



Queensland Treasury

RIA Ref: RSHQ643-1221

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Ms Michelle Anderson
Director Policy and Legislation
Resources Safety and Health Queensland
275 George Street
BRISBANE QLD 4000

Email: michelle.anderson@resources.qld.gov.au

Dear Ms Anderson

Consultation Regulatory Impact Statement – Facilitating High Reliability Organisation behaviours in Queensland’s Resources Sector and Modernising Regulatory Enforcement

Thank you for your enquiry of 27 June 2022 seeking advice on the adequacy of the 'Facilitating High Reliability Organisation behaviours in Queensland’s Resources Sector and Modernising Regulatory Enforcement' Consultation Regulatory Impact Statement (RIS).

Background

Resources Safety and Health Queensland (RSHQ) notes that since 2000 there have been 52 fatalities in the mining and quarrying industry. Independent reviews in relation to safety and health in the resources sector have recently been undertaken including:

- a review of all fatal accidents in Queensland mines and quarries from 2000 to 2019 by forensic structural engineer Dr Sean Brady (Brady Review)
- a Board of Inquiry into coal mining safety incidents as a result of:
 - a serious accident at Grosvenor mine where five coal mine workers were seriously injured
 - 40 methane exceedances at Grosvenor and other mines.

RSHQ notes that both reviews made a number of findings and recommendations to improve safety and health.

Proposal

RSHQ proposes a package of regulatory safety reforms for the Resource Safety Acts including (but not limited to):

- additional competency requirements for key critical safety roles for coal mines and for those left in charge during absences
- provisions to support compliance and enforcement of the resources continuing professional development framework
- improved data and incident reporting and information sharing
- refining industrial manslaughter provisions
- aligning the court jurisdiction for prosecutions.

Assessment

In undertaking its assessment of a RIS, the Office of Best Practice Regulation (OBPR) has regard to the requirements of the Queensland Government Guide to Better Regulation (the guidelines).

Based on these criteria, the OBPR notes the Consultation RIS presents the department's assessment of the issues and identifies those stakeholders likely to be affected and the nature of potential impacts on them.

The analysis quantifies, where possible, the costs of the proposals – in particular the costs of additional competency requirements. Potential benefits from the proposals have been described qualitatively, with some quantitative information provided to illustrate to stakeholders the potential avoided costs, under a range of scenarios, of preventing a serious mine incident. The Consultation RIS should, therefore, allow stakeholders to assess and provide evidence on the regulatory options identified, including whether the proposed amendments will deliver a net benefit to the Queensland community. On this basis, the OBPR considers the Consultation RIS adequate for the purpose of public consultation.

Consultation with stakeholders should assist in gathering evidence to further assess the regulatory proposal. Consultation should include testing the case for government action, alternative options, the assumptions used to generate costs and benefits and the potential impacts on stakeholders.

To be considered adequate for decision-making purposes, the Decision RIS will demonstrate that the benefits of the recommended options outweigh the costs and that they deliver the greatest net benefit to Queensland.

Please contact Sean Mackay, Principal Economist, on (07) 3035 3485 should you require any additional information or guidance concerning the above comments or the guidelines in general.

Please note that in accordance with Cabinet Handbook requirements, this letter should be attached to relevant Cabinet submissions.

Yours sincerely



Dr Karen Hooper
Productivity Commissioner

4 July 2022