


Figure 4 – Existing Zoning (source: TRLEP 2010 Map Sheet LZN_004C)

1.5 Mapping

The planning proposal includes locality and site mapping that clearly identifies the village accommodation and surrounding locality. In finalising a local provision to permit temporary workers accommodation, a map may need to be prepared given that the use applies to approximately half the site. Any maps will need to be prepared to the Department's Standard Technical Requirements prior to the plan being finalised.

1.6 Background

The planning proposal is the result of a significant change in the operation of the flight training facility and associated accommodation village within Tamworth Airport where students no longer attend classes on a live-in basis. Typically, the accommodation village is occupied by students associated with the pilot flight training facility.

COVID-19 has since changed operations and the existing student accommodation has now become surplus to the teaching needs of the flight training facility. Over the last 12 to 18 months, the training facility has become vacant and the village has become periodically vacant.

Council believes from an economic perspective and in light of the current COVID-19 environment, that the accommodation village could and should be better utilised and not remain vacant in the intervening period awaiting recovery and reopening of the air transport industry.

The site is of an ample size to accommodate car parking requirements. Council's proposal to permit unoccupied student accommodation to be used as a stop-gap for temporary workers accommodation, is a practical and sensible social and economic solution to a shortage of temporary workers accommodation in the Tamworth LGA.

2 Need for the planning proposal

The proposal is not the result of any strategic study or report.

The village facility, which is owned by Council, currently has development consent for temporary accommodation of international and inter-state workers associated with a number of industries, including the meat processing industry, to occupy the site. Consent is limited however, to the provisions of clause 2.8 Temporary Use of Land in the Tamworth Regional LEP 2010, under which, temporary development is restricted to a maximum period of 182 days within a 12 month period.

While the current pilot training opportunities are presently suspended, Council considers that the existing village is a suitable and appropriate means of filling a gap in the market by providing temporary workers accommodation within a Council-owned facility that does not require any additional expenditure to provide accommodation to workers in the immediate to short-term and will help to address the current shortage of temporary workers accommodation in the Tamworth region.

The planning proposal is considered to be the best means of achieving the objective and intended outcome.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the New England North West Regional Plan 2036.

Table 1 - Regional Plan assessment

Regional Plan Objectives	Justification
Direction 1: Expand agribusiness and food processing sectors	This Direction identifies the important role that food processing has to the Tamworth regional economy in value terms. The planning proposal will benefit workers in the food processing and agribusiness sectors in the Tamworth regional economy by providing additional accommodation options.
Direction 20: Deliver great housing diversity to suit changing needs	Opportunities to increase the supply of short term, affordable housing will relieve pressure on the private sector rental market. Moreover, existing facilities such as the village are purpose-built and provide an excellent solution to the current and ongoing demand for accommodation of this type in the Tamworth Region.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 2 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement (LSPS) 2020	The proposal is considered to be consistent with the vision and actions contained within the LSPS, specifically, Planning Priority 1 facilitate smart residential growth and housing choices, Planning Priority 2 create a prosperous region, and Planning Priority 4 connect our region and its citizens.
Tamworth Regional Council Blueprint 100	<p>The planning proposal gives effect to the priority themes and actions contained within Blueprint 100. In terms of Priority Theme 2. Facilitate Smart Growth and Housing Choices the planning proposal notes that <i>“The airport is located at the centre of an aviation, logistics and food processing hub. New industrial land is currently being released and large scale poultry processing operations are also targeted for this area. Workers accommodation is essential to supporting this growth and attracting future development.”</i></p> <p>Concerning Priority Theme 3. Create a Prosperous Region Action 3.6 – Create a world class Aviation Hub at Tamworth Regional Airport, the proposal will not impact the development of aviation related industry as it only aims to fill a gap in the market left by a temporary downturn in the aviation sector.</p>
Community Strategic Plan 2017-2027 (Keychange)	<p>The proposal aligns with Council’s community’s strategic plan for the Tamworth Region as follows:</p> <ul style="list-style-type: none"> • Objective P1.1 support and facilitate economic development and employment opportunities. • Objective P2.1 market the Tamworth Region as a destination for living, working and leisure, which includes pursuing affordable housing opportunities in the region. • Objective F2.2 encourage efficient use of resources to improve environmental sustainability.

3.3 Section 9.1 Ministerial Directions

The planning proposal is considered to be consistent with all relevant section 9.1 Directions.

3.4 State environmental planning policies (SEPPs)

The planning proposal is considered to be consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

It is not anticipated that the planning proposal will have any detrimental environmental impacts as the subject land has been developed and used for residential accommodation since the 1990s.

4.2 Social and economic

It is considered likely that the planning proposal will have a positive social and economic outcome by providing greater opportunity for more affordable accommodation for essential and temporary workers that support the local community and through providing a direct economic benefit to the local economy.

The information included in the proposal also indicates that the subject site is not of cultural or heritage significance. In addition, the proposal will also not prevent any future airport or aviation industry related accommodation opportunities.

5 Consultation

5.1 Community

Council has requested that the Department consider relaxing the requirement for public exhibition due to the low impact nature and clear economic benefit of the proposal.

Adjoining the subject site to the north, east and west, are airport related activities. To the south and on the other side of New Winton Road, the land is zoned RU4 Primary Production small lots.

As the accommodation facility is existing and has been used in its current form at its current location since the 1990s, the proposal is not expected to have any significant implications for the surrounding area. Under the circumstances, Council's request that community consultation is not undertaken is considered reasonable and is supported.

5.2 Agencies

The planning proposal notes that Council's Airport Manager has been consulted and is supportive of the proposal. There are no other public agencies to be consulted in relation to the proposal. The accommodation facility is existing and does not require upgrading.

6 Timeframe

Council proposes a two (2) month time frame to complete the LEP.

The Department recommends a time frame of six (6) months to provide some flexibility to ensure the proposal is completed in line with its commitment to reducing processing times.

A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

As the planning proposal is of local significance and does not raise any issues of State or regional significance, the Department agrees that Council should be authorised to be the local plan-making authority for the proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- the proposal is generally consistent with local and regional strategic planning policies; and
- the proposal is expected to provide positive economic benefits with minimal environmental impacts.

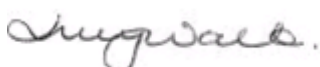
As discussed in the previous sections 4 and 5, the proposal should be updated to:

- replace reference to Schedule 1 Additional Permitted Uses with a plain English explanation of a proposed additional LEP clause to permit temporary workers accommodation on the subject site. A final clause can then be appropriately drafted by Preliminary Counsel in consultation with Council at the Plan making stage.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The objective and intended outcome of the planning proposal is to be facilitated through the inclusion of an additional local clause. Prior to requesting that a draft LEP is prepared, references to Schedule 1 Additional Permitted Uses are to be replaced with a plain English explanation of a proposed additional clause to permit temporary workers accommodation on the subject site.
2. The timeframe for completing the LEP is to be six (6) months from the date of the Gateway determination.
3. Given the localised nature of the proposal, Council should be authorised to be the local plan-making authority.



03/09/2021

(Signature)

(Date)

Lucy Walker
Specialist Planning Officer, Local and Regional Planning
Northern Region



20/9/2021

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Assessment officer

Sandra Bush
Planning Officer, Northern Region
6588 5535