



Queensland

*Pastoral Workers' Accommodation Act 1980*

# **Pastoral Workers' Accommodation Regulation 2003**

**Reprinted as in force on 31 August 2007**

**Reprint No. 1B**

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# Information about this reprint

This regulation is reprinted as at 31 August 2007. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

## **Dates shown on reprints**

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

**Replacement reprint date** If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



## Queensland

# Pastoral Workers' Accommodation Regulation 2003

## Contents

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|               |                                                                                    | Page |
|---------------|------------------------------------------------------------------------------------|------|
| <b>Part 1</b> | <b>Preliminary</b>                                                                 |      |
| 1             | Short title . . . . .                                                              | 3    |
| 2             | Commencement . . . . .                                                             | 3    |
| 3             | Definitions. . . . .                                                               | 3    |
| <b>Part 2</b> | <b>Provision of accommodation</b>                                                  |      |
| 4             | Occupier must provide accommodation—Act ss 8–11 . . . . .                          | 3    |
| 5             | Compliance with Queensland Development Code, pt 21 . . . . .                       | 4    |
| 6             | Accommodation to be in good order and repair and appropriate for purpose . . . . . | 4    |
| 7             | Accommodation must be adequate . . . . .                                           | 5    |
| 8             | Sole use of accommodation . . . . .                                                | 5    |
| 9             | Water or fuel supply . . . . .                                                     | 5    |
| <b>Part 3</b> | <b>Accommodation for resident workers</b>                                          |      |
| 10            | Accommodation prescribed in pt 3 . . . . .                                         | 6    |
| 11            | Prescribed accommodation for resident workers—Act ss 8 or 9 . . . . .              | 6    |
| <b>Part 4</b> | <b>Accommodation for non-resident workers</b>                                      |      |
| 12            | Accommodation prescribed in pt 4 . . . . .                                         | 7    |
| 13            | Accommodation requirements for 4 or more non-resident workers and cook . . . . .   | 7    |
| 14            | Accommodation if section 13 does not apply . . . . .                               | 7    |
| <b>Part 5</b> | <b>Duties of particular workers</b>                                                |      |
| 15            | Application of pt 5 . . . . .                                                      | 8    |
| 16            | Worker to clean refuse disposal facilities . . . . .                               | 8    |
| 17            | Worker to clean certain toilet facilities . . . . .                                | 8    |
| <b>Part 6</b> | <b>Transitional provisions for repealed regulation</b>                             |      |
| 18            | Definitions for part 6 . . . . .                                                   | 9    |

|                     |                                                                                   |    |
|---------------------|-----------------------------------------------------------------------------------|----|
| 19                  | Continuing application of repealed regulation to existing accommodation . . . . . | 9  |
| <b>Part 7</b>       | <b>Repeal</b>                                                                     |    |
| 20                  | Repeal . . . . .                                                                  | 9  |
| <b>Schedule 1</b>   | <b>Resident workers accommodation</b> . . . . .                                   | 10 |
| 1                   | Sleeping accommodation . . . . .                                                  | 10 |
| 2                   | Kitchen accommodation . . . . .                                                   | 11 |
| 3                   | Dining accommodation . . . . .                                                    | 11 |
| 4                   | Refuse disposal facilities . . . . .                                              | 12 |
| 5                   | Meat preparation facilities . . . . .                                             | 12 |
| 6                   | Bathing accommodation . . . . .                                                   | 13 |
| 7                   | Toilet facilities . . . . .                                                       | 13 |
| 8                   | Laundry facilities . . . . .                                                      | 13 |
| <b>Schedule 2</b>   | <b>Dictionary</b> . . . . .                                                       | 14 |
| <br><b>Endnotes</b> |                                                                                   |    |
| 1                   | Index to endnotes . . . . .                                                       | 15 |
| 2                   | Date to which amendments incorporated . . . . .                                   | 15 |
| 3                   | Key . . . . .                                                                     | 15 |
| 4                   | Table of reprints . . . . .                                                       | 16 |
| 5                   | List of legislation . . . . .                                                     | 16 |
| 6                   | List of annotations . . . . .                                                     | 16 |

# **Pastoral Workers' Accommodation Regulation 2003**

[as amended by all amendments that commenced on or before 31 August 2007]

## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Pastoral Workers' Accommodation Regulation 2003*.

### **2 Commencement**

This regulation commences on 1 July 2003.

### **3 Definitions**

The dictionary in schedule 2 defines particular words used in this regulation.

## **Part 2 Provision of accommodation**

### **4 Occupier must provide accommodation—Act ss 8–11**

If accommodation must be provided under section 8, 9, 10 or 11<sup>1</sup> of the Act, the accommodation is taken not to be provided unless the accommodation complies with this part and part 3 or 4.

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<sup>1</sup> Section 8 (Accommodation for resident workers), 9 (Group accommodation), 10 (Accommodation for non-resident workers etc.) or 11 (Accommodation for workers employed on other lands) of the Act

**5 Compliance with Queensland Development Code, pt 21**

- (1) The accommodation must comply with the Queensland Development Code, part 21<sup>2</sup> (*part 21*).
- (2) Part 21 is complied with if the performance criteria in part 21 are satisfied.
- (3) A performance criterion is satisfied if—
  - (a) the acceptable solution for the criterion set out opposite the criterion is complied with; or
  - (b) the criterion is satisfied in a way that is at least equivalent to the acceptable solution opposite the criterion.
- (4) However, if part 21 is inconsistent with this regulation, this regulation prevails to the extent of the inconsistency.

*Examples of subsection (4)—*

- If this regulation provides that sleeping accommodation must be provided in a building or structure, the accommodation must be provided in a building or structure.
- If this regulation provides that separate male and female toilet facilities must be provided, separate male and female toilet facilities must be provided.

**6 Accommodation to be in good order and repair and appropriate for purpose**

The accommodation must be in good order and repair, hygienic condition and otherwise appropriate for its purpose.

*Examples—*

- Buildings and structures used for accommodation must be maintained in good order and repair and hygienic condition.
- Fittings, furnishings and equipment provided for workers must be maintained in good order and repair and hygienic condition.

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2 Queensland Development Code, part 21 (Pastoral Workers Accommodation)

## **7 Accommodation must be adequate**

- (1) The accommodation must be adequate for the reasonable requirements of workers accommodated.
- (2) If a worker and the worker's family are provided with accommodation, the accommodation must be adequate for the reasonable requirements of the worker and the worker's family.
- (3) In this section—

***adequate*** means adequate in capacity, number or quantity for the number of workers accommodated.

*Examples—*

- If accommodation is provided for a worker and the worker's family, at least a 170 litre refrigerator must be provided.
- If a worker performs mustering work, sleeping, kitchen and laundry accommodation is not required to be provided while the worker does not eat and sleep in accommodation provided as resident accommodation.

## **8 Sole use of accommodation**

The accommodation must be provided for the sole use of accommodating a worker and, if applicable, the worker's family.

*Example—*

Accommodation provided for a worker must not be used to store offensive goods or material such as fertiliser or untreated sheepskin.

## **9 Water or fuel supply**

If the accommodation requires a water or appropriate fuel supply so that it can be used for its purpose, the accommodation must have a water or appropriate fuel supply.

*Examples—*

- If a bathing accommodation is provided, it must have an adequate supply of clean water for showering.
- If an electric washing machine is provided, it must be connected to an electricity supply.

## **Part 3                      Accommodation for resident workers**

### **10           Accommodation prescribed in pt 3**

This part prescribes accommodation that must be provided under section 8 or 9<sup>3</sup> of the Act.

### **11           Prescribed accommodation for resident workers—Act ss 8 or 9**

- (1) The following accommodation must be provided for resident workers—
  - (a) sleeping accommodation;
  - (b) kitchen accommodation;
  - (c) dining accommodation;
  - (d) refuse disposal facilities for kitchen and dining accommodation areas;
  - (e) meat preparation facilities;
  - (f) bathing accommodation;
  - (g) toilet facilities;
  - (h) laundry facilities.
- (2) The accommodation must be as stated in schedule 1.

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3 Section 8 (Accommodation for resident workers) or 9 (Group accommodation) of the Act

## **Part 4                      Accommodation for non-resident workers**

### **12            Accommodation prescribed in pt 4**

- (1) This part prescribes the accommodation that must be provided under section 10<sup>4</sup> of the Act.
- (2) If the occupier provides the accommodation at 1 location on the premises, the occupier complies with this part.

### **13            Accommodation requirements for 4 or more non-resident workers and cook**

- (1) This section applies if an occupier employs 4 or more non-resident workers and a cook.
- (2) Part 3<sup>5</sup> and schedule 1 apply to the occupier as if each non-resident worker were a resident worker.
- (3) However, in applying part 3—
  - (a) the occupier must provide sleeping accommodation only for the cook; and
  - (b) schedule 1, section 8 does not apply to the occupier.

### **14            Accommodation if section 13 does not apply**

- (1) This section applies if section 13 does not apply to an occupier.
- (2) Part 3 and schedule 1 apply to the occupier as if each non-resident worker were a resident worker.
- (3) However, in applying part 3, the following provisions of schedule 1 do not apply to the occupier—
  - (a) section 1;
  - (b) section 2(1), (2)(c) and (3);
  - (c) section 5;

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4     Section 10 (Accommodation for non-resident workers etc.) of the Act

5     Part 3 (Accommodation for resident workers)

- (d) section 8.
- (4) Also, the occupier must provide the following—
  - (a) an electric or gas appliance for boiling drinking water;
  - (b) a coffeepot or teapot.

## **Part 5                      Duties of particular workers**

### **15            Application of pt 5**

This part applies if a resident worker resides alone, or with the worker's family, at an out-station.

### **16            Worker to clean refuse disposal facilities**

The worker must,<sup>6</sup> at least once every 24 hours, do the following in relation to a refuse disposal facility—

- (a) remove refuse from the facility to an hygienic location at least 100m from any building;
- (b) burn the refuse, or bury it at least 1m below the ground;
- (c) thoroughly clean the facility.

### **17            Worker to clean certain toilet facilities**

The worker must comply with the requirements under the *Environmental Protection (Waste Management) Regulation 2000*, section 100.

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<sup>6</sup> See section 16 (Duties of workers accommodated) of the Act.

## **Part 6**                      **Transitional provisions for repealed regulation**

### **18**        **Definitions for part 6**

In this part—

*existing accommodation* means accommodation provided under the Act that, immediately before the repeal of the repealed regulation, was in existence or under construction.

*repealed regulation* means the *Pastoral Workers' Accommodation Regulation 1989* as in force immediately before its repeal by this regulation.

### **19**        **Continuing application of repealed regulation to existing accommodation**

Despite the repeal of the repealed regulation, the repealed regulation continues to apply to existing accommodation as if the repealed regulation had not been repealed.

## **Part 7**                      **Repeal**

### **20**        **Repeal**

The *Pastoral Workers' Accommodation Regulation 1989* is repealed.

## **Schedule 1      Resident workers accommodation**

### **section 11**

#### **1      Sleeping accommodation**

- (1) Sleeping accommodation must be provided in a building or structure.
- (2) The accommodation must be a compartment providing sleeping quarters for no more than 2 workers at a time.
- (3) Separate compartments for males and females must be provided.
- (4) The accommodation must have the following in it—
  - (a) a table;
  - (b) a wardrobe or curtained-off area for hanging clothes;
  - (c) clothes hooks;
  - (d) if a compartment is lockable and a worker requests a key to his or her room, the key;
  - (e) a broom;
  - (f) a waste receptacle;
  - (g) for each worker—
    - (i) a bed that is not a bunk; and
    - (ii) a chair; and
    - (iii) a mattress; and
    - (iv) a pillow; and
    - (v) a towel rack.
- (5) The accommodation must not—
  - (a) unless it is for a cook, adjoin a kitchen; and
  - (b) be used for cooking, serving meals, or storing food.

**Schedule 1 (continued)****2 Kitchen accommodation**

- (1) Kitchen accommodation must be provided in a building or structure.
- (2) The accommodation must consist of the following—
  - (a) a cooking appliance;
  - (b) a refrigerator used solely for the refrigeration of perishable food;
  - (c) utensils and equipment reasonably expected to be found in a fully equipped kitchen.

*Examples of paragraph (c)—*

- coffeepot or teapot
  - carving and chopping knives
  - tin opener
  - saucepans including a frypan
  - air tight storage containers for bread, butter, flour and sugar
  - mixing utensils, rolling pin and baking dishes
  - detergent for washing dishes, sponge, scourer and tea towel
  - broom.
- (3) However, subsections (1) and (2) do not apply to the extent the accommodation has already been provided under a contract entered into by the occupier for the provision of cooking services.

**3 Dining accommodation**

- (1) Dining accommodation must be provided in a building or structure.
- (2) The accommodation must consist of the following—
  - (a) crockery;
  - (b) cutlery;
  - (c) glassware.

**Schedule 1 (continued)**

*Example of glassware—*

- drinking glasses
- water jug or carafe.

(d) seating;

(e) table.

**4 Refuse disposal facilities**

(1) Refuse disposal facilities must—

- (a) consist of metal receptacles with lids; and
- (b) be provided for kitchen and dining accommodation.

(2) The occupier must ensure that, at least once every 24 hours—

- (a) all refuse is—
  - (i) removed from the refuse disposal facilities to an hygienic location at least 100m from any building; and
  - (ii) burnt, or buried at least 1m below the ground; and
- (b) refuse disposal facilities are thoroughly cleaned.

(3) Subsection (2) does not apply if a resident worker resides alone, or with the worker's family, at an out-station.

**5 Meat preparation facilities**

(1) Meat preparation facilities must be provided in a building or structure.

(2) The facilities must consist of the following—

- (a) a chopping block;
- (b) a work bench;
- (c) hooks for hanging meat.

**Schedule 1 (continued)****6 Bathing accommodation**

- (1) Bathing accommodation must be provided in a building or structure.
- (2) Separate accommodation for males and females must be provided.
- (3) The accommodation must be provided in a way that ensures a worker's privacy.

**7 Toilet facilities**

- (1) Toilet facilities must be provided in a building or structure.
- (2) Separate facilities for males and females must be provided.
- (3) The occupier must comply with the requirements under the *Environmental Protection (Waste Management) Regulation 2000*, section 10O.
- (4) Subsection (3) does not apply if a resident worker resides alone, or with the worker's family, at an out-station.
- (5) The facilities must be provided in a way that ensures a worker's privacy.
- (6) The facilities must contain toilet paper and disinfectant.

**8 Laundry facilities**

- (1) Laundry facilities must be provided in a building or structure.
- (2) The facilities must consist of the following—
  - (a) an electric washing machine;
  - (b) if no electricity supply is connected to laundry facilities—a copper;
  - (c) clothes line and pegs.

## **Schedule 2      Dictionary**

### section 3

***compartment*** means a room within a building or structure.

***cooking appliance*** means a stove or range used for cooking and includes an oven.

***Queensland Development Code*** see the *Building Act 1975*, section 13.

## Endnotes

### 1 Index to endnotes

|                                                   | Page |
|---------------------------------------------------|------|
| 2 Date to which amendments incorporated . . . . . | 15   |
| 3 Key . . . . .                                   | 15   |
| 4 Table of reprints . . . . .                     | 16   |
| 5 List of legislation . . . . .                   | 16   |
| 6 List of annotations . . . . .                   | 16   |

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 31 August 2007. Future amendments of the Pastoral Workers' Accommodation Regulation 2003 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

| Key    | Explanation                    | Key     | Explanation                             |
|--------|--------------------------------|---------|-----------------------------------------|
| AIA    | = Acts Interpretation Act 1954 | (prev)  | = previously                            |
| amd    | = amended                      | proc    | = proclamation                          |
| amdt   | = amendment                    | prov    | = provision                             |
| ch     | = chapter                      | pt      | = part                                  |
| def    | = definition                   | pubd    | = published                             |
| div    | = division                     | R[X]    | = Reprint No. [X]                       |
| exp    | = expires/expired              | RA      | = Reprints Act 1992                     |
| gaz    | = gazette                      | reloc   | = relocated                             |
| hdg    | = heading                      | renum   | = renumbered                            |
| ins    | = inserted                     | rep     | = repealed                              |
| lap    | = lapsed                       | (retro) | = retrospectively                       |
| notfd  | = notified                     | rv      | = revised edition                       |
| num    | = numbered                     | s       | = section                               |
| o in c | = order in council             | sch     | = schedule                              |
| om     | = omitted                      | sdiv    | = subdivision                           |
| orig   | = original                     | SIA     | = Statutory Instruments Act 1992        |
| p      | = page                         | SIR     | = Statutory Instruments Regulation 2002 |
| para   | = paragraph                    | SL      | = subordinate legislation               |
| prec   | = preceding                    | sub     | = substituted                           |
| pres   | = present                      | unnum   | = unnumbered                            |
| prev   | = previous                     |         |                                         |

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

| Reprint No. | Amendments included | Effective        | Notes |
|-------------|---------------------|------------------|-------|
| 1           | none                | 1 July 2003      |       |
| 1A          | 2006 SL No. 227     | 1 September 2006 |       |
| 1B          | 2007 SL No. 217     | 31 August 2007   |       |

## 5 List of legislation

### **Pastoral Workers' Accommodation Regulation 2003 SL No. 150**

made by the Governor in Council on 26 June 2003

notfd gaz 27 June 2003 pp 749–56

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2003 (see s 2)

exp 1 September 2013 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Building Regulation 2006 SL No. 227 ss 1–2, pt 11**

notfd gaz 18 August 2006 pp 1821–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2006 immediately after the commencement of s 5 of the Building and Other Legislation Amendment Act 2006 No. 36 (see s 2 and 2006 SL No. 226)

### **Environmental Protection Legislation Amendment and Repeal Regulation (No. 1)**

**2007 SL No. 217 pts 1, 4**

notfd gaz 31 August 2007 pp 2326–7

commenced on date of notification

## 6 List of annotations

### **Worker to clean certain toilet facilities**

s 17 amd 2007 SL No. 217 s 27

### **PART 8—AMENDMENT OF BUILDING FIRE SAFETY REGULATION 1991**

pt 8 (ss 21–22) om R1 (see RA s 40)

### **PART 9—AMENDMENT OF INTEGRATED PLANNING REGULATION 1998**

pt 9 (ss 23–27) om R1 (see RA s 40)

**PART 10—AMENDMENT OF RESIDENTIAL SERVICES (ACCREDITATION)  
REGULATION 2002**

**pt 10 (ss 28–29)** om R1 (see RA s 40)

**PART 11—AMENDMENT OF STANDARD BUILDING REGULATION 1993**

**pt 11 (ss 30–38)** om R1 (see RA s 40)

**SCHEDULE 1—RESIDENT WORKERS ACCOMMODATION**

**Toilet facilities**

**s 7** amd 2007 SL No. 217 s 28

**SCHEDULE 2—DICTIONARY**

def “**Queensland Development Code**” sub 2006 SL No. 227 s 67