



Planning Proposal

Temporary Workers Accommodation

APRIL 2022

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Attachment 1

Council Minute 2021/277 Ordinary Meeting of 8 December 2021

Version	Date	Notes
Vers001	April 2022	As submitted to DPE
Vers002	July 2022	Amended post Gateway Determination

TEMPORARY WORKERS ACCOMMODATION CLAUSE

EXECUTIVE SUMMARY

This Planning Proposal explains the intended effect and justification for the proposed amendment to the Narrromine Local Environmental Plan 2011 (Narrromine LEP). The Planning Proposal has been prepared in consideration of the relevant Department of Planning and Environment guideline – “Local Environmental Plan Making Guideline” (December 2021).

Council at its Ordinary Meeting of 8 December 2021 resolved to prepare a planning proposal to amend the Narrromine LEP to permit the development of temporary workers' accommodation with consent, subject to assessment against a new clause (refer to **Attachment 1** Council Minute 2021/277). The provisions are proposed with a view to deliver clear provisions and certainty of development standards and permissibility for temporary workers accommodation in the Narrromine Shire.

A temporary workers' accommodation clause can facilitate and support project confidence in choosing to develop in the Shire; such as: large-scale infrastructure developments, renewable energy projects, large manufacturing proposals, and developments in the agriculture and mining sectors.

Council is seeking to implement provisions that define the use:

temporary workers' accommodation means any habitable buildings and associated amenities erected for the purpose of providing a place of temporary or short-term accommodation for persons employed or contracted for employment associated with a large-scale project and the term of that project.

REPORT

PLANNING PROPOSAL – Introducing Temporary Workers Accommodation Provisions

LGA	Narromine Shire Council
Relevant Instrument	Narromine Local Environmental Plan 2011 (Narromine LEP)
Link to Strategic Plans	Narromine Shire Local Strategic Planning Statement (LSPS) (June 2020).

Part 1 – Objective or Intended Outcomes

Objective

To amend the Narromine LEP 2011 to introduce specific additional ‘Miscellaneous Local Provisions’ in Part 5 of the Narromine LEP 2011, to provide certainty of development standards and permissibility for temporary workers accommodation in the Narromine Shire.

Intended outcomes

- To facilitate projects with a need to accommodate a larger workforce mobilising to the LGA.
- To provide permissibility for habitable buildings and associated amenities erected for the purpose of providing a place of temporary or short-term accommodation for persons employed or contracted for employment associated with a large-scale project and the term of that project.
- To establish eligibility criteria that ensures suitable locations are developed.

Part 2 – Explanation of Provisions

The proposal includes the introduction of a new clause in Part 5 Miscellaneous provisions of the Narrromine LEP that is not zone specific. The clause is proposed to include: Objectives, development standards, definition of new terminology relevant to the interpretation of the provisions. No changes to LEP mapping are proposed.

- It is proposed that the land use table be amended for temporary workers' accommodation so that the land use is listed as 'permitted with consent' in the RU1 Primary Production Zone. In the RU5 Village zone and R5 Large Lot Residential zone the land use would fall under permitted with consent – 'Any other development not specified in item 2 or 4'.

New provisions are intended to incorporate objectives:

- *to enable development for temporary workers' accommodation if there is a demonstrated need to accommodate employees due to the nature of the work or the location of the land on which that work is carried out,*
- *to ensure that the erection of temporary workers' accommodation is not likely to have a detrimental impact on the future use of the land,*
- *to ensure that temporary workers' accommodation is appropriately located, and*
- *to minimise the impact of temporary workers' accommodation on local roads and infrastructure.*

To demonstrate that these objectives could be met, it is intended the provision should address certain eligibility criteria, such as:

- *The nexus between a project and the need for workers' accommodation is demonstrated.*
- *Roads, power systems, water reticulation systems and sewerage systems will be provided to adequately meet the requirements of the development.*
- *Any infrastructure provided in connection with the development will, if practicable, continue to be used once the temporary workers' accommodation is no longer required.*
- *Consideration of avoiding environmentally sensitive land and hazards such as flood prone land, bushfire prone land, contaminated land and land with biodiversity values.*

Part 3 - Justification

Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal is not a direct result of any specific strategic study or report. The lack of appropriate accommodation and the ability to develop temporary workers' accommodation is a developing issue for the Narromine Shire. Future enterprises or large-scale infrastructure projects that may need to house substantial numbers of workers on a seasonal or temporary basis are not clearly guided by the Narromine LEP.

Narromine Shire's competitive advantage is its central position within the western communities of NSW. The growing agricultural industry could create new ancillary business and subsequent employment opportunities. The Narromine LGA is ideally suited to capitalise on associated intensive agricultural enterprises. Also, new mining projects have recently been lodged within the Shire, and other mineral surveys ongoing.

The NSW Government's Electricity Strategy sets out a plan to deliver three Renewable Energy Zones (REZ). Narromine Shire partly falls within the Central-West Renewable Energy Zone. This REZ alone is expected to support 450 construction jobs in the central west region. Narromine Shire is fielding many enquiries about the possibility of development in the LGA as a result of this Strategy and the strengths of the LGA for large scale development.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means of achieving the Objectives and Intended Outcomes. An LEP amendment process as described in this Planning Proposal is identified as the most certain approval pathway for a workers' accommodation proposal (that is not associated with and approved under a State Significant Project).

The only other means is to utilise site specific Planning Proposals (that facilitate rezonings or Schedule 1 amendments). This as an option is not considered an efficient mechanism to manage the issue and would not reflect Council's intention to provide more opportunities for employment generating development.

The proposed LEP amendments could be further supported by an amendment to the Narromine Development Control Plan 2011 to include relevant and appropriate development controls and guidelines for the assessment of development applications for temporary workers' accommodation.

Section B – Relationship to Strategic Framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

(refer to assessment criteria)

The planning proposal has links to the following actions of the **Central West and Orana Regional Plan 2036**. Narromine Shire is one of 19 LGAs within the Central West and Orana region. Goal 4 - Dynamic vibrant and healthy communities Direction 27: Deliver a range of accommodation options for seasonal, itinerant and mining workforces is relevant. Future guidelines produced can be referenced also in a supporting DCP amendment.

The **Draft Central West and Orana Regional Plan 2041** Part 2 People, Housing and communities; Objective 10 Provide accommodation for temporary workers, includes: "Councils need to ensure a variety of housing types, particularly in areas accessible to construction projects and areas which will be the focus of ongoing employment, including Parkes SAP, the Central–West Orana REZ and mining projects".

This is of particular relevance, as the LEP amendment will support the implementation of Action 6 of this Plan.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Narromine Local Strategic Planning Statement – Priority 6 – Sustain and grow our local population.

Narromine Shire Local Strategic Planning Statement (LSPS) 2020, identifies multiple avenues for growing industry and opportunities for supporting the strengths of the LGA. The management of growth and land use conflict is key in the LSPS. Ensuring a range of housing options to suit the different lifestyles and needs of the population is integral for the future and resilience of Narromine. Actions associated with the LSPS Priority 4 Vibrant Communities supports a new provision in the Narromine LEP to address temporary workers accommodation.

Having clear provisions surrounding the development of accommodation for workers associated with large scale employment projects delivers certainty to developers of expectations for development in Narromine LGA. Land use conflicts between housing and employment lands needs to be managed. Temporary workers accommodation can conflict with productive agricultural, industrial or resource lands. Narromine LGA is currently experiencing residential land supply pressures. The LSPS actions are being implemented and in accordance with the adopted local housing strategy, a separate Planning Proposal process has commenced seeking to implement

recommendations of the Narromine Shire Residential (and Large Lot Residential) Strategy. It was identified as part of this process the need for this LEP Amendment. Implementation of provisions to ensure well-designed project-related workers' accommodation occurs, will alleviate some stress on the residential land supply in the event of large-scale project being proposed, as well as result in protecting Narromine Shire's environment and infrastructure.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Relevant State Environmental Planning Policies that affect the Narromine Shire LGA area summarised in the Table 1 below. No inconsistencies with SEPP's are noted.

Table 1: Summary of Planning Proposal Consistency with SEPPs

SEPP Title	Planning Proposal Consistency
SEPP (Biodiversity and Conservation) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP Building Sustainability Index (BASIX) 2004	Temporary workers accommodation proposals would be required to determine at application whether the development concept includes BASIX affected development. Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Exempt & Complying Development Codes) 2008	Temporary workers accommodation proposals would be required to determine at application whether the development concept includes aspects defined as exempt and/or complying development. Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Housing) 2021	This SEPP addresses housing types not limited to manufactured home estates and caravan parks. The SEPP does not specifically address accommodation that addresses temporary accommodation for workers associated with a large-scale project. Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.

SEPP Title	Planning Proposal Consistency
SEPP (Industry and Employment) 2021	Chapter 2 is not relevant to the Narromine Shire LGA. Chapter 3 referencing Advertising and Signage applies to the State. Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP No 65 – Design and Quality of Residential Apartment Development	N/A to the Planning Proposal.
SEPP (Planning Systems) 2021	State significant development would not be impacted by local provisions for temporary workers accommodation. Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Central River City) 2021	N/A to the Planning Proposal.
SEPP (Precincts – Eastern Harbour City) 2021	N/A to the Planning Proposal.
SEPP (Precincts – Regional) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Western Parkland City) 2021	N/A to the Planning Proposal.
SEPP (Primary Production) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Resilience and Hazards) 2021	Contamination and remediation to be considered in determining development applications. Ties into the objectives of the new clause proposed. Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Resources and Energy) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.
SEPP (Transport and Infrastructure) 2021	Yes - The Planning Proposal will not deter from the ongoing implementation of the provisions of the SEPP.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

These directions apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued and commenced.

Table 2: Directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the Environmental Planning and Assessment Act 1979.

Direction	Planning Proposal Consistency
Focus area 1: Planning Systems	
1.1 - Implementation of Regional Plans	Consistent with Regional Plans as Q3.
1.2 Development of Aboriginal Land Council land	No land in the Narromine LGA known to be mapped.
1.3 Approval and Referral Requirements	The draft provisions considered do not include additional referral, consultation and concurrence requirements from a public authority.
1.4 Site Specific Provisions	N/A – not site-specific provision.
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A

Direction	Planning Proposal Consistency
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A
1.14 Implementation of Greater Macarthur 2040	N/A
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A
1.16 North West Rail Link Corridor Strategy	N/A
1.17 Implementation of the Bays West Place Strategy	N/A
Focus area 2: Design and Place	
-	-
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	Consistent. The Proposal includes provisions that facilitate minimisation of environmental impact and require the sites to be appropriately located. Conservation zones are not affected.
3.2 Heritage Conservation	Consistent. The Proposal is not site-specific and no direct impacts are envisaged.
3.3 Sydney Drinking Water Catchments	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
3.5 Recreation Vehicle Areas	Consistent – no land use will be amended that permits recreational vehicle activities.
Focus area 4: Resilience and Hazards	
4.1 Flooding	Consistent – the proposal is not site specific.
4.2 Coastal Management	N/A
4.3 Planning for Bushfire Protection	N/A - the proposal is not site specific.

Direction	Planning Proposal Consistency
4.4 Remediation of Contaminated Land	N/A - the proposal is not site specific.
4.5 Acid Sulfate Soils	N/A - the proposal is not site specific.
4.6 Mine Subsidence and Unstable Land	N/A - the proposal is not site specific.
Focus area 5: Transport and Infrastructure	
5.1 Integrating Land Use and Transport	Justified inconsistency - the proposal is not site specific.
5.2 Reserving Land for Public Purposes	N/A
5.3 Development Near Regulated Airports and Defence Airfields	N/A - the proposal is not site specific.
5.4 Shooting Ranges	N/A - the proposal is not site specific.
Focus area 6: Housing	
6.1 Residential Zones	Consistent – The intent of the proposal is to protect housing supply and provide clear provisions for temporary housing needs for major projects. The Proposal includes provisions to address servicing and efficient use of infrastructure.
6.2 Caravan Parks and Manufactured Home Estates	Consistent – no changes proposed to caravan park/MHE provisions of the LEP.
Focus area 7: Industry and Employment	
7.1 Business and Industrial Zones	N/A - the proposal is not site specific and not proposed to affect the provisions of the business and industrial zones.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A to Narromine Shire LGA
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A
Focus area 8: Resources and Energy	

Direction	Planning Proposal Consistency
8.1 Mining, Petroleum Production and Extractive Industries	N/A - the proposal is not site specific.
Focus area 9: Primary Production	
9.1 Rural Zones	Justified inconsistency – no rezoning of and is proposed. Agricultural viability of land is addressed by ensuring that Temporary Workers' Accommodation is appropriately located.
9.2 Rural Lands	Consistent – no change to minimum lot size is proposed. The Proposal is consistent with Regional and Strategic plans as detailed. The provisions seek to minimise land use conflict and protect rural land uses in the longer term when a temporary accommodation proposal is no longer required.
9.3 Oyster Aquaculture	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A to Narromine Shire LGA

Section C - Environmental, social and economic impact

Q7. 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?

The provisions proposed are not site-specific. The amendment is seeking to make temporary workers accommodation permissible in the RU1, RU5 and R5 zones. It is considered likely that temporary workers accommodation will be sought in rural areas, however it is not possible to predict the impact on specific site at this stage.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal is seeking to manage potential environmental impacts and ensure impacts on local infrastructure (including roads and effluent management issues) are addressed upfront in the development concept for temporary workers' accommodation.

Additional development standards could be clarified in a supporting DCP amendment.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is intended to support economic development and encourage positive social outcomes for the Narromine Shire LGA.

As indicated, Narromine Shire is fielding many enquiries about the possibility of development in the LGA as a result of the REZ Strategy and the strengths of the LGA for large-scale development. Especially in view of recent announcements for development of the 400ha Narromine Materials Distribution Centre being assessed separately to the Narromine to Narrabri Section of Inland Rail Project. The volume of queries indicates that implementing a Planning Proposal to pre-empt development needs is prudent to support the economic development potential and flow on impacts of infrastructure projects.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

Future development applications will be subject to provisions of Narromine Shire Council Section 7.12 Contributions Plan 2019. It is not envisaged that the planning proposal will trigger a new contributions plan.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council will undertake any required consultation in accordance with the Gateway Determination stage of the LEP amendment.

No key government agencies are identified as triggered for a referral.

Part 4 - Mapping

N/A -no changes to mapping proposed.

Part 5 – Community Consultation

Formal community consultation has not been carried out pre-lodgement.

Community consultation will be considered at the Gateway stage, with the Gateway determination confirming the requirements, in accordance with the Department of Planning, Industry and Environment “Local Environmental Plan Making Guideline”.

Council's Community Participation Plan (Nov 2019) requires a 28-day exhibition for planning proposals or as otherwise required by the Gateway determination.

Part 6 – Project Timeline

The Table 3 below gives an indicative project timeline and detail for expected milestones for the planning proposal.

Table 3: Indicative project timeline

Stage	Timeframe &/or Date
Prepare Proposal – Consideration by Narromine Shire Council	1 st Qtr 2022
Council Decision	April 2022
Gateway Determination	June 2022
Exhibition	July 2022
Consideration of Submissions Post exhibition Review	August 2022
Council Decision	August 2022
Submission to the Department for Finalisation	August 2022
Gazettal of LEP amendment	

Local Plan Making Authority

Council requests Council's General Manager or delegation to Narromine Shire Council's Manager of Planning, Emma Yule, to make the plan in accordance with section 3.34(2)(g) of the EP&A Act. This is recommended as the amendment is 'basic'.

Attachment 1 – Council Minute 2021/277 Ordinary Meeting of 8 December 2021

2. TEMPORARY WORKERS' ACCOMMODATION CLAUSE – LEP AMENDMENT

RESOLVED Crs Lambert/Jablonski;

1. That Council proceed with the preparation of a planning proposal for amendment to the Narromine Local Environment Plan 2011 to include a special clause for 'temporary workers' accommodation'
2. That Council support the objectives and intent of the provisions outlined for inclusion in the clause.

2021/277

Cr Davies called for a division of the motion. The vote was unanimous.