

# Draft Amendment 05-2024 of the State Planning Provisions

## Agricultural worker accommodation

1. In Table 3.1 Planning Terms and Definitions, after the row for 'agricultural use', insert a new term and definition for 'agricultural workers accommodation' as follows:

agricultural worker accommodation	means accommodation, whether self-contained or not, located in a Rural Zone or Agriculture Zone for workers employed in agricultural uses.
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2. Table 3.1 Planning Terms and Definitions, in the row for 'sensitive use', amend the definition by inserting the text shown underlined as follows:

sensitive use	means a residential use, <u>excluding agricultural worker accommodation</u> , or a use involving the presence of people for extended periods except in the course of their employment such as a caravan park, childcare centre, dwelling, hospital or school.
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3. In Table 6.2 Use Classes, in the row for 'Residential', amend the definition by inserting the text shown underlined as follows:

Residential	use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, <u>agricultural worker accommodation</u> , home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.
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4. In the Rural Zone, in clause 20.2 Use Table, delete the Permitted Residential Use Class qualification and replace with the following:

Residential	If for: (a) a home-based business in an existing dwelling; (b) agricultural worker accommodation; or (c) alterations or extensions to an existing dwelling.
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5. In the Rural Zone, in clause 20.3 Use Standards, insert a new use standard for agricultural worker accommodation as follows:

20.3.2 Agricultural worker accommodation

Objective:	To provide for agricultural worker accommodation to support agricultural use.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Agricultural worker accommodation must:</p> <ul style="list-style-type: none"> <li>(a) be used to accommodate not more than 20 workers;</li> <li>(b) accommodate workers that are employed in an agricultural use on the site or on an adjoining site in the same ownership;</li> <li>(c) be located on the same lot as: <ul style="list-style-type: none"> <li>(i) an existing dwelling and share with the existing dwelling the vehicular access and electricity connections; or</li> <li>(ii) an existing building or facility, where the workers are employed, and share with the existing building or facility the vehicular access; and</li> </ul> </li> <li>(d) be located on a lot with an area of not less than 40ha, or be part of agricultural business that operates over adjoining lots with a total area of not less than 40ha.</li> </ul>		<p><b>P1</b></p> <p>Agricultural worker accommodation must be required as part of an agricultural use either on the site or in the vicinity of the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the scale of the agricultural use being serviced;</li> <li>(b) the complexity of the agricultural use being serviced;</li> <li>(c) the operational requirements of the agricultural use being serviced;</li> <li>(d) the need for employees to be accommodated on the proposed site to attend to the agricultural use on the site or in the vicinity of the site; and</li> <li>(e) proximity of the site to the agricultural use being serviced.</li> </ul>

6. In the Rural Zone, in clause 20.4.3 A1, insert the text shown underlined as follows:

<p><b>A1</b></p> <p>New dwellings, <u>excluding agricultural worker accommodation</u>, must be located on lots that have frontage with access to a road maintained by a road authority.</p> <p><u>Agricultural worker accommodation that meets the requirements in clause 20.3.2 A1 must use the existing legal access to the lot if there is no frontage with access to a road maintained by a road authority.</u></p>	<p><b>P1</b></p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access;</li> <li>(g) the construction, maintenance and usage of the road; and</li> <li>(h) any advice from a road authority.</li> </ul>
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7. In the Rural Zone, in clause 20.5.1 P1(b) amend the leading sentence to insert the text show underlined as follows:
- (b) be for the excision of an existing dwelling, excluding agricultural worker accommodation, or Visitor Accommodation that satisfies all of the following:
8. In the Agriculture Zone, in clause 21.2 Use Table, delete the Permitted Residential Use Class qualification and replace with the following:

Residential	<p>If for:</p> <ul style="list-style-type: none"> <li>(a) a home-based business in an existing dwelling;</li> <li>(b) agricultural worker accommodation; or</li> <li>(c) alterations or extensions to an existing dwelling.</li> </ul>
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9. In the Agriculture Zone, in clause 21.3 Use Standards, insert a new use standard for agricultural worker accommodation as follows:

21.3.2 Agricultural worker accommodation

Objective:	To provide for agricultural worker accommodation to support agricultural use.	
Acceptable Solutions		Performance Criteria
<p><b>A1</b></p> <p>Agricultural worker accommodation must:</p> <ul style="list-style-type: none"> <li>(a) be used to accommodate not more than 20 workers;</li> <li>(b) accommodate workers that are employed in an agricultural use on the site or on an adjoining site in the same ownership;</li> <li>(c) be located on the same lot as: <ul style="list-style-type: none"> <li>(i) an existing dwelling and share with the existing dwelling the vehicular access and electricity connections; or</li> <li>(ii) an existing building or facility, where the workers are employed, and share with the existing building or facility the vehicular access; and</li> </ul> </li> <li>(d) be located on a lot with an area of not less than 40ha, or be part of agricultural business that operates over adjoining lots with a total area of not less than 40ha.</li> </ul>		<p><b>P1</b></p> <p>Agricultural worker accommodation must be required as part of an agricultural use either on the site or in the vicinity of the site, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the scale of the agricultural use being serviced;</li> <li>(b) the complexity of the agricultural use being serviced;</li> <li>(c) the operational requirements of the agricultural use being serviced;</li> <li>(d) the need for employees to be accommodated on the proposed site to attend to the agricultural use on the site or in the vicinity of the site; and</li> <li>(e) proximity of the site to the agricultural use being serviced.</li> </ul>

10. In the Agriculture Zone, in clause 21.4.3 A1, insert the text shown underlined as follows:

<p><b>A1</b></p> <p>New dwellings, <u>excluding agricultural worker accommodation</u>, must be located on lots that have frontage with access to a road maintained by a road authority.</p> <p><u>Agricultural worker accommodation that meets the requirements in clause 21.3.2 A1 must use the existing legal access to the lot if there is no frontage with access to a road maintained by a road authority.</u></p>	<p><b>P1</b></p> <p>New dwellings must have legal access, by right of carriageway, to a road maintained by a road authority that is appropriate, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of users of the access;</li> <li>(b) the length of the access;</li> <li>(c) the suitability of the access for use by the occupants of the dwelling;</li> <li>(d) the suitability of the access for emergency services vehicles;</li> <li>(e) the topography of the site;</li> <li>(f) the construction and maintenance of the access;</li> <li>(g) the construction, maintenance and usage of the road; and</li> <li>(h) any advice from a road authority.</li> </ul>
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11. In the Agriculture Zone, in clause 21.5.1 P1(c) amend the leading sentence to insert the text shown underlined as follows:

- (c) be for the excision of a use or development, excluding agricultural worker accommodation, existing at the effective date that satisfies all of the following:

12. In the Parking and Sustainable Transport Code, in Table C2.1 Parking Space Requirements, in the Row for the 'Residential' use class, insert a new sub-row before the sub-row for use 'Other Residential use in the General Residential Zone' as follows:

<b>Residential</b>	Agricultural worker's accommodation in the Rural Zone or Agriculture Zone	No requirement	No requirement
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