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# **PRIMARY INDUSTRIES AND RESOURCES COMMITTEE**

## **Members present:**

Mr SA Bennett MP—Chair  
Mr NJ Dalton MP  
Mr RI Katter MP  
Mr GR Kelly MP  
Mr JR Martin MP  
Mr LP Power MP

## **Staff present:**

Ms K O'Sullivan—Committee Secretary  
Mr R Pelenyi—Assistant Committee Secretary

## **PUBLIC HEARING—INQUIRY INTO THE RESOURCES SAFETY AND HEALTH QUEENSLAND AND OTHER LEGISLATION AMENDMENT BILL 2026**

### **TRANSCRIPT OF PROCEEDINGS**

**Wednesday, 25 March 2026**

**Brisbane**

## WEDNESDAY, 25 MARCH 2026

**The committee met at 10.30 am.**

**CHAIR:** Good morning. I declare open this public hearing for the committee's inquiry into the Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026. My name is Stephen Bennett. I am the member for Burnett and chair of the committee. With me here today is Mr James Martin, member for Stretton and deputy chair; Mr Nigel Dalton, member for Mackay; Glen Kelly, member for Mirani; Linus Power, member for Logan; and Mr Robbie Katter, member for Traeger.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee. These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings, and images may also appear on the parliament's website or social media pages.

Please remember to press your microphone on before you start speaking and off when you finish. Please turn your mobile phones off or to silent mode.

**HUGHES, Mr Mitch, District President, Mining and Energy Union—Queensland District**

**PALMER, Mr Robert, Industry Safety and Health Representative, Mining and Energy Union—Queensland District**

**WATTS, Mr Stephen, Industry Safety and Health Representative, Mining and Energy Union—Queensland District**

**CHAIR:** I now welcome representatives from the Mining and Energy Union—Queensland District. Good morning to you all. I invite you to make an opening statement before the committee will ask you questions.

**Mr Hughes:** Thank you, Chair. Thank you to the committee for allowing us to be here today. I do not intend to repeat the submission we have made, but this bill is extremely important to us and our members, so I do want to take the opportunity to outline a few aspects and make some comments. We have taken the time to go through the other submissions made by others, and we note and agree with some submissions that have outlined their concerns around the consultation process to start with and the timeframes related to this bill. As I have said, this is an important bill and the timeframe, we think, is extremely tight, to allow for a proper consultation process.

Another concern we share with some others who have had said similar in their submissions is the proposal that allows for the removal of certain positions in the RSHQ and, in particular, the CEO for any reason or none. As a union, we fight resource companies to defend our members' rights on a daily basis and one aspect that we defend is our members' rights to a fair and just process if they are dealing with a matter that has the potential for their termination of employment. It is the MEU's view that this proposed amendment should be removed and the principles of a fair and just process that allows a right of reply should be followed.

The RSHQ is designed and meant to operate independently from outside influence. Amendments such as those suggest that that will no longer be the case, in our view. If those amendments are approved, it means the potential for a regulatory body, which is in place to enforce the law and protect those in the industry, will be at the beck and call of the government of the day. That should raise alarms for everyone within the industry and those in charge of its oversight, in our view.

We also share concerns about how the board structure will operate and its make-up. It is concerning that the second recommendation of the Susan Johnston review has simply been ignored and the amendments will remove the commissioner position. Also, equally concerning is the approach that will remove and water down a tripartite approach to industry related matters. It has taken a long time and a lot of work to get to the stage where we are today, where we have the industry, workers' representatives and the regulator all in the same room to deal with serious, significant safety related matters, to try and work a way forward. The bill's proposed board structure does not seem to take that tripartite approach. Very little information about the proposed board structure has been shared, so our view is that the work done to get the relevant stakeholders finally going in the same direction will not only be diminished but potentially ignored in its entirety.

Lastly, before I hand over to Steve or Robbie for any comments and questions, I wanted to mention that I have read the submission from the Mine Managers Association and note that they have made some commentary about harmonisation of legislation. I would like to note that obviously this bill does not address that issue, and I do not think it should, so I think the comments made are relevant and I say that because the MEU strongly opposes harmonisation and will do so.

**CHAIR:** Thank you very much. Gentlemen, do you want to add anything before we go to questions?

**Mr Watts:** I would be reiterating what Mitch said. I am happy to take questions.

**Mr MARTIN:** Thank you, Mitch. We have heard that the RSHQ board does not have to have worker representation on it, which I personally find extraordinary, and it has effectively then moved away from this tripartite principle of decision making and safety. Can you advise the committee about the union's opinion on this principle of tripartite representation and perhaps a little bit of the history of how it got to this point? Also, as a union with many years' experience in the industry, is this change effectively going to reduce workers' safety?

**Mr Hughes:** In our view, yes, it will reduce safety. A good example of a tripartite approach would be the recent work done between Anglo, the regulator, and the union into the most recent event that happened at Moranbah North Mine. Out of that, Anglo had to submit a section 201 report which is an investigation, a preliminary view on what has taken place and how the event occurred. Something that had never been done prior to my knowledge was that Anglo contacted the regulator and the union and we all got in the room and we went through the investigation together. That tripartite approach to a serious safety event has, in my knowledge, never been taken before. That is an example where a tripartite approach works. It has taken a lot of time to get to that stage, to be quite frank.

There is a lot of mistrust between companies, the regulator and the unions, because, to put it quite frankly, it is generally pointed at the workers—if something goes wrong, it is their fault. There is mistrust from the get-go. Then there is mistrust during the investigation about what people are trying to hide and what the outcome is that they want. To get to a stage where you have the industry, the regulator and the union all in the same room trying to go in the same direction, to find out what has happened and what we can do to prevent it happening again is extraordinary. However, to then turn around with these proposed amendments and try to diminish that approach, I think it is, quite bluntly, a kick in the guts to the work that has taken place.

**Mr MARTIN:** Would you say it is a step backwards for workplace health and safety in Queensland?

**Mr Hughes:** Yes.

**Mr Watts:** I would like to add a quick comment to that. Coalmining standalone legislation in Queensland, the coal mining act and the metalliferous act are set up in a tripartite cooperative manner as legislation. For example, the object of the act is to protect the safety and health of workers, and it explicitly mentions in section 32 around cooperation to achieve that with worker representatives and the like. When we look at legislation, the CSMHAC committees and recognised standing committees are tripartite.

**Mr DALTON:** Gentlemen, based on your members' experience, how effective has the commissioner been in responding to safety concerns on the ground, and where do you see opportunities to improve that function moving forward?

**Mr Watts:** I think the commissioners have been very effective. For example, of the last three commissioners—Kate du Preez, Andrew Clough, Kenny Singer—two of those I have personally worked with on mine sites. They have all been very approachable. They have all been out doing mine Brisbane

visits and being part of committees. They have been a very visible presence out in the field. I believe they have been effective. They have been a point of contact for people to call and talk to. I think we are going to lose that with the board.

**Mr Hughes:** One other comment to add to that is that it is our understanding that the board will not be full-time. It will have constant oversight, as proposed, but the commissioner is currently a full-time position. They are there day in and day out. It is my understanding that the board structure does not propose to do that.

**Mr POWER:** We heard from the department, when it comes to the RSHQ board, that worker representation is not excluded under the act. Do you think that is sufficient or should there be explicitly a worker representation on the board, given that they are given these new powers?

**Mr Hughes:** Yes. Going back to the tripartite approach we were talking about before, if you were to have a board with proper representation from industry and all relevant stakeholders, there should be a workers' representative on that board structure.

**Mr POWER:** Turning to the commissioner, are you surprised that yourself and the Queensland Resources Council have exactly the same position that the commissioner should be retained?

**Mr Hughes:** Yes. It is not very often that company representatives and worker representatives align on some matters, but it is good to see that they share our view on that position.

**Mr POWER:** Further, section 56 specifically states that the commissioner must not be engaged in paid employment. It is our understanding that many of the board members will be in paid employment. When the commissioner used to chair CSMHAC, you had the confidence that they were independent. Will a board member being put in to chair CSMHAC perhaps have a conflict of interest through their paid employment?

**Mr Hughes:** I think the potential is there for a conflict, for sure.

**Mr G KELLY:** Mitch, Queensland's resources sector is a key economic driver. In your view, how do we strike the right balance between maintaining a productive and efficient industry while continuing to strengthen safety standards and protections for workers?

**Mr Hughes:** That is a good question. I do not pretend to have all of the answers, but I will say that the approach that we have just been discussing around our view, diminishing that tripartite approach is a step backwards on that point.

**Mr Watts:** I would like to comment. Workers have to have input on their own safety. When there are incidents on site, it is at the worker level where people are affected on a mine site. They need representation and, as I say, a voice in their own safety.

**Mr KATTER:** In your submission, you talked about the report on RSHQ performance but lacks explicit audit powers. What is the purpose of that? Why do you think audit authority is essential for effective oversight?

**Mr Watts:** In regards to the board's proposed functions, one of their functions is to monitor, review and report on the performance of the CEO and the RSHQ and advisory committees. To facilitate that, I think they need the ability to audit as well.

**Mr DALTON:** In your submission, you say the expansion of the LAO and the removal of the levy are welcomed and are expected to improve access to the dispute resolution process for stakeholders. Could you expand on that?

**CHAIR:** Is there a page reference?

**Mr DALTON:** Sorry, I only have the summary in front of me at the moment.

**Mr Hughes:** Sorry, member, we did not make any comment and we do not have any view on the LAO side of the proposals.

**Mr MARTIN:** In safety incidents, how important is it that they are responded to quickly? Can you, for the committee's benefit, outline what you think the difference would be between, say, a commissioner's ability to respond quickly or a board?

**Mr Watts:** If you have one person, such as the commissioner, they can respond much faster to a crisis, for example. They can perform their functions and make recommendations to the minister a lot quicker than a board. A board obviously has to deliberate, there might be differing opinions, votes—all the rest of it. In crisis management—and we have seen a few of those in our industry—it is better to have one person rather than a board make decisions.

**Mr MARTIN:** For the benefit of the committee, do you have any examples of what can happen when there are delays responding to safety incidents?

**Mr Watts:** You have put me on the spot.

**Mr POWER:** You may be able to think of one that is more topical but this is very topical too. Recently I attended a mine dust lung disease conference that the union was involved in. It was a very interesting conference. It revealed that we had some real failures across our sector—across government, across employers and I think the union even had a good look at themselves. Would the commissioner be helpful to that process in being a single point of contact when concerns are raised about mine lung dust disease?

**Mr Watts:** Absolutely. In the past we have talked to the commissioner a lot. All of them I have dealt with have been very approachable in their position and have listened to what you have to say. No doubt other stakeholders have the same access to the commissioner.

**CHAIR:** Can any one of you help me out with CSMHAC and MSHAC in terms of the makeup of those advisory councils and their roles? I still have not been able to distinguish what those two different advisory groups actually do.

**Mr Hughes:** CSMHAC is coal mining safety whereas MSHAC is metalliferous mining.

**CHAIR:** That is pretty simple.

**Mr Hughes:** The makeup of those bodies is again tripartite: there are workers' representatives, the regulator and industry representatives.

**CHAIR:** Six members as I understand, is that right, or did we hear it is 10?

**Mr Hughes:** It is 10 for CSMHAC.

**Mr Watts:** There are three members from worker representatives, three members from company representatives and the rest are inspectors and the commissioner.

**Mr POWER:** The department has told us that the board will replace the consultative process that the commissioner was engaged in. I have attended two memorials, in Moura and Moranbah, where we were all thinking about and reflecting on deaths in the industry. Ken Singer, the commissioner, was there in person speaking to families, speaking to unions, speaking to employers about the issues, especially in Moranbah North. Do you think the board can do that at those sorts of functions—that is, be that person who is a direct point of contact?

**Mr Hughes:** When you remove one person and introduce six, as we have discussed, my understanding is that this will not be full time for them versus full time for the commissioner so you have the logistics of whatever else that board has going on outside our own industry. Whether they have the time, the resources and can physically get to those locations to have those discussions and attend those very important events I cannot answer.

**Mr G KELLY:** Mitch, drawing on your members' on-the-ground experience, what are the most common safety challenges currently facing workers in the Queensland resources sector?

**Mr Hughes:** Despite a lot of work being done around reprisal and the ability to safely raise issues, there is still a lot of hesitation in the workplace around that, taking the time to raise a complaint or raise a safety issue without fear of reprisal. You're jumping at the bit, Wattsy; you go.

**Mr Watts:** In my role, I am on the ground and I see what is going on for workers in relation to reprisal. The biggest issue at the moment is that there is evidence of people doing the wrong thing all the time at all levels and no-one gets punished. There are things in place where statutory officials can have their tickets suspended or removed. I understand the prosecution process is a long process. There are other mechanisms that are just never pulled. Things happen, there is evidence of people doing the wrong thing on mine sites and no-one gets punished. At the moment it feels like there is a more brazen attitude to safety.

**CHAIR:** Does anyone have a quick question? I am cognisant of the fact that we are running out of time.

**Mr KATTER:** This will probably require only a quick answer. One of the main issues I see relates to the FIFO and contract workforce and the impacts that has on safety. Can you perceive any way these changes will have impacts in that space?

**Mr Hughes:** None that come to mind. We have seen in the data and the statistics that, when it comes to safety incidents and those who are physically hurt, contractors are overrepresented in the data. I do not see how these proposals or this bill addresses that.

**CHAIR:** Thank you very much for your participation here today. It is always a pleasure to see you guys. We appreciate the work that you are doing out there as well so thank you very much.

**HAYTER, Ms Frances, Director, Sustainability and First Nations, Queensland Renewable Energy Council**

**MULDER, Ms Katie-Anne, Chief Executive Officer, Queensland Renewable Energy Council**

**CHAIR:** I now welcome representatives from the Queensland Renewable Energy Council. I invite you to make an opening statement and then we will have some questions for you.

**Ms Mulder:** Thank you, Chair and members, for inviting us to present today. We really appreciate that. I would first like to acknowledge the traditional owners of the land on which we meet today, the Turrbal and the Yagara peoples, recognising their past and present connection with land, waters and sky.

The Queensland Renewable Energy Council has a particular interest in the legislative amendments in this bill as they relate to the expansion amendments for the Land Access Ombudsman as well as Coexistence Queensland so we will not have any particular comments on the previous hearing witnesses in regards to resources health and safety. I want to make that clear. The Queensland Renewable Energy Council is the only peak state body for large-scale utility-scale renewable energy in the nation. We are really proud of that because we believe that large-scale development happens at the state and local levels so we are certainly, as a state, leaning into that and we would like to be leading from the front as Queensland. Queensland is different and we are absolutely very proud of that. We represent the developers in Queensland but we work very closely with local governments and the Queensland government as well as community stakeholders on how we can get the best outcomes for everybody because, at the end of the day, our projects, like other large-scale developments such as coal and gas, are there for a long time. You have to make sure that you build that trust and there is a benefit for everybody.

On the areas of the bill that we would like to focus on today, we have provided a submission. As with traditional coal and gas projects across the state, renewable energy projects need to build enduring relationships with landholders and communities to coexist. Key institutions such as Coexistence Queensland and the Land Access Ombudsman have been important actors in coexistence and the frameworks that balance these relationships to date. Coexistence Queensland started its life as the GasFields Commission in 2013. In 2024 it was expanded to include renewable energy and was rebranded as Coexistence Queensland. We absolutely supported that expansion.

We believe that Coexistence Queensland plays an important independent and facilitative role in the coexistence ecosystem, focusing on fostering strong relationships, forging partnerships and providing trusted information and advice to stakeholders. By contrast, the Land Access Ombudsman provides an independent dispute resolution service to formally investigate and resolve disputes relating to alleged breach of a conduct and conversation agreement or a CCA, or make-good agreements. These are both statutory agreements under Queensland resources legislation. We understand that the bill does not currently propose to expand the Land Access Ombudsman's role to include disputes about renewable energy infrastructure. While we have previously supported such an expansion of renewables into the Land Access Ombudsman, we would like to be consulted if there was an expansion or maybe there is another approach that we can use, but we certainly believe that there is a need for a front door for disputes and complaints when it comes to large-scale renewable energy developments.

The bill proposes amendments that would see the appointment of members of Coexistence Queensland becoming the land access advisory council and the chief executive officer of Coexistence Queensland is deemed to be a land access ombudsman. Our concerns relate to the new governance arrangements for the Land Access Ombudsman and how they could possibly erode community and landholder trust in these two independent institutions currently. This concern comes from operationally intertwining the two entities, leading to perceptions that Land Access Ombudsman dispute investigations are influenced by policy or engagement priorities led by Coexistence Queensland and that Coexistence Queensland's role is no longer viewed as neutral, which we feel could reduce its effectiveness in facilitating sustainable coexistence outcomes. I suppose this concern is compounded by the lack of any additional budget or staffing for either organisation. This raises questions in our minds about the ability of the Land Access Ombudsman to operationalise the currently uncommenced expansions of its functions and potentially impacts on the effectiveness of Coexistence Queensland delivering on its existing remit.

As noted in our submission, QREC is seeking to confirm that renewables will not be included but we are really open to the discussion about how we can provide a front door for large-scale renewable energy disputes in other frameworks within government. We particularly recommend that

the bill include clear operational separation between the roles of Coexistence Queensland's chief executive officer and the LAO or the Land Access Ombudsman; the establishment of appropriate conflict-of-interest frameworks to identify and manage any potential conflicts; the specification of sustainable and transparent resourcing arrangements for both Coexistence Queensland and the Land Access Ombudsman; and preservation of the distinction between Coexistence Queensland's facilitative functions and the Land Access Ombudsman's formal independent dispute resolution process. I welcome any questions from members, thank you.

**CHAIR:** Thank you very much. That was very comprehensive.

**Mr MARTIN:** I have a question about conflicts of interest, which I think you touched on there in your submission. We have heard concerns about conflicts of interest as board members and the chair will have other jobs, some working for companies directly affected by the LAO. Do you think the bill deals with these conflicts clearly enough? If it is supported, should the committee look at amendments that set out clearer conflict-of-interest frameworks arising from the situation of dual roles?

**Ms Mulder:** The bill provides amendments for an overarching framework that does not quite get into the detail of how you would manage conflicts of interest between the two bodies. I think it would be helpful to include a bit more detail in there, maybe even through the explanatory notes, of what the intention is when the two organisations are merged so that there is some guidance there on what the government's intent is for those two organisations and the separation of powers in that process.

**Mr DALTON:** When new companies are looking to invest in Queensland, what specific advice does the Queensland Renewable Energy Council provide to ensure they do not repeat past mistakes, particularly around early, genuine and ongoing engagement with regional communities?

**Ms Mulder:** It is a great question, and it is one of the reasons QREC was established. Both Frances and I come from the resources sector, working for large-scale gas, coal and metalliferous mining for many years, and we felt that renewable energy is another type of large-scale development that requires early engagement with communities, local government, social impact assessments, and the other frameworks that have been put in place under the planning arrangements very recently by the government which we supported. The guidance that we provide to companies is in addition to the framework now set up under the Planning Act for the social impact assessments and community benefit agreements. Our companies are not just renewable energy companies, they are energy companies, so a lot of them will be global. They may have a nuclear power plant overseas, they may have coal, or they may have gas and renewables, so there is that real diversification process happening at the moment.

Certainly, I think as the industry further emerges in Queensland, there is more of a need and we talk about with our companies as well around how they can coordinate themselves a little better. It is fair to say that in some regions there are a lot of projects, along with the social impact assessment processes coming in place. If I look at the Western Downs region, they have 11 social impact assessment processes going on individually at the same time, so that is a lot of engagement with the community on a lot of the same questions—how we can work closer together around coordinating some of that and ensuring we are setting the expectations correctly within the community as well.

Our projects are very similar to other large-scale development like mining and gas. At that very early feasibility stage, which, I suppose, is relatable to an exploration permit in resources, not all of those projects are going to get up. There is setting that expectation that at pre-feasibility stage, not all those projects are going to make it to actually construction and operation one day, similar to a coalmine and a gas development.

**Ms Hayter:** Member, in terms of that particular question, was there something that was relative to the bill that you are looking to see some sort of construct, or was that more a generic question about how the sector—

**Mr DALTON:** I think it was more a generic question.

**Ms Hayter:** Okay, thank you.

**Mr POWER:** I was noting some of the symmetry between what you put forward in regards to concerns about the proposed governance changes and AgForce's concern about the changes in reduced independence. Is it surprising that bodies with very different underlying directions come to a confluence to have real concerns about the changes being made in this act?

**Ms Mulder:** No, it is not surprising to us. We work very closely with AgForce and the Queensland Farmers' Federation. I think overall both organisations and our members have similar shared interests when it comes to Coexistence. Landholders want to sometimes diversify their income

and welcome that development, whether that be coal seam gas development or whether that be wind turbines on their property. In terms of having similar concerns, we have read the AgForce submission and it is very similar. Of course, their focus is on the resources sector which the Land Act Ombudsman's remit is not expanded to renewables. Similarly with conflicts of interest and being really clear about the separation of those two roles, ensuring we are not throwing the baby out with the bathwater on one—Coexistence Queensland do a fantastic job and have a very long history of understanding the challenges as well as the benefits and how to bring people together for the best interests of the state.

**Mr POWER:** Landholders, farmers especially, have very legitimate interests and legitimate concerns over alternative land uses and the compensation involved and the long-term remediation. AgForce has said really clearly here that embedding the LAO within Coexistence Queensland creates a structural dependence and a risk of influence from government. This is a very fragile relationship between alternate users for energy and landholders. Are these concerns legitimate and is it going to break that fragile relationship?

**Ms Mulder:** That is a very good question. It is a hard one to answer because it all really depends on how it will be set up operationally. Previously, disputes—if I am talking resources and how that—

**Mr POWER:** It is great that you have that experience coming into this.

**Ms Mulder:** Yes, we think so, too—and then coming into renewables, there is a very clear structural process of how disputes are going to be handled—a front door. Is this a compliance issue? Have you already got an approval and are you not meeting your noise requirements or conditions? It is a very different type of dispute compared to whether you have a good relationship with your landholder or your neighbour around what you have commercially negotiated. They are two very different things. I think Coexistence Queensland's role is to work with all parties to bring parties together in the best interests of the state, and things like decommissioning come up quite regularly, and then it is really important that they can talk from a very evidence-based, factual perspective. Getting into the dispute side of things, I suppose it can be nuanced, and we would hope that there is some very clear planning and separation in how this works operationally leading into 1 July when it is all implemented.

**Mr G KELLY:** A lot of this is about safety of the worker. It is quite interesting listening to the gentleman before. Do you find that when it comes to the renewables that we set the same safety standard as the mining industry? Do you find it is going as well as the mining industry?

**Ms Mulder:** We are under different regulations. As we heard previously, the coalmining sector and the metalliferous sector has a tripartite piece of legislation between the three parties. With renewables, our workplace health and safety laws are governed like all other large-scale development under the workplace health and safety laws. We have had some instances in the past, and in the last two years for QREC, the actions we have taken include standing up a health and safety working group and we have safety shares similar how to the resources sector works. That is really important in terms of industry shared learning of how we are working on the ground, ensuring that industry safety practices are shared amongst the industry, not only on a state level but also on a national level.

**Mr G KELLY:** We have concerns in local areas. Up home, for example, there were several deaths and injuries at three projects within 20 kilometres of each other, and I am finding it hard to understand that we have it up to scratch. I find that quite interesting.

**Ms Hayter:** I think the bottom line is that everybody wants to go home safely. It can sound a bit trite, but this industry is as committed to that. Any injury is never acceptable, full stop, and it is not any more acceptable to the renewables sector than it is to the resources sector.

**CHAIR:** I thank you both for coming along today, for your submission and for your interest in the bill. It has been a pleasure to see you both. We look forward to talking to you some more.

**SLEIGH, Mr John, Northern Vice President, Mine Managers Association of Australia**

**CHAIR:** I now welcome the Mine Managers Association representative. I invite you to make an opening statement, after which the committee will have some questions for you. Welcome, John.

**Mr Sleigh:** Thank you very much for the invitation to speak. The Mine Managers Association was established back in the 1940s primarily to enable managers to share information as we were watching the mechanisation of the industry. It has reached the stage where we have had 400 people at our sharing-of-information sessions we have conducted in the last 12 months. There are representatives from basically Queensland and New South Wales which is where the bulk of Australia's coalmining is done, but also we have members from the other coalmining states of Western Australia and Tasmania and also New Zealand.

Our focus is on the compliance with maintaining a safe mining industry. It is very easy to forget that Australia has an order of magnitude below any other country in terms of mining fatalities, whether you measure it on per people employed or per million tonnes of coal produced. We are about a tenth of the figure of the United States, and about 100th of the figure of South Africa and China. It is still way too high.

There are two people who can have a direct impact on the mine and say, 'The mining stops,' and they are the appointed mine manager and the regulator. We would prefer if it was the appointed mine manager because it is a whole lot easier to start up if you get in early, and that is our basic approach to the way we maintain and have developed the standard of safety that we have in Australian coalmines.

**Mr MARTIN:** Mr Sleigh, I wanted to ask your organisation's opinion on the independence of the board. We have heard from a number of other stakeholders their concern that this board model will not have as much independence as the previous commissioner's model, that board members can be removed by the minister without reason. Do you have a position on the independence of the board?

**Mr Sleigh:** Our position is that we wonder why the board is necessary. What we are doing is putting another regulatory body above a regulatory body which is above the inspectorate. I can understand the inspectorate needs to be governed to a certain extent, but primarily, as I said before, there are two people who can stop an unsafe coalmining operation: either the inspector or the manager. We currently have a regulatory body that governs the inspectorate and now we are going to have a regulatory body that governs the regulatory body.

**Mr MARTIN:** So more red tape?

**Mr Sleigh:** It is not a term I would use, but I can imagine that people would see it that way. The point was raised in terms of Ken Singer goes to a memorial service and has a yarn to the people who perhaps are relatives of victims, or perhaps to people that are in the mining industry, and he can give a commitment that he is going to do something, that he will start something in action. If a board goes to that same committee, the best they can do is, 'I will talk to my colleagues and see if we can do something.' A board versus an individual is a dramatically different situation.

**Mr MARTIN:** Do you think it is less safe?

**Mr Sleigh:** It is less productive. It is less effective so, therefore, yes, less safe.

**Mr G KELLY:** John, reading over your submission it seemed like you were supportive of the changes if there was the opportunity to have members on the board with technical experience—mine design and mine management. Is that correct?

**Mr Sleigh:** I think it is. What you need to understand is that you can have management experience and you can have management experience. When we are dealing with mining we are dealing with explosive gases. We are dealing with strata control. We are dealing with 300-tonne trucks that carry 270-tonne loads—about 500 tonnes, 10 times the size of a normal truck. If you have passed one on the highway, you know the size of the trucks we are dealing with in mining. That sort of expertise and that sort of concept is not something that the average board member of a well-functioning bank or insurance company is going to have.

The value of a tonne of coal has ranged over the last 10 years from \$100 to \$400 so in the life of a mine you have those sorts of numbers. The mining industry is a very different industry, which is why it has a different set of regulations—both size and nature—and we need to be careful that we do not just bring in alleged expertise. They might be very competent people. I think it is interesting to have a look at 'who are we' page on the Simtars website and see how they describe themselves. I

did not see any mention, until I got down to the chief inspectors—No. 4 or 5 on the list—of heavy-duty gases, explosives, big machinery or strata control. We need people who understand what is going on. There can be very serious problems if we do not have that.

**Mr POWER:** Recommendation 1.4 in Professor Susan Johnston's report talks about board composition that Professor Johnston had—through consultation—put forward in her report. I note your concerns that this bill does not follow through on Susan Johnston's recommendations for deep technical knowledge and safety experience within that board. Is that a concern for safety for the future?

**Mr Sleigh:** Absolutely, yes. There is no more to say than that the answer is yes. It is a source of deep concern about the way the mining industry is regulated.

**Mr POWER:** And that was recommendation 1.4?

**Mr Sleigh:** Yes.

**CHAIR:** Talking about industry confidence and measures of success, what will be, in your opinion, the key indicators over the next few years of the success of the new board structure?

**Mr Sleigh:** To answer a slightly different question but give the same answer, the biggest problem at the moment is the sharing of information between operational functions. We are scared of providing too much information in case it comes back to bite us in a court case. That was a direct issue that the chair of the board of inquiry a couple of years ago had. He asked for the power to give people protection and it was rejected. It is a common problem and it is a problem we have when we are providing our professional development programs: how much can you tell so that other people can prevent the same thing happening without putting yourself in a situation where you are open to prosecution?

This week's newspapers show that in respect of a fatality at Moranbah North four years ago the prosecution has been terminated. This is after four years of worry. It is worry not only for the mine manager, the people who work at the mine and the suppliers of the mine but also uncertainty for the family. Are they getting the right story? Are they being looked after? We have two managers who were involved in a mine that was stopped for an explosion eight years ago, in August 2018. That case is still in the courts, and that is the removal of their certificates of competency. Those are the sorts of things that prevent us learning from experience by sharing our experience early. As soon as you start putting this in the hands of boards and so forth rather than individuals with experience, it becomes overly complicated. That is our concern.

**Mr POWER:** When it comes to the commissioner and someone like Ken, there is not quite a 'buck stops' but there is a direct person to talk to if there is an issue. Will that be lacking under the new structure?

**Mr Sleigh:** My experience with boards is that there will be a dominant person on the board anyway and it will not take very long for the industry to know. The fact is: the choice of who will be the one person everybody talks to has been given away by the minister to the people who are actually going to them with problems, so there will be a dominant person on any board that is formed. That dominant person will have a big impact on the way the industry is managed.

You look at people like Ken. Ken was one of three people who went to New Zealand after the Pike River Mine explosion in 2010. He was one of the three, and from all of the reports I have heard he was a very dominant person in terms of preventing rescue teams going into the mine because of things that he saw that other people were not seeing. He sought advice from experts back in Australia who said, 'You're on the right track'. Within 12 hours the mine had exploded again. Those rescuers would have been killed.

That is something in Ken's history that has made him suitable to be the commissioner today, but you could say the same thing about Andrew Clough. I have not had a lot of dealings with Kate, but my understanding is that she was well and truly a respected person. When you go back to the original commissioner, Stewart Bell—it helps when you are six foot six and weigh 200 kilos and you have a voice that can shatter glass—it was his personality. There is going to be one of those personalities on the board somewhere and that is the person who will be making the calls and who will be giving the decisions.

**Mr POWER:** Ken was over in Pike River. It shows you how incredible the stakes are. We would have sent those rescuers to their deaths if the wrong decision had been made. Someone who is perhaps part-time, who works for a different mine and who perhaps is dealing with their own issues—

you spoke of some of the other issues—is possibly not even going to be on the ground, helping to be that dominant voice, because they are only part-time on the board and full-time on a serious mine site.

**Mr Sleigh:** I have been involved in three mine rescue operations. On each occasion there was somebody at the site who stood out and was in control. The legislation gives you a picture of how we would like it to be. What happens on the ground is often substantially different. Let's get the person we want there. Let's pick them rather than have them picked by the circumstances.

**Mr DALTON:** Mining operations vary significantly across Queensland. How can legislation and regulatory oversight strike the right balance between maintaining consistent safety standards statewide and still allowing site-specific risk management tailored to the unique conditions of the individual mine site or incident?

**Mr Sleigh:** The concept of a Board of Examiners made up of practising mine managers has been the key since it was first recommended after the Torbanlea explosion in 1900. I think it might have been in place before Torbanlea and there were recommendations that certain things happen with the Board of Examiners. We have had the Board of Examiners concept, that the mine is run by competent, qualified people, and that sort of concept is what has given Australia its leading edge in terms of mine safety, as much as anything else. It is competent people. Unfortunately, the greatest recruiter of mining graduates from the universities these days are the stockbrokers. That is a fact of life, but if we can get the graduate mining engineers, the mining experts, into the mining operations—and, more importantly, into the regulator, because the board of inquiry was quite specific that the industry is coming up to a stage where failure to provide suitable remuneration for inspectorate is going to reduce the effectiveness of the inspectorate. The RSHQ and this board are taking up a great deal of power but without the expertise.

**Mr MARTIN:** We have heard concerns from other submitters about conflict of interest, in particular where the board will be made up of people with their own jobs working for companies that might be involved in some of the incidents that are being considered or looked at by the board itself. Do you think the bill effectively deals with that issue of conflict of interest? Does there need to be a clearer framework when those incidents occur?

**Mr POWER:** And also when board members are chairs of CSMHAC and MSHAC.

**Mr Sleigh:** I agree with the potential for conflict of interest. I think that is wide open.

**CHAIR:** Thank you for your participation today and for your contribution.

**DICKSON, Ms Kate, Queensland Director, Association of Mining and Exploration Companies**

**WARDEN, Ms Amy, Queensland Policy Manager, Association of Mining and Exploration Companies (via videoconference)**

**CHAIR:** I now welcome the representatives from the Association of Mining and Exploration Companies. I invite you to make an opening statement and then we will put questions from the committee.

**Ms Dickson:** Good morning, committee members. Thank you, Chair and members. I am Kate Dickson, the Queensland Director of the Association of Mining and Exploration Companies. I am joined online by Amy Warden, our Queensland Policy Manager. AMEC is a national peak industry body representing over 550 mineral exploration, mining and related service companies across Australia, with more than 80 members having operations primarily based in Queensland. Our members are mineral explorers, emerging miners, producers and a wide range of businesses working in and for the industry. AMEC members explore for and develop and produce minerals including bauxite, copper, graphite, mineral sands, rare earths, tungsten, vanadium, uranium and zinc. I will briefly highlight the key elements of our submission on these reforms.

AMEC supports the bill's direction in implementing the main recommendations from the 2025 Johnston review. Establishing an independent, skills-based governing board will hopefully help strengthen oversight, clarify responsibilities and streamline advisory structures. AMEC would like to reiterate that the effectiveness of the new board depends on ensuring its members possess practical mining experience aligned with Queensland's key systemic safety risks. AMEC recommends that the board have strong risk management capabilities to ensure genuine safety improvements.

We also have concerns about the potential gaps in audit and reporting frameworks and the risk of losing meaningful technical advisory input unless committee functions are clearly defined and transparently integrated. I am going to go off script for a minute based on some of the conversation earlier and point out that most organisations have a board, but RSHQ does not currently have a board. Other government statutory bodies all have boards. So this will be an organisation that is finally in alignment with other governance type frameworks. I would also like to point out that the chair of the board can have the visibility and leadership that the commissioner currently has, so that could also address some of the concerns that have been outlined earlier.

AMEC supports the expansion of the functions of the two health advisory committees, but the bill does not clearly outline how the committee advice will be escalated or actioned. We recommend a formalised process requiring written submissions, a public register of recommendations and mandatory board responses to ensure transparency and meaningful consideration of expert input.

AMEC also supports the proposed expansion of the Land Access Ombudsman's functions, including new dispute resolution options, and welcomes the removal of the industry levy from the legislation. Although the expansion of the role will not address all of the concerns our members experience, this new visibility will provide the information needed to enable longer term improvements to land access issues for all.

Regarding the amendments to the Mineral Resources Act, AMEC supports modernising spatial data requirements and changing how rental non-payment is handled, but we have concerns that prolonged tenement renewal stages may create uncertainty. Tenure holders can be left operating under renewal conditions for lengthy periods, creating uncertainty and disrupting forward planning, investment decisions and delivery of work programs. Prolonged renewal stages also complicate commercial arrangements and can delay the progression of legitimate resource development activities. We recommend addressing assessment delays through increased departmental resourcing. We appreciate the opportunity to address you today and welcome your questions.

**CHAIR:** Thank you very much. We will go to the member for Stretton.

**Mr MARTIN:** I wanted to ask you a question similar to the one I asked the previous stakeholder about conflict of interest and how your organisation perceives that that might operate under this new model. Is it a concern that you have people on the board in dual roles potentially looking at incidents happening at a competitor's mine? Do you think there needs to be more clarity and more of a framework included in the bill to deal with conflicts of interest?

**Ms Dickson:** I believe any conflicts of interest on any government boards are addressed under the Public Sector Act 2022, which looks at the actual, potential and perceived conflicts of interest under that act where there is a duty to disclose. There is also the government conflict-of-interest policy.

**Mr MARTIN:** So you do not see it as being a big issue?

**Ms Warden:** I think what you will struggle with in this particular context is that to have a really informed board that meets all the criteria and has the right amount of experience you will have people who are not only well sought after within the resources sector and filling other functions but also sitting on that board, but that is not say that there will be conflicts. As Kate is saying, to have full disclosure covered adequately as it is, you are also going to have people who do have competing interests, so it is going to be a difficult one.

**Mr G KELLY:** Queensland has significant opportunity in mining and exploration, particularly in regional areas like Central Queensland. In your view, how can the amendment land access framework better support investment and exploration activity while maintaining strong protection for agricultural land or ongoing farming operations and the long-term sustainability of regional communities?

**Ms Dickson:** Amy and I decided on a demarcation on answering questions earlier. Amy actually lives in one of those communities we are talking about, so I might throw to Amy on that one.

**Ms Warden:** When the Land Access Ombudsman was announced it was really welcomed. I live near Biloela in Central Queensland, so very much part of the Bowen Basin. What was welcome was that it was obviously coming across from the experience of gas. Looking at some of the more effective solutions that had worked within the gas industry and then being able to bring that into the broader resource community I think has been a huge win. It has given a lot more confidence to land tenure holders who are very well educated, I would say, in the Bowen Basin as to land access agreements and how they work. It has given greater confidence in how the government is managing the land access arrangements more wholly, as well as having good mediated conversations. I think that it really does bring forward all of the learnings that we had from the era of gas expansion and gas exploration, as well as allowing for a robust framework that has been tested across the last 10 to 15 years—and ‘tested’ I mean not just locally but through the Land Court—to allow for all of those learnings to come together.

**Ms Dickson:** I will just summarise that. If there is a framework and a process, it is good for everyone including industry and the landholders.

**Mr POWER:** Professor Johnston recommended a board structure to have some oversight in alignment. I think there is some broad agreement that there is some value in that—details of skills, conflicts and other things. However, the issue of the commissioner is not necessarily connected to whether there is a board or not. The role of commissioner can coexist with or even enhance the board. In having heard some of the submissions today about the role of the commissioner, has the commissioner had any input into the health and safety issues in regard to exploration and the roles that you play within your organisation?

**Ms Dickson:** Ken Singer is the first commissioner that we have had access to. We tried to reach out to the previous commissioner with little or no response from them or the MSHAC board. Recently we got the opportunity to be an observer at an MSHAC committee. Before that we had no visibility, no access to agendas, minutes or anything. There was absolutely no transparency. I do not think this was a commissioner thing; I think it was a Ken thing to be more inclusive of the industry, especially in exploration.

**Mr DALTON:** AMEC has called for clearer definitions of the rights of each party to land access. From your perspective, what specific changes are needed to ensure both landholders and resource companies have a clear, consistent understanding of their rights and obligations, particularly during the early exploration phase?

**CHAIR:** Are you clear or not clear?

**Ms Dickson:** Can you repeat the question?

**Mr DALTON:** Yes, certainly. You have called for clearer definitions of the rights of each party to land access. From your perspective, what specific changes are needed to ensure both landholders and resource companies have a clear, consistent understanding of their rights and obligations, particularly during the early exploration phase?

**Ms Dickson:** The expansion of Coexistence Queensland’s remit into the minerals sector will help with that. It is an education piece. At the moment the landholders who are in mining communities are familiar with it, but when there is new exploration in different areas it is often challenging because the landholders are not familiar with the process. Often we have issues where what we call ambulance-chasing lawyers go out to landholders first before the process can get started and they

catastrophise what is going to happen. Several things can happen. People think, 'Great. A mining company is going to come and put a mine in. I can sell my property and make lots of money,' but that rarely happens. Exploration is very different to an actual mine happening. It is a very high-risk activity.

The other thing that can happen is that the landholder can say, 'I don't want anyone here. This is going to become a mine. I don't want to lose my home,' Again, it is the same risk scenario. It is a very low-risk activity and it is very unlikely that a mine is going to happen. The QRC have had a campaign recently: 'A little bit of Queensland goes a long way'. It is the same for exploration because the disturbance is very minimal. The education piece that Coexistence Queensland is going to expand will hopefully help that communication piece and reduce the issues for all.

**Mr POWER:** Kate, in your report you raised the board and that Professor Johnston talked about it being skills based and independent, but I wanted to concentrate on it being skills based. The role of exploration in future mines is both very different from existing mines but also very important. Will there be someone on the board who understands the health and safety aspects as well as have the ability to get the exploration done? Will there necessarily be someone on that board who understands that?

**Ms Warden:** You are correct: exploration can quite clearly sometimes be set into two different frameworks: exploration that is occurring in terms of finding and defining the resource and exploration that occurs on active mine sites which may be in advance of the resource in an active situation. When we look at exploration, there are two very different functions and roles in that setting.

What I see with the improvement, as Kate said, that we have had recently with Ken is that there has been a much greater investment in understanding exploration—how exploration is performed in Queensland and the different functions and roles of exploration in and around active mining and/or just occurring on exploration tenement. Getting the right skills on the governing board is critical for people or representatives who have an exploration background. That is what we would like to see—that we have people on the board who have been actively involved, not just in mining per se, as in the construction and/or operation of open-cut and/or underground, but people who genuinely have experience in exploration both in and around the active operation and/or, as we see here, this link towards the greater community on land access, on tenements where it is just exploration that may be ongoing for 20 or 30 years and it does not actually result in an operational hit for a resource.

**CHAIR:** I note your submission is in supportive of the board structure and the four-year terms, but you talk about a staggering of appointments and departures. Could you talk more to that?

**Ms Dickson:** Again, that comes back to standard governance processes. I think in our submission we proposed part of the board having an initial two-year term so that there can be a turnover so that you are not losing all your IP every four years.

**Mr DALTON:** I have a more general question. When the board is set up there will be four or five people or however many will be on that board, and they will have a great set of separate skills. Collectively they will come together and make collective decisions. Is that not better than just having one person with their skills?

**Ms Dickson:** I completely agree.

**Mr POWER:** This is not a contrast between a commissioner and no board. The board could be compatible with a commissioner.

**Ms Dickson:** When you look at other governance frameworks, you have a CEO and a board and a president or a chairperson. If you had a commissioner as well, I just do not know—

**Mr POWER:** For example, Professor Johnston recommended retaining a commissioner and having a board.

**CHAIR:** You do not have to struggle over that. It is more of a statement.

**Ms Dickson:** We had not considered that as an option.

**CHAIR:** I might ask you a question around a review period. Your suggestion was that you would like to see a review in 12 months. Could you talk to me a little bit about your thoughts around that review? I guess it makes sense to do a review after 12 months, but what are your thoughts around that?

**Ms Dickson:** We will get Amy's thoughts.

**CHAIR:** Nice flick pass.

**Ms Warden:** It probably dovetails a little bit in with what you were saying. In terms of the structure, we are 100 per cent supportive of the structure that introduces a governing board for the reasons that it is not just around the skill bases that are for mining. Currently we see the skill base

within the RSHQ heavily centred around people with a mining background. What is becoming far more prevalent is that the industry is wanting to lean into skills such as environmental experience, cultural heritage and the like, which previously might not have been considered deeply within some of RSHQ's framework. Our support was largely around that and then finding the right leadership structure to support it. I lost my train of thought for the flick pass. What was your question?

**Ms Dickson:** About the review.

**Ms Warden:** The review was about wanting to then see how this all comes together—who ends up being appointed on the board and how that all gels—because I think that becomes very critical in seeing that the outcomes in the Johnston review have been achieved. That would probably be the primary concern. The recommendations were great. We are very much on board with that. We want to see that. We just want to make sure that the implementation reflects what was recommended in the review.

**CHAIR:** I am going to go a little bit out on a limb here and probably get pulled up. Mineral development licences that are issued on tenements that exist across Queensland are quite common. You are supporting exploration of companies. Is there a process for actually cancelling a mining tenement completely so it extinguishes it for any further possible exploration or extraction activities? Is there a process for that?

**Ms Dickson:** You can have a restricted area. For a resource authority—there are lots of different types of resource authorities—once the resource authority has expired or a company surrenders or relinquishes it, the state can put a restricted area over that piece of land and then that cannot be developed. If you look at, say, defence land, for example, it is covered in these RAs.

**CHAIR:** When you look at the spatial maps, historic tenements that exist for coal exploration are all over the state. There is a process, if the company has gone broke or into liquidation or, to repeat what you said, they have relinquished their right for the development licence, to can cancel it or make it a restricted area. Does that happen very often, though?

**Ms Warden:** You are talking about care and maintenance and then they have actually handed back—

**CHAIR:** No, it is still a development licence. It is still only exploration and that has failed. I have one up home I do not want anyone to turn into a coalmine. I will be upfront—MDL3040. I can tell you all about it. I will look for a restricted area.

**Ms Dickson:** There is a process. Talk to the department.

**CHAIR:** Nice flick pass. I love it. Thank you very much for joining us today. It was very informative.

**BARGER, Mr Andrew, Policy Manager, Australian Energy Producers**

**KNUDSEN, Mr Keld, General Manager States and Territories; Director Queensland, Australian Energy Producers**

**CHAIR:** Good morning and thank you for coming. I open the floor to you for an opening statement.

**Mr Knudsen:** Thank you for the opportunity to present to today's hearing. I would like to start by acknowledging the traditional owners of the land on which we meet and pay my respects to their elders past, present and emerging.

We support the government's objective in strengthening transparency, coordination and confidence in Resources Safety and Health Queensland. With consultation and implementation, the proposed reforms have the potential to enhance governance and improve the effectiveness of Queensland's resource safety framework.

The health and safety of workers in the community is the natural gas industry's highest priority. The industry is a world leader in health and safety. Stability, simplicity and consistency of the regulatory framework is fundamental to this. Our experience has been that it is difficult to rush towards better safety outcomes because safety requires a careful risk assessment from multiple perspectives. Alongside the regulatory framework here in Queensland that is managed by RSHQ, the oil and gas sector contributes to Queensland's safety ecosystem through voluntary initiatives such as Safer Together. Safer Together is a member-led program which since 2013 has worked across the natural gas industry here in Queensland, fully across the supply chain, to simplify, standardise and share safety practices. The industry ethos is that safety is a shared responsibility and not an area of competition.

AEP is the national peak body representing Australia's oil and gas industry, including Queensland's natural gas sector, and our members explore for and develop and produce the energy that underpins Queensland's electrical system, our manufacturing base, our resources sector and our export economy.

In our submission we made three broad recommendations I would like to quickly summarise. AEP recommends that the committee: amend the bill or consider provisions to ensure that the skill set is considered for the RSHQ board as a whole to include experience in particular in petroleum and gas, both operational and regulatory; amend the bill to allow more than five possible board members if necessary to maintain that full cross-section and the necessary skills and experience of the board; and amend the bill's ability to remove board members for any reason or for none, as consistent with the statutory skill-based advisory board established to improve governance. AEP welcomes the government's decision to directly fund the operations of the Land Access Ombudsman. Given the historically small number of referrals, AEP did not consider an industry levy to be appropriate.

Our submission notes that the bill was introduced quite quickly without prior industry consultation, with submissions due in just nine business days. While we do support the intent and the direction of the bill, this has limited the timeframe in which we have been able to consider the provisions and the implications of the possible reforms and if there was anything more that we could have possibly included. We would like to thank the committee for its time and we welcome any questions.

**Mr MARTIN:** Earlier the department advised that no public consultation occurred on these amendments, aside from engagement with the RSHQ, CQ and the LOA. Would you have expected a government response to the Johnston review before we got to this stage? Also, would your organisation have appreciated some consultation beforehand? In relation to the timeframe of what we are doing here, is there a need for this to be rushed? Could the committee benefit from perhaps a staged approach to this bill?

**Mr Barger:** I was scribbling furiously. It was almost like watching drafting happening, I think. You got to about four clauses in your question there. I will try to tick through them as you went. Would we have expected a government response to the Johnston review? That is the normal sort of framework. You heard the department this morning struggling with that a little bit in that normally you have a review and there is a government response: 'We accept this in principle. We are implementing that. That needs legislative changes.' The QRC submission calls this out. There is no road map for implementation. We definitely know that recommendation 2 of the Johnston review is not being implemented, which was to retain the RSHQ commissioner. We can infer how they have reacted to recommendations 1 and 3 based on reading the bill, but we do not have a road map. We do not know

how the government sees RSHQ looking in two years or in five years, which is a bit strange when you think the premise of the Johnston review was: 'The RSHQ model is five years old. How is it tracking?'

I guess the other element of that lack of a response is that the Johnston review was very narrowly focused on governance. You heard a range of views from stakeholders this morning around safety performance, safety outcomes, safety culture. Professor Johnston's review was quite narrowly focused on RSHQ governance structures, so it was quite a narrowly focused review. To jump from that being tabled to legislation being tabled does seem like a bit of a gap. In the normal course of events, if you are dealing with safety regulation, as you heard this morning, it is collaborative; there is a lot of sharing of information. Often there is an expectation of a tripartite approach. You would normally expect that you would be consulted on the government's thinking on making a response and what that response might look like. You would certainly expect to be consulted about the construction of a bill, particularly a complicated omnibus bill like this one where we are seeing a whole range of amendments run through different acts.

To the third part of your question, absent a government response it is hard to know the motivation for the rush. I do not know what the burning platform is that the committee process has had to be so truncated. Even sitting here this morning, the department's response to submissions has been tabled this morning while the department is talking, so you have this funny feedback loop that is happening in real time that makes it very difficult to develop a view of what the bill does, how it will land and how it will be implemented. Keld spoke in his opening statement about simplification and consultation being core to good safety outcomes. It is kind of like in the rush to legislate we have forgotten the aim of workplace safety that we set out to achieve.

**Mr G KELLY:** From your members' experience, how well is the current framework balancing the need of energy development with the rights of primary producers and landholders? What practical improvements could be made to ensure coexistence is both fair and workable on the ground?

**Mr Knudsen:** I think we have learned a lot in the coexistence framework over the last decade of oil and gas development in Queensland. It is fair to say that there were probably some mistakes early on and it is nice to share that with other industries as we go forward. One of the things we have done as an industry, and why we are in a different scenario now than we might have been 10 years ago, is that we have demonstrated by proving—boots on the ground, being involved in the communities and being open and front-footed on the issues and where we are going to develop. It has been excellent to see Coexistence Queensland involved in that discussion. To bring it back to the bill, the role of Coexistence Queensland in being active in the community as an independent voice and sharing with agricultural bodies and landholders and with industry about the things we are doing and what to expect through the process—they are pretty clear around what their role is. From the perspective of the legislation before us, I think incorporating some of those requirements, such as the Land Access Ombudsman, could be a natural fit or an extension of that discussion. We do appreciate that there are some Chinese walls, for want of a better way to put it, to understanding the delineation between the two parts of the association, but we think it could present, if all those frameworks are put in place, a natural progression or evolution of the Coexistence Queensland group as well.

**Mr POWER:** Building on the deputy chair's questions about process, the Johnston report on page 68 sets out a clear process for implementing the report. The first being a four-month process to set up a review implementation group within the department to develop the necessary legislative amendments, to develop role descriptions and to meet with stakeholders through that process. It seems like the bill was written before the Johnston report was done. It was simply dumped immediately afterwards. Is that a concern in terms of the way of doing business with stakeholders—that we do a report but we have effectively written the legislation and we reject the implementation recommendations, reject the skills base and reject the role of the commissioner?

**CHAIR:** I think you asking for an opinion, member, and there are imputations in that question. Do you want to rephrase the question?

**Mr POWER:** Certainly. Did the department follow the recommendations of the Johnston report on page 68 about implementing the Johnston report?

**Mr Knudsen:** I cannot directly remember that provision. If I recall, Professor Johnston suggested a staged implementation approach over an 18-month period.

**Mr POWER:** That is right.

**Mr Knudsen:** Our members had expected to see that staged response, so we were not, I guess, ready when we saw the legislation to be involved and how quickly that had come about. Was there anything specific from the HSO, Andrew, that you wanted to share on that?

**Mr Barger:** No—probably just to echo what Keld said. The terms of reference for the Johnston review specifically called for that implementation. It was not a thought bubble that came up during the review. The way the government commissioned that report was to think about how you would sequence the implementation of these recommendations. It creates a vacuum, I guess, if you do have not a response, working through the rationale of why bits and pieces of those recommendations have not been implemented and why that timeline has been jettisoned.

**Mr DALTON:** In your submission, recommendation 3 states—

3. amend the Bill's ability to remove Board members "for any reason or for none" as inconsistent with a statutory skills-based advisory Board establishment to improve governance.

What would you change it to? How would you amend that?

**Mr Barger:** That is a pretty scary thought that I am being given the pen to draft legislation! Echoing what you heard from Kate and Amy from AMEC earlier, a statutory board that is providing a governance role, that is providing some oversight based on their industry experience of improving workplace health and safety, is not something that you want to see chopping and changing and having arbitrary removal of people, particularly without any transparency about why that might be. As you heard from Kate, there are plenty of provisions in the Public Service Act around the governance of statutory boards. If there is some sort of incompetence or negligence, there are all sorts of reasons to remove people. Giving yourself such an open-ended provision, it seems like some drafting that slipped in from an individual contract rather than thinking about how you would set up a statutory board to lend industrial experience to improving workplace safety. It seems like a step away from the staged process of ensuring the renewal of that expertise that you heard AMEC speak about earlier.

**Mr POWER:** Recommendation 1 of the Johnston report, which I made reference to before, recommends that a board be established but also at point 4 recommends, 'A suggested board composition is provided in this Report.' In the Johnston report there were extensive notes from feedback about skills that were required on the board. How does that apply to your industry and what would you like to see? We have heard from the coal and metalliferous industries. What about the petroleum and gas industries?

**Mr Knudsen:** That is a really good question. Engaging with our members, we have spent a lot of time with RSHQ and the previous commissioners there. It is clear they have a lot of skills particularly in the mining sector. Ken came from a long history of underground mining. One of the challenges I think with the single commissioner model was that it is going to be very difficult to get someone who has broad expertise in both coal and gas. That was one of the areas where our members saw benefit in there being a board with a very broad skill set. That was one of the recommendations we made about there not being a limited number. Finding someone who has good petroleum experience might be difficult. Ken was excellent to engage with. He reached out a lot, but it was a really steep learning curve early on. Trying to find the balance between the hard rock mining side and the gas sector, which operates very differently, including through Safer Together, was a challenge early on, I think.

**Mr POWER:** On that though, the recommendation was that the board would be inclusive of skills, but this bill makes no reference to that. You note that board members can be removed for any reason, but also it would seem that 'for any reason or none' a person can be appointed. There is no necessity for skills either. They can be removed 'for any reason or none' and appointed 'for any reason or none'.

**Mr Knudsen:** I think we would recommend that a skills-based board be established and that that requirement be strengthened. That is reflective of any corporate boards that I have ever had anything to do with.

**CHAIR:** Are petroleum and gas represented on MSHAC or CMSHAC now so there is an opportunity potentially for the industry to be part of this new board structure?

**Mr Knudsen:** Our experience with RSHQ is that we find a very engaged regulator, both particularly the CEO and the Chief Inspector of Petroleum and Gas. She is really involved in our industry as well as through Safer Together. I would worry about diluting the specific discussions you might have on a coal mining board by putting in a petroleum person who would probably find it hard to relate. I would also have to think through whether we would recommend another committee structure given that we have such a strong body through Safer Together.

**Mr MARTIN:** I have a question I have asked some of the other stakeholders about conflict of interest. Do you think the bill as it is written effectively deals with any potential conflicts of interest that board members might have?

**Mr Knudsen:** I have been involved in a number of boards, representative committees and advisory councils and there are generally very strong requirements around conflict of interest. So I am not too worried about the governance structure around it. When you have a diversity of skills, there may be opportunities or there might be scenarios where a particular board member may excuse themselves from a particular engagement. One of the benefits of a board structure I think is that, if you have a petroleum person on there, they would naturally step in and spend more time with us and be able to feed that back into the broader strategy of the association. I am not particularly worried about the conflict-of-interest provisions that are in there.

**Mr DALTON:** I am just looking at the membership of the board in the bill. Division 3, section 51, subsection (2) lists the experiences that somebody should have if they were going to be on the board. Then subsection (4) says, 'To remove any doubt, it is declared that a member may satisfy 2 or more paragraphs of subsection (2).' Does that not give us enough skill base on a board with the collection of opportunities there from (a) to (g)?

**Mr Knudsen:** If it is the same list that I am looking at, it is a very broad list of skills and requirements for a board. Like I said, I have been involved in a few. If you are looking at the governance of the association in addition to stakeholder engagement, investigations and enforcement side, plus industry expertise in either mining and/or oil and gas, I think this list is right, but there may be the need to possibly put an additional person on if you cannot cover all of those skills.

**Mr Barger:** Looking at paragraph (b) of the clause you have quoted, that is one of the seven skill set criteria that you are looking at for a board of five having more than two. Paragraph (b) alone says that your expertise is in safety and health regulation across 'mining, petroleum and gas, and explosives industries'. You have one of that seven-part clause straddling four industries which are completely different in scope, scale and risk. None of those really go to any of the detail that you heard about from Kate and Amy about the difference between a production site that is in a stable state, a production site that is expanding and a greenfield exploration site. There is an enormous amount of complexity that RSHQ straddles.

I think the drafters have done their best effort to try to reflect that expertise but, if you think about the evidence you have heard this morning, you could be excused for thinking that we are talking about a bill that is mining health and safety in Queensland rather than resources. The industries are much broader than just coal mining, than just mining. There is a whole lot of other activities that they encompass. They are technical. They are difficult. They are complicated. You are putting a lot of pressure on the board, I think, to try to straddle that much diversity when even just a single one of those subpoints covers operational experience in health and safety across very different operational sites.

**CHAIR:** Thank you. We will have to pull up there. Your time has come to an end. We do have other witnesses to come online. Thank you very much. It is a pleasure to see you all again and thank you for your contribution here today.

**FISKBEK, Ms Anna, Policy Adviser—Land Use Protection, Vegetation Management and Land Tenure, AgForce Queensland (via videoconference)**

**CHAIR:** I welcome Anna, the representative from AgForce. Thank you very much for your submission. I invite you to make an opening statement and then we will put some questions to you.

**Ms Fiskbek:** Can you hear me? It is lagging a little bit from my end.

**CHAIR:** It is lagging. Just make your opening statement and we will deal with the technical issues at our end.

**Ms Fiskbek:** Good afternoon, Chair and committee members. My name is Anna Fiskbek and I am appearing on behalf of AgForce Queensland farmers. AgForce is the peak representative body for Queensland's cane, cattle, grain, sheep, wool and goat producers. Collectively, these industries generated approximately \$11.2 billion in on-farm production value in 2022-23. Our members—who include more than 6,000 farmers, individuals, and agribusinesses—own and manage around 55 million hectares, which is roughly one-third of Queensland's land area.

Queensland producers not only supply high-quality food and fibre for domestic and international markets but also contribute significantly to the social and economic fabric of regional, rural and remote communities, while playing a central role in the stewardship of our state's natural environment. Many of our members also host numerous resource projects on their land.

AgForce's submission focused primarily on part 4 of the Resources Safety & Health Queensland and Other Legislation Amendment Bill 2026, specifically the proposed amendments to the Land Access Ombudsman Act 2017. We have significant concerns with clause 19 of the bill, which redefines the Land Access Ombudsman as the chief executive officer of Coexistence Queensland. AgForce believes that this amendment prioritises administrative restructuring over substantive reform and does not improve protections for landholders affected by resource activities. In essence, it changes the Land Access Ombudsman from an independent statutory decision-maker to the head of a government entity with broader coexistence objectives.

Our key concerns include reduced independence. Embedding the ombudsman within Coexistence Queensland creates structural dependence on the government, whether actual or perceived, which risks undermining public confidence in the ombudsman's functions. Conflicting mandates is also an issue we recognise. Coexistence Queensland is tasked with facilitating coexistence between landholders and resource companies. This mandate has the potential to conflict with the ombudsman's role as an impartial arbiter in disputes. AgForce believes the ombudsman should remain a statutory standalone role. If the proposed model is adopted, there must be functional separation, independent decision-making and a legislated requirement that landholder interests are the primary consideration.

We also note that the bill does not address fundamental issues including limited jurisdiction of the ombudsman. The ombudsman currently cannot consider disputes relating to pre-agreement negotiations, negotiation conduct or cumulative impacts. This excludes affected parties, particularly neighbouring landholders without direct agreements with resource companies, from accessing the ombudsman. There is also a power imbalance. Landholders are negotiating with significantly better resourced companies, yet the bill does not strengthen landholder rights, expand dispute resolution powers or address systemic imbalance in the land access framework.

While we acknowledge the intent to modernise governance arrangements, the amendments as drafted risk weakening independence, reducing confidence in the ombudsman and maintaining ineffective dispute resolution processes. AgForce urges the committee to amend clause 19 to preserve independence, strengthen the ombudsman's purpose and powers, expand jurisdiction to reflect real-world disputes and deliver practical, enforceable protections for landholders.

Thank you for the opportunity to appear today. I am happy to address any questions the committee may have.

**CHAIR:** Due to technical difficulties, we will temporarily suspend proceedings and reconvene once we get Anna on the phone. Anna, unfortunately the committee was not able to understand most of your contribution. It sounded very interesting. The suggestion has been made that you email your opening statement to the secretariat for the benefit of Hansard.

**Ms Fiskbek:** Sure.

**CHAIR:** We have 10 minutes left. Are you okay if we go to some questions?

**Ms Fiskbek:** Yes, that is fine.

**CHAIR:** I will hand over to the deputy chair, the member for Stretton, to ask you a question.

**Mr MARTIN:** I have a quick question about power imbalance with landlords. Obviously when landlords have to negotiate with much better resourced companies there is a power imbalance there. Does AgForce think this bill increases that power imbalance?

**Ms Fiskbek:** The bill probably has not addressed the power imbalance. I would not say that the bill itself has increased that issue. I would say that the issue remains and is not resolved by any amendments in the bill.

**Mr G KELLY:** Drawing on your members' experience, what are the most common types of disputes raised by landholders, particularly in relation to conduct with compensation agreements, make-good obligations and cumulative impacts from multiple projects?

**Ms Fiskbek:** A lot of the issues that we see probably include poor behaviour from resource companies, a lot of on-the-ground issues such as not doing a full biosecurity washdown or not always providing notice of entry, an unwillingness to negotiate certain points such as compensation amounts or to include issues—for example, subsidence issues with the gas industry, not so much subsidence generally but the more nitty-gritty details where landholders have done their research and have professional advice. Getting into super detailed potential issues that landholders want included in their agreement is not always openly welcomed by the resource company.

**Mr POWER:** My question is about your concerns with clause 19, which takes the Land Access Ombudsman from their current role and simply makes them the chief executive officer of Coexistence Queensland. Can you give us some more information about the replacement of part 2, division 1, subdivision 1 and part 2, division 1, subdivision 2?

**Ms Fiskbek:** Our very broad and overall concern would be creating the role so that the Land Access Ombudsman and the CEO of Coexistence Queensland are effectively the same. Well, they are the same person. The objectives that we understand of the Land Access Ombudsman Act and the Coexistence Queensland Act is that the Coexistence Queensland Act is to facilitate coexistence and the Land Access Ombudsman is to resolve disputes without being a court body obviously. The concern is whether or not there is going to be independence between those two agencies and whether or not that is something that will be more perceived than actual. There are two issues—the reduced independence of both of those bodies or functions and the conflicting mandates of Coexistence Queensland and the Land Access Ombudsman in a very broad sense.

**Mr POWER:** Would it be fair to say, though, that this effectively abolishes the Land Access Ombudsman because they are so conflicted in having those dual roles?

**Ms Fiskbek:** I think from our membership concerns it does seem like those amendments, in effect, abolish the role of the Land Access Ombudsman. It is probably seen more as a Coexistence Queensland function rather than as an independent arbiter.

**CHAIR:** The bill, although it is an omnibus bill, was about safety outcomes and regulatory effectiveness. Are you able to talk about the overall impact on governance reforms that you have seen within the bill?

**Ms Fiskbek:** We did not focus on any of the other issues. We did a very a short submission on the overlap of the Land Access Ombudsman and Coexistence Queensland, so I am probably not in an informed position to make comment on the rest of the legislation unfortunately.

**CHAIR:** That is fine. I see that the proposal is for Coexistence Queensland and the Land Access Ombudsman to coexist. That was about making sure that we did have efficiencies. Are you able to add a little bit more to that?

**Ms Fiskbek:** I suppose from our membership perspective they are two separate bodies with different functions. Landholders do have a degree of trust in the Land Access Ombudsman being an impartial role. Without making any derogatory statements, I think historically there has been a bit of uncertainty and a little bit of scepticism with the role of Coexistence Queensland, although I would say it is improving. Again, without trying to say anything derogatory, I think that previously with Coexistence Queensland, when they were the GasFields Commission, it was perceived by quite a lot of landholders that their role was just to smooth the way for the gas industry rather than actually helping with the coexistence issues and coming to a mutually beneficial position. Again, I say that without trying to say anything against the role of Coexistence Queensland because I think it is improving, but I suppose that social issue still remains. I think combining these two functions now is probably a little pre-emptive in gaining that trust with Coexistence Queensland. I think combining them would be perceived as a backward step in achieving coexistence and mutually beneficial outcomes for agriculture and the resource industry.

**CHAIR:** Anna, we might pull it up there. Again, could you please email through your opening statement so we can get some consistency in the transcript? On behalf of the committee, please accept our thanks for your participation and your submission, which is online now, as I understand it. With that, I declare the hearing closed.

**The committee adjourned at 12.29 pm.**

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