

Queensland Rural Workers' Accommodation Initiative



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Commencement date 2 December 2022 - End date 9 December 2025

Version 3, dated 22 August 2024

Background and Overview

Background

The Queensland Government recognises the importance of rural workers' accommodation in facilitating all aspects of the agricultural supply chain and to support the many regional and local economies that rely on the agricultural industry.

The Queensland Government is acutely aware of the current housing crisis and shortage of rental accommodation, particularly in high growth regions such as South East Queensland and across regional Queensland. The shortage and price of accommodation in rural and regional areas has now become a critical issue following immigration from cities to regional areas during the pandemic.

Providing convenient and affordable housing options is not just about rural workers being close to work but also providing services and appropriate accommodation that keep and attract rural workers in our communities. As such, requirements for the need for rural farm accommodation will vary depending on the agricultural commodity being grown and its seasonality.

To assist with supporting an accommodation solution for rural workers and relieving pressure on the existing housing stock, the Queensland Government has developed the Queensland Rural Workers' Accommodation Initiative (the Initiative).

This Initiative supports the economic recovery of Queensland's important agriculture industry – an industry negatively impacted by COVID-19-induced supply chain disruptions, a shortage of migrant workers, recent, severe and extensive drought and natural hazard events and other social issues such as shortages of social housing and rising costs of living.



Overview



This Initiative provides an interim policy response to the shortages of appropriate accommodation for rural workers across Queensland, while longer-term accommodation planning solutions are being worked through with local government for accommodation both on-farm and within local towns.

The Initiative:

- » is implemented under the *Planning Act 2016* (Act) through the Planning Regulation 2017 (Planning Regulation), and
- » will be in effect until 9 December 2025, unless earlier revoked or otherwise extended by the Minister administering the Act (Planning Minister), currently the Minister for Housing, Local Government and Planning and Minister for Public Works.

This Initiative comprises two key policy responses:

1. **Part A** - facilitating the repurpose of existing, underutilised facilities as an interim solution for accommodation, where nominated by the Planning Minister in accordance with the Initiative; and
2. **Part B** - facilitating the development of new, rural workers' accommodation.



Part A – repurposing existing facilities

Purpose



This Initiative is intended to facilitate the delivery of necessary and appropriate accommodation for rural workers in regional areas and thereby relieve pressures on the current housing market.

This will be achieved through:

1. The Planning Minister assessing and nominating suitable premises for accommodating rural workers (each a “Nominated Premises”); and
2. Certain development on Nominated Premises where for this Initiative being exempted from development approval requirements, through this Initiative being called up by the Planning Regulation.

Nominated Premises are listed in Schedule 1.

Nominated Premises will obtain the benefit of the exemption under the Planning Regulation while the Initiative is in effect, until 9 December 2025. No existing lawful use rights will accrue for premises beyond the cessation of this Initiative.

Nomination of Premises

The Planning Minister will determine the suitability of premises for nomination under this Initiative.

Site Suitability

In assessing the suitability of premises as accommodation for rural workers, the Planning Minister will consider any information provided by the proponent about the premises and any works required for the premises to be fit for purpose, having regard to the matters set out below.

1. Mandatory components

The proposed premises must:

- » include an existing building to be used for sleeping quarters for more than 20 workers
- » be located in a local government area where there is a demonstrated need for accommodation for rural workers
- » include, or be able to include, appropriate facilities to support the individual needs of workers including:
 - » laundry facilities
 - » kitchen facilities, and
 - » indoor and outdoor recreation facilities.

2. Other components

The Planning Minister may also consider:

- » the availability of appropriate transport from the premises to employment, community facilities, and medical services
- » the standard of existing infrastructure connections and other services for the premises (e.g., waste, water)
- » the provision of parking at the premises, for workers with personal transport
- » the site’s suitability including any mapped natural hazards and vegetation constraints
- » the impact on the existing and surrounding land uses (and the impact of surrounding land uses on the accommodation use)
- » the building and operational works required to make the premises fit for purpose and appropriate for accommodation of rural workers
- » whether the proponent has demonstrated that the proposed development for accommodation for employees of rural uses may be carried out in accordance with all relevant laws, standards and requirements (e.g., building controls and fire and safety standards).

Nomination Letter

The Planning Minister will give written notice to the local government authority, the owner of the premises and any occupier of the premises, if the Planning Minister decides to nominate premises under this Initiative (the “Nomination Notice”).

Where the Planning Minister determines that building works are required for a facility to be appropriate for accommodation for rural workers (that is for the facility to be fit for purpose) the Planning Minister will identify in the Nomination Notice the building works that are required to be undertaken before the premises may be used for accommodation purposes for this Initiative.

Implementation

It is proposed that the Planning Regulation will prescribe the effect of the Planning Minister nominating premises for the purposes of this Initiative.

The Planning Regulation will provide that particular development is accepted development, where it is for accommodating employees of rural uses for the purposes of this Initiative. The Planning Regulation will identify that this Initiative is only in effect until 9 December 2025.

Specifically, the Planning Regulation will provide development is accepted development where:

1. For building work or operational work:
 - a. The development is carried out on Nominated Premises, as identified in Schedule 1;
 - b. The development is for accommodating rural workers for the purpose of this Initiative;
 - c. Any building work complies with the standard building provisions under the *Building Act 1975* and is stated in the Nomination Notice; and
 - d. Any building work does not involve the construction of a new building for sleeping accommodation.
2. For a material change of use:
 - a. The premises have been nominated by the Planning Minister and the use is accommodating employees of a rural use for this Initiative; and
 - b. Where the use involves building works, the building works stated in the Nomination Notice have been carried out.

Part B – rural workers’ accommodation

Purpose



The Initiative also seeks to facilitate the development of rural workers’ accommodation so that agricultural workers may live affordably and in proximity to their work and allow farmers to accommodate seasonal workers for their employment needs and relieve local demand on housing stock.



Implementation

It is proposed the Planning Regulation will provide that a material change of use for certain rural workers’ accommodation is development that a local categorising instrument is prohibited from stating is assessable development.

This exemption will only apply to development for rural workers’ accommodation, namely “*the use of premises for accommodation, whether or not self-contained, for employees of a rural use, if the premises, and the premises where the rural use is carried out, are owned by the same person*” (see Schedule 24 of the Planning Regulation).

For development to attract the exemption against assessment under a local planning instrument, the proposed rural workers’ accommodation must comply with the following requirements to be prescribed in the Planning Regulation:

- » the premises are in a rural zone (defined by the relevant local government planning instrument), and
- » the premises are not less than 25ha, and
- » the development does not result in accommodation with a total capacity to accommodate more than 20 employees of the rural use across the premises on which the accommodation use is carried out, premises on which the rural use is carried out, and adjoining premises owned by the same person, and
- » the development does not involve new or changed vehicular access between the premises and a road, and
- » no part of the premises is in a flood hazard area, bushfire hazard area or a landslide hazard area (as identified in a state or local planning instrument).

A proponent may still require other development approvals under the Act for development for rural workers’ accommodation, for example building works approval to ensure compliance with appropriate building standards including the relevant fire and safety standards.

To ensure that the provisions are having the intended effect, a sunset clause will be included in the Planning Regulation that will cease the effect of these provisions three years from commencement.

Schedule 1 – Nominated Premises

Site	Street Address	Property Description
1	1511 Toowoomba Cecil Plains Road, Wellcamp 4350 ¹	Part of Lot 4 and Part of Lot 800 on SP296105
2	204 – 210 Queen Street, Ayr Queensland 4807 ²	Lot 98 on A2651
3	60 James Byrne Road, Highfields Queensland 4352 ³	Lot 6 on SP283039

¹ QWRA Request 2023-001 – Former QRAC site

² QWRA Request 2023-002 – Burdekin Hotel

³ QWRA Request 2023-003 – James Byrne Centre

