

PIRC - Submission - Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026

Submission No: 003

Submission By: Queensland Resources Council

Publication: Making the submission and your name public

16 March 2026

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Committee Secretary
Primary Industries and Resource Committee
Parliament House
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Dear Dr Ward

Resources Safety and Health Queensland and Other Legislation Amendments Bill 2026

Thank you for the opportunity for the Queensland Resources Council (QRC) to make a submission on the *Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026*.

The QRC is the peak industry body representing Queensland's resources sector, with members operating across Queensland employing tens of thousands of workers. QRC and its members are strongly committed to protecting the safety and health of workers and to continuous improvement in safety performance.

The *Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026* (the Bill) implement recommendations made within 2025 Review of the Queensland Resources Safety and Health Regulatory Model (Johnston Review). The Bill introduces significant reforms to the governance of Resources Safety and Health Queensland (RSHQ), including establishment of a governing Board, transfer of statutory functions from the Commissioner to the Board, and expansion of advisory committee functions.

QRC supports the objective of strengthening governance and accountability at RSHQ, which are critical outcomes.

QRC considers several aspects of the Bill require refinement to ensure that safety and health reforms operate as intended and do not introduce ambiguity, delay or unintended consequences in regulatory function and decision making.

1. Governance Reforms and Functions of the Board

1.1 Issue – Loss of Commissioner

The removal of the statutory Commissioner role results in the loss of a clearly identifiable, independent safety and health advocate and adviser to the Minister. The Commissioner provided a direct and accessible point of engagement for industry and other stakeholders to raise systemic safety and health issues, emerging risks and concerns outside of formal compliance or enforcement processes. This function supported transparency, trust and early issue identification within the regulatory system.

Under the new governance model, it is not clear how this independent advisory and engagement function will be maintained.

While industry engagement will continue through the advisory committees, these bodies are not designed to replace the role of a single, independent safety and health advocate with direct access to the Minister. Advisory committees operate as collective, deliberative forums and do not provide the same capacity for timely escalation of emerging or systemic safety issues, nor do they perform an independent assurance function to government. As such, reliance on advisory committees alone does not fully address the loss of the Commissioner's role in facilitating direct industry access to senior, independent safety leadership.

Recommendation

That the Committee recommend the Bill or supporting governance arrangements clearly articulate how independent safety and health advice to the Minister, and direct industry access to senior safety leadership, will be maintained following the removal of the Commissioner role, including transparent mechanisms for stakeholder engagement and escalation of systemic safety concerns.

1.2 Issue – Board Functions Section 49(1)

Section 49(1) of the Bill confers broad functions on the RSHQ Board, including deciding RSHQ's strategies and operational, administrative and financial policies and ensuring RSHQ performs its functions and exercises its powers properly, effectively and efficiently.

The Explanatory Notes (the Notes) state that these functions are intended to be exercised at a strategic governance level and explain that day-to-day management remains the responsibility of the Chief Executive Officer (s 23), that the CEO must act independently of the Board when making certain statutory decisions (s 24A), and that the Board's functions do not extend to operational or administrative policies dealing with safety and health regulatory frameworks (s 49).

From an industry perspective, maintaining this distinction in practice is critical. Resources safety regulation often requires timely, technically informed decisions in relation to inspections, enforcement and incident response. Any uncertainty in responsibility between governance and operations could result in slower decision making, uncertainty and inconsistent outcomes.

Recommendation

QRC recommends that the Committee seek clarification, either through legislative refinement or authoritative guidance, to confirm that the Board's functions under section 49(1) are limited to strategic governance, oversight and performance assurance.

2. System Oversight and Architecture

2.1 Issue – Board Policy and Secretariat and Advisory Committee Functions

Due to the breadth and complexity of the Board's strategic responsibilities, QRC seeks greater clarity regarding how these roles will be resourced and undertaken in practice. Strong policy and secretariat functions will be critical to the Board's role in advancing resources safety and health in Queensland.

In addition to its core governance functions, the Bill provides for the Board to chair CMSHAC and MSHAC and reinstates and strengthens the advisory committees' independent role in reviewing legislation, standards and guidance. These arrangements place the Board at the centre of both governance and advisory system leadership. Given this expanded role, QRC considers it important that clear mechanisms are established to ensure the policy and advisory functions, including engagement with the advisory committees are appropriately resourced and informed by meaningful consultation with industry.

Recommendation

QRC recommends that in establishing the Board, the Government provide clarity on the resourcing and operation of the Board's policy and secretariat functions, including the governance frameworks that will support the Board's work. This should include clarity on the administrative and governance arrangements supporting the Board's role in chairing CMSHAC and MSHAC and on how the advisory committees' reinstated function to review legislation, standards and guidance will be supported. QRC further recommends that clear and transparent mechanisms be established to ensure meaningful consultation with industry in the development of policy, guidance and administrative frameworks arising from these functions.

2.2 Issue – Johnston Review Effective Consultation, Transparency and Implementation

QRC supports the objective of strengthening Queensland's resources safety and health system and restoring confidence in RSHQ. Given the significance of the reforms, QRC emphasises that the successful implementation of the Johnston Review recommendations will depend not only on legislative change, but on sustained consultation and transparency throughout the implementation process.

For industry to maintain confidence in the system, it is critical that implementation occurs in a manner that is predictable, well-communicated and informed by ongoing engagement with those directly affected by the reforms. Transparency around timing and process would support effective planning, reduce uncertainty during transition, and reinforce confidence that reforms are being implemented in a considered and a systematic manner, consistent with the objectives of improving safety outcomes and regulatory effectiveness.

Recommendation

QRC recommends that the Committee encourages the adoption of a transparent and consultative implementation approach to the Johnston Review recommendations, including the publication of an implementation roadmap with indicative timeframes with a quarterly progress update provided to stakeholders.

Additionally, QRC recommends that the Bill provide for a statutory review of the new governance model within three years of commencement, to assess whether the reforms have delivered improved safety outcomes, regulatory clarity and accountability.

3. Future Reform Pathways

3.1 Issue – Modernising the Legislative Framework Risk Based Regulation

The Amendment Bill implements important governance reforms arising from the Johnston Review and represents a significant step in strengthening Queensland's resources safety and health system. As these reforms are implemented and embedded, there is an opportunity to consider a subsequent, staged review of the broader legislative framework to ensure it continues to support contemporary, risk-based approaches to safety and health regulation.

An overly prescriptive compliance-driven framework can constrain innovation, adaptability and effective management of site-specific risks in a modern resources sector. Over time, this can shift focus toward procedural compliance rather than proactive risk identification and continuous improvement in safety outcomes. A future transition toward more clearly risk-based legislative settings would better align with the objectives of the Johnston Review, support continuous improvement in safety performance, and maintain robust standards.

The advisory committees, given their legislated role and tripartite expertise, are well placed to support this work as part of a structured post-implementation reform program, once the governance changes introduced by this Bill are established.

Recommendation

That the Committee recommend the RSHQ Board undertake as a priority a staged, review of the resources safety and health legislative framework, supported by the advisory committees, to identify opportunities to strengthen risk-based regulation and reduce unnecessary prescription. This work can be run in parallel with the governance reforms introduced by this Bill.

3.2 Issue – Board of Examiners Review

The establishment of the Board provides an appropriate opportunity to review the role, governance and reporting arrangements of the Board of Examiners (BoE). The BoE has a critical role in maintaining safety standards across the resources sector by assessing and certifying individuals for statutory positions that underpin safe operations. The effectiveness, transparency and credibility of the BoE are fundamental to the resources safety and health framework and industry for several years has been concerned with shortages of certified statutory position holders.

An independent review conducted by John Staff Pty Ltd in 2019 made several recommendations to strengthen BoE governance and capability. While the BoE's Annual Reports continue to reference ongoing implementation of those recommendations, there is no public visibility of the review's findings, the recommendations themselves, or the actions taken in response. Similarly, while it is QRC's understanding that the BoE is currently progressing changes to its governance structure and potentially its operating model, the details of these changes have not been communicated to industry or stakeholders.

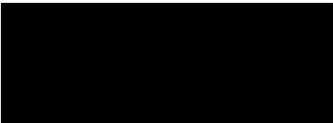
There is currently limited clarity as to whether or how the BoE should relate to or report to the new Board of RSHQ. Any changes to oversight or reporting arrangements must carefully balance improved governance transparency with the need to preserve the technical independence and integrity of statutory examinations.

Recommendation

That the Committee recommend a structured, consultative review of the Board of Examiners, including its governance and reporting arrangements be overseen by the RSHQ Board, to determine whether the BoE reporting to the RSHQ Board is appropriate and, if so, how this can be implemented without compromising independence or technical integrity.

Thank you for the opportunity to provide this submission to the Committee.

Yours sincerely



Janette Hewson
Chief Executive Officer

