



Queensland

Pastoral Workers' Accommodation Regulation 2015

Subordinate Legislation 2015 No. 92

made under the

Pastoral Workers' Accommodation Act 1980

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Pastoral Workers' Accommodation Regulation 2015*.

2 Commencement

This regulation commences on 31 August 2015.

Part 2 Provision of accommodation

3 Prescribed accommodation that occupier must provide—Act, ss 8–11

If accommodation must be provided under section 8, 9, 10 or 11 of the Act, the accommodation is taken to be provided only if the accommodation complies with this part and part 3 or 4.

4 Compliance with Queensland Development Code, pt MP 5.6 and additional requirements

- (1) The accommodation must satisfy the performance criteria stated in the Queensland Development Code, part MP 5.6 (*part MP 5.6*).
- (2) For subsection (1), a performance criterion is met if—
 - (a) the acceptable solution for the criterion set out opposite the criterion is complied with; or
 - (b) the criterion is met in a way that is at least equivalent to the acceptable solution set out opposite the criterion.
- (3) This regulation may impose an additional requirement for accommodation prescribed under this part that is not stated under part MP 5.6 (*additional requirement*).

[s 5]

- (4) If there is an additional requirement, the accommodation must satisfy part MP 5.6 and the additional requirement.

Example for subsection (4)—

If this regulation requires separate male and female toilet facilities for the accommodation but part MP 5.6 does not, the requirement for separate male and female toilet facilities is an additional requirement that the accommodation must satisfy.

- (5) In this section—

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

5 Accommodation to be in good order and repair and appropriate for purpose

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

Examples—

- A building or structure is in good order and repair if it is maintained and kept in a clean condition.
- Fittings, furnishings and equipment provided for workers are kept in good order and repair if they are maintained, kept in a clean condition and kept in working order.

6 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—

- A reasonable requirement for accommodation provided for a worker and the worker's family might include at least a 170 litre refrigerator.
- A reasonable requirement for accommodation provided for a worker who performs mustering work, might not include sleeping, kitchen and laundry accommodation while the worker is not residing in accommodation provided for a resident worker.

7 Sole use of accommodation

- (1) The accommodation must be provided for the sole use of accommodating a worker, or the worker and the worker's family.
- (2) The accommodation provided for the worker, or the worker and the worker's family must not be used to store hazardous or offensive goods or material, including, for example, fertiliser or untreated sheepskin.

8 Water or fuel supply

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

Examples—

- Bathing accommodation requires an adequate supply of clean water for showering.
- An electric washing machine requires a connection to an electricity supply and water supply.

Part 3 Accommodation for resident workers

9 Accommodation requirements prescribed in pt 3

This part prescribes accommodation that must be provided for resident workers under section 8(1) or 9(2) of the Act.

[s 10]

10 Accommodation for resident workers—Act, ss 8 and 9

- (1) Accommodation for resident workers must include the following—
 - (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 and facilities stated in subsection (1) must comply with schedule 1.

Part 4 Accommodation for non-resident workers

11 Accommodation requirements prescribed in pt 4

- (1) This part prescribes the accommodation that must be provided for non-resident workers under section 10(1) of the Act.
- (2) To comply with this part, the occupier need only provide the accommodation at 1 location on the premises.

12 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 and schedule 1 apply to the occupier as if each non-resident worker were a resident worker.
- (3) However, in applying part 3—
 - (a) sleeping accommodation need only be provided for the cook; and
 - (b) schedule 1, section 9 does not apply to the occupier.

13 Accommodation requirements if s 12 does not apply to occupier

- (1) This section applies if section 12 does not apply to an occupier.
- (2) Part 3 and schedule 1 apply to the occupier as if each non-resident worker employed by the occupier were a resident worker.
- (3) However, in applying part 3, the following provisions of schedule 1 do not apply to the occupier—
 - (a) section 2;
 - (b) section 3(1), (2)(c) and (3);
 - (c) section 6;
 - (d) section 9.
- (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 Miscellaneous

14 Worker to clean refuse disposal facilities

- (1) This section applies if a resident worker lives alone, or with the worker's family, at an out-station.

[s 15]

- (2) The worker must, at least once every 24 hours—
- (a) remove refuse from the refuse disposal facility to a hygienic location at least 100m from any building; and
 - (b) burn the refuse, or bury it at least 1m below the ground; and
 - (c) thoroughly clean the facility.

Note—

See also section 16 of the Act.

Part 6 Transitional provision for repealed regulation

15 Application of repealed regulation to existing accommodation

- (1) 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.
- (2) In this section—

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 2003* as in force immediately before its repeal by this regulation.

Part 7 Repeal

16 Repeal

The Pastoral Workers' Accommodation Regulation 2003, SL No. 150 is repealed.

Schedule 1 Resident workers accommodation

section 10

1 Definitions

In this schedule—

compartment means a room within a building or structure.

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

2 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 the compartment, 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.

3 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 only for the refrigeration of perishable food;
 - (c) utensils and equipment reasonably expected to be found in a fully equipped kitchen.

Examples for 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.

4 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;
Examples of glassware—
 - drinking glasses
 - water jug or carafe
 - (d) seating;
 - (e) table.

5 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 a 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 lives alone, or with the worker's family, at an out-station.

6 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.

7 Bathing accommodation

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

8 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 facilities must be provided in a way that ensures a worker's privacy.
- (4) The facilities must contain toilet paper and disinfectant.

9 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.

ENDNOTES

- 1 Made by the Governor in Council on 20 August 2015.
- 2 Notified on the Queensland legislation website on 21 August 2015.
- 3 The administering agency is Queensland Treasury.

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