

Environmental Planning and Assessment (COVID-19 Development—Temporary Workers' Accommodation) Order 2020

I, the Hon. Rob Stokes, MP, the Minister for Planning and Public Spaces, make the following Order under section 10.17 of the *Environmental Planning and Assessment Act 1979*.

I am satisfied this Order is necessary to protect the health, safety and welfare of members of the public during the COVID-19 pandemic as it will allow workers at the Bayswater and Liddell power stations to be isolated in separate accommodation. I have consulted with the Minister for Health and Medical Research in relation to the making of this Order.

1 Name of Order

This Order is the *Environmental Planning and Assessment (COVID-19 Development—Temporary Workers' Accommodation) Order 2020*.

2 Commencement

This Order commences on the day it is published in the Gazette and remains in force for the prescribed period.

3 Definitions

(1) In this Order—

the Act means the *Environmental Planning and Assessment Act 1979*.

prescribed period has the meaning that it has in section 10.17 of the Act.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

(2) Notes included in this Order do not form part of this Order.

4 Relationship with orders under the *Public Health Act 2010*

To the extent that this order is inconsistent with an order under Part 2 of the *Public Health Act 2010*, the order under that Part prevails.

5 Development authorised by this Order

The development specified for this Order may be carried out without the need for any approval under the Act if it complies with the conditions specified for the development.

6 Temporary workers' accommodation—change of use and temporary work

- (1) This clause applies to land that is the site of:
 - (a) the Bayswater Power Station, and
 - (b) the Liddell Power Station.
- (2) A change of use of a building or place to temporary workers' accommodation is development specified for this Order.
- (3) The following development is also development specified for this Order if it is for a purpose described in subclause (2):
 - (a) construction or installation of a temporary structure, and a temporary alteration or addition to a building or work,
 - (b) earth works and hardstand areas, and
 - (c) drainage work.
- (4) The conditions specified for the development are that the development must—
 - (a) not accommodate more than 100 people at each site, and
 - (b) not involve the accommodation of more than 5 people in a dwelling, and
 - (c) not involve any shared dining facilities, and
 - (d) implement measures to ensure that:
 - (i) each dwelling is serviced by a separate bathroom, and
 - (ii) cleaning is undertaken in accordance with *Information about routine environmental cleaning and disinfection in the community – Version 1* dated 25 March 2020 and published by the Commonwealth Department of Health, and
 - (iii) people occupying the development maintain a social distance of at least 1.5 metres at all times, and
 - (iv) any food or beverages prepared outside a dwelling is delivered to dwellings for consumption, and
 - (e) be fitted with smoke alarms in accordance with Division 7A of the *Environmental Planning and Assessment Regulation 2000*, and
 - (f) have appropriate foundations and structural support to ensure that it is safe and stable, and is otherwise safe and suitable for habitation, and

- (g) not affect the means of egress from any building in an emergency, and
 - (h) in the case of a change of use of a building or place—be returned to the previous use within 2 months after the expiry of the prescribed period, and
 - (i) in the case of any other development—be removed within 2 months after the expiry of prescribed period.
- (5) In this clause—

temporary workers' accommodation means any habitable buildings and associated amenities erected or used on a temporary basis for the purpose of providing a place of temporary or short-term accommodation for persons working in the energy or resources sector.



The Hon. Rob Stokes, MP
Minister for Planning and Public Spaces

31st March 2020