

Impact Analysis Statement

Summary IAS

Details

Lead department	Department of State Development, Infrastructure and Planning
Name of the proposal	<i>Pastoral Workers' Accommodation Regulation 2026</i>
Submission type	Summary IAS
Title of related legislative or regulatory instrument	<i>Pastoral Workers' Accommodation Act 1980;</i> <i>Pastoral Workers' Accommodation Regulation 2015</i>
Date of issue	August 2026

What is the nature, size and scope of the problem? What are the objectives of government action?

As the *Pastoral Workers' Accommodation Regulation 2015* (PWA Regulation 2015) has been in operation for 10 years, statutory principles require that a 'sunset review' be undertaken to evaluate the continuing need for, and effectiveness and efficiency of the regulation.

The *Pastoral Workers' Accommodation Act 1980* (Qld) (PWA Act) and PWA Regulation 2015 stipulate minimum standards of accommodation to be provided by occupiers of pastoral properties for workers employed in pastoral work. Pastoral work includes work in connection with:

- the management, rearing or grazing of horses, cattle or sheep on properties other than dairy farms;
- the shearing or crutching of sheep; and
- the scouring, sorting or pressing of wool.

The PWA Regulation 2015 prescribes minimum standards of accommodation if and when that accommodation is provided. The employer has other options, for example by not requiring workers to reside on the property (e.g. hiring local workers travelling to and from their own residence or commercial accommodation) or by providing accommodation for workers within the employer's residence.

The Office of Industrial Relations (OIR) has undertaken a sunset review of the PWA Regulation 2015 and has not identified any problems with the current regime. The sunset review confirmed that provisions are still necessary and appropriate for the continued operation of the PWA Act. Informed by stakeholder consultation and policy analysis, the sunset review identified minor amendments necessary to ensure the PWA Regulation 2015 operates effectively.

This proposal is to give effect to the outcome of the sunset review and remake the PWA Regulation 2015 as the *Pastoral Workers' Accommodation Regulation 2026* (PWA Regulation 2026).

What options were considered?

A sunset review of the PWA Regulation 2015 was undertaken in accordance with the *Queensland Government Better Regulation Policy* to evaluate the continuing need for, effective and efficiency of the regulation.

Three options were considered as part of the review:

- **Option 1:** Allowing the PWA Regulation 2015 to expire without introducing a new regulation.
- **Option 2:** Replacing the PWA Regulation 2015 without changes.
- **Option 3:** Replacing the PWA Regulation 2015 with changes.

Option 1 – Regulation expires:

Under this option, the PWA Regulation 2015 would expire on 31 August 2026, and non-regulatory alternatives would be used to address the policy objective.

OIR has determined that the PWA Regulation 2015 is still required. It gives effect to sections within the PWA Act that are required to ensure the effective ongoing operation to provide for basic standards of accommodation for workers in the pastoral industry. The objectives of the PWA Act and the PWA Regulation 2015 have not changed in the ten years since the commencement of the PWA Regulation 2015, and therefore, the PWA Regulation 2015 remains relevant and necessary.

This option is also not supported as this would render key provisions of the PWA Act inoperative. This would have impacts on pastoral workers.

Option 2 – Remake the PWA Regulation 2015 without changes

Under this option, the PWA Regulation 2015 would be replaced in its current form without any changes. This option is not supported given minor amendments are required to reflect contemporary drafting standards.

Option 3 – Remake the PWA Regulation 2015 ‘with amendments’:

OIR examined the provisions of the PWA Regulation 2015 and consulted with stakeholders and the public regarding its operation. Very few complaints are received in relation to standards of accommodation in pastoral work. One investigation was required in 2013 with no activity under the legislation recorded since 2004.

The need for continued regulation is justified on the basis that the PWA Regulation 2015 provides detail which clarifies obligations and aids in helping employers and workers understand what is required. It is proposed that the PWA will be remade with only minor amendments. Please see below for further information.

What are the impacts?

The main purpose of the PWA Regulation 2015 is to stipulate minimum standards of accommodation and other conditions surrounding the provision of accommodation for workers when employed in pastoral industry. This applies if the employer/occupier provides accommodation. The main reason accommodation is provided to pastoral workers is that other accommodation is either not available or not in a close enough proximity to the workplace to make it practical for pastoral workers to work on particular properties.

By remaking the PWA Regulation 2015, the existing provisions would be maintained on the basis that they continue to adequately provide for accommodation standards for pastoral workers without imposing onerous obligations upon employers. It is considered that if the accommodation standards were removed, employees could be left vulnerable to the provision of unsatisfactory accommodation standards. As such, the current regime provides a safeguard to ensure a basic suitable level of accommodation is afforded to workers, where the employer provides accommodation.

Who was consulted?

Industrial Relations Regulation and Compliance (IRRC), OIR, was consulted as part of the sunset review of the PWA Regulation 2015. A consultation paper was also prepared to assist stakeholders with providing feedback in relation to the review.

IRRC supported for the PWA Regulation 2015 to be updated to improve clarity, update references, remove redundant provisions and to reflect current drafting practice.

One stakeholder submission was received in response to the Consultation Paper. The Australian Workers' Union (AWU) submitted that the PWA Regulation 2015 ought to be retained. The AWU considers that the Regulation is an important instrument to ensure rural workers, who are often vulnerable to exploitation, are provided with accommodation.

In the process of drafting, the OIR and the Office of the Queensland Parliamentary Counsel (OQPC) considered that the definition of *pastoral work* does not apply to cooks in pastoral accommodation. It is common industry practice that where workers are accommodated at the property, where the pastoral work is performed, that food is provided. In practice, if it is not practicable or desired that the station manager's own family provides the prepared food, then a cook is engaged. The PWA Act definition of pastoral work does not include persons who are not pastoral workers (i.e. cooks) and it is proposed that the PWA Regulation 2026 defines the work of cooking for a worker to be declared *pastoral work*.

A declaratory provision about the operation of the PWA Regulation 2026 was included for existing accommodation provided under the PWA Act, to make clear that the new regulation applies to all accommodation provided under the PWA Act despite the transitional provision in the current PWA Regulation 2015. The transitional provision was determined to no longer be required, and section 14 (in relation to disposal of rubbish) of the PWA Regulation 2015 has also been omitted, as section 16 under the PWA Act provides adequately for this.

Schedule one, section five of the PWA Regulation 2015, which imposes an obligation on the occupier to remove waste in a particular way, was omitted because it is not a requirement relating to prescribing accommodation and is considered a separate obligation to providing accommodation. OQPC further considered the provisions within the PWA Regulation 2015 to be re-structured to provide a more logical flow of the provisions, mainly relating to centralising all the common accommodation requirements for resident and non-resident workers.

Consultation was also undertaken with relevant Queensland Government agencies including the Department of Premier and Cabinet and Queensland Treasury and no issues were raised.

What is the recommended option and why?

Option 3: Replacing the PWA Regulation with changes

The regulatory proposal is to repeal and re-make the PWA Regulation 2015 with amendments as identified by the OQPC. The PWA Regulation 2015 was originally due for expiry on 31 August 2025 but under section 56A(1)(b) of the *Statutory Instruments Act 1992* it was exempted from expiry until 31 August 2026 for the stated reason that a review of the PWA Act and the PWA Regulation 2015 was being undertaken as part of the wider review of workers' accommodation legislation.

It is considered that the requirements of the PWA Act and PWA Regulation 2015 should remain unchanged as they provide appropriate standards specific to conditions in the pastoral workers' industry. It is considered that the re-making of the PWA Regulation 2015 will have minimal economic, competition, social and environmental impacts given that the proposal does not envisage substantive change to existing arrangements.

For this reason, Option 3 is the recommended option.

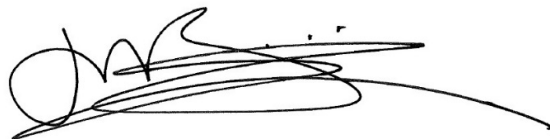
Impact assessment

	First full year	First 10 years**
Direct costs – Compliance costs*	Not applicable	Not applicable
Direct costs – Government costs	Not applicable	Not applicable

Signed



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Date: 05/08/2026



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