



QUEENSLAND PARLIAMENT **COMMITTEES**

Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025

State Development, Infrastructure and Works Committee



Report No. 10

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State Development, Infrastructure and Works Committee

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All references and webpages are current at the time of publishing.

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Chair's Foreword

This report presents a summary of the State Development, Infrastructure and Works Committee's examination of the Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025.

The committee's task was to consider the policy to be achieved by the legislation and the application of fundamental legislative principles – that is, to consider whether the Bill has sufficient regard to the rights and liberties of individuals, and to the institution of Parliament. The committee also examined the Bill for compatibility with human rights in accordance with the *Human Rights Act 2019*.

The Bill seeks to modernise the regulatory framework for the Queensland Building and Construction Commission (QBCC) by supporting the QBCC to deliver more services digitally and streamlining workplace safety in Queensland's building and construction industry by amending how industry reports serious safety matters. The amendments represent the Government's third tranche of the 'Building Reg Reno' reforms and were mostly welcomed by inquiry stakeholders.

The committee has recommended that the Bill be passed.

I wish to acknowledge the concerns of Mr Garrels whose son Jason tragically died in 2012 in an event that prompted legislative changes to workplace health and safety reporting. I agree that it is of paramount importance that workers are safe and that mandatory notification process relating to serious incidents are such that regulators can act promptly and effectively. As such, the committee sought and received assurances that the amendments proposed by the Bill seek only to simplify the process for reporting safety matters. They do not change the intent or outcomes of the existing framework as it relates to incident reporting.

On behalf of the committee, I thank those who made written submissions on the Bill and appeared at the public hearing for their valuable contributions. I also thank my fellow committee members and Parliamentary Service staff for their collaborative approach throughout the inquiry.

I commend this report to the House.



Mr Jim McDonald MP

Chair

Executive Summary

The Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025 (Bill) proposes amendments to the *Queensland Building and Construction Commission Act 1991* (QBCC Act), *Building Act 1975* and *Plumbing and Drainage Act 2017* with the objective of:

- modernising the regulatory framework for the Queensland Building and Construction Commission (QBCC)
- supporting the QBCC to deliver more services digitally, and
- streamlining workplace safety in Queensland's building and construction industry through amending how industry reports serious safety matters.

The committee has recommended that the Bill be passed.

Implementing digital services within the QBCC

Amendments in the Bill seek to support the implementation of digitisation initiatives within the QBCC and relate to the introduction of digital licensing, related investigator powers, the digital serving of documents and the introduction of penalties for licensees who do not update their contact details within specified timeframes.

Inquiry stakeholders generally welcomed the proposed amendments. However, several sought clarity and assurance that traditional forms of licensing and communication would not be removed and that changes would be accompanied by clear communication with industry. One stakeholder submitted that the mandatory timeframes provided to licensees to update their contact information be extended.

Reporting serious safety incidents on building sites

The Bill also proposes to simplify the process for reporting safety matters under the QBCC Act without changing the intent or outcomes of the existing legislative framework. The Bill retains the two types of safety matters that must be reported under section 54A of the QBCC Act. However, instead of licensees having to notify two different regulators about a relevant matter, the Bill provides that the licensee must only notify the Office of Industrial Relations, which will then share the information with the QBCC on a daily basis by way of an automated report.

Inquiry stakeholders were generally supportive of the amendments. However, one stakeholder raised concerns that the change in legislation could have the effect of weakening existing reporting arrangements. Issues examined during the inquiry also included achievement of efficiencies and cost savings, evaluation and monitoring arrangements, and the need for clear industry communication.

Legislative compliance

The committee concluded that the Bill is compatible with the *Legislative Standards Act 1992* and the *Human Rights Act 2019*.

Recommendations

Recommendation 1 **4**
The committee recommends that the Bill be passed. **4**

1. Overview of the Bill

The Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025 (Bill) was introduced by the Hon. Sam O'Connor MP, Minister for Housing and Public Works and Minister for Youth, and was referred to the State Development, Infrastructure and Works Committee (committee) by the Legislative Assembly on 27 June 2025 for examination and report.

1.1. Aims of the Bill

The Bill proposes amendments to the Queensland Building and Construction Commission Act 1991 (QBCC Act), Building Act 1975 (Building Act) and Plumbing and Drainage Act 2017 (PD Act) with the objective of:

- modernising the regulatory framework for the Queensland Building and Construction Commission (QBCC)
- supporting the QBCC to deliver more services digitally
- streamlining workplace safety in Queensland's building and construction industry through amending how industry reports serious safety matters.¹

The amendments represent the third tranche of the Government's 'Building Reg Reno' reforms which aim to make it easier to build in Queensland by 'cutting red tape, reducing unnecessary costs and ensuring industry runs smoother while continuing to support efficient, risk-based regulatory effort and appropriate building standards'.²

1.2. Background

1.2.1. Implementing digital services

Amendments in the Bill seek to support the implementation of digitisation initiatives within the QBCC, the independent statutory body that administers a regulatory framework for the building and construction sector under the Building Act, PD Act and QBCC Act.³

The legislative frameworks under the above acts include a comprehensive licensing framework for the building industry as well as dispute resolution, building rectification, review processes and the Queensland Home Warranty Scheme. In 2023–24 there were 118,762 licensees under these acts who collectively held 220,234 licence classes.⁴

The explanatory notes state, that over recent years, the QBCC has been focussing on developing more efficient and user-friendly services, including digital communications and platforms to support a more responsive and customer-focussed service. These initiatives aim to improve efficiency, facilitate digital licensing, improve customer interactions and deliver a more integrated service.⁵

¹ Explanatory notes, p 1.

² Department of Housing and Public Works (DHPW), correspondence, 7 July 2025, p 1.

³ Explanatory notes, p 1.

⁴ DHPW, correspondence, 7 July 2025, attachment, p 1.

⁵ Explanatory notes, p 1.

The Queensland Digital Licence app currently allows Queenslanders to access a variety of licences electronically. Regulatory changes made in September 2024 provide that QBCC licences can also be made available on the app. However, several legislative provisions exist that are inconsistent with the roll-out of electronic licences and other electronic interactions with licensees, consumers and customers. The Bill seeks to address this by removing legislative constraints.⁶

1.2.2. Reporting serious safety matters

The Bill also proposes changes to the way industry reports serious safety incidents. The Bill proposes to streamline the process for reporting safety matters under the QBCC Act without changing the intent or outcomes of the existing policy.⁷

As acknowledged in the explanatory notes, serious safety incidents on building sites can have devastating consequences, and changes were made to workplace safety reporting laws following the tragic death of Mr Jason Garrels in 2012, and the resulting Coronor's inquiry.⁸

In 2017, amendments to the QBCC Act were introduced through the insertion of section 54A that required QBCC licensees to make separate notifications to both the QBCC and appropriate regulator under the *Work Health and Safety Act 2011* (WHS Act) or the *Electrical Safety Act 2022* (ES Act) about serious notifiable safety incidents. As stated in the explanatory notes, the intent was to ensure that QBCC is aware of serious safety incidents on building sites and take appropriate action in relation to the licensees.⁹

The explanatory notes state that improvements to internal system processes and information sharing arrangements between regulators now mean that there is no longer a need for QBCC licensees to report the same incident to two different regulators. Amendments in the Bill therefore propose to streamline the reporting pathway to require licensees to only notify the regulator. Information sharing arrangements between the QBCC and the regulator will then ensure that the QBCC continues to be notified of those incidents.

Other amendments to the QBCC Act introduced in 2017 enabled the QBCC to consider work health and safety issues and expand the grounds upon which the QBCC may take disciplinary action against a licensee or suspend or cancel a licence. This included where the licensee's work on a building site may have caused the death of a person or grievous bodily harm or a serious risk to the health or safety of a person.¹⁰ It has been made clear that these provisions are not amended or affected by the Bill.¹¹

⁶ DHPW, correspondence, written briefing, p 3.

⁷ DHPW, correspondence, written briefing, p 6.

⁸ Explanatory notes, p 2.

⁹ Explanatory notes, p 2.

¹⁰ Explanatory notes, p 2.

¹¹ DHPW, correspondence, written briefing, p 6.

1.3. Government consultation on the Bill

According to the explanatory notes, consultation occurred with the QBCC and key industry stakeholders who indicated broad support for the amendments.¹² Particular attention is drawn to consultation with the Building Ministerial Advisory Committee and the following list of stakeholders represented on the committee is provided:

Strata Community Association (Qld), Air Conditioning and Mechanical Contractors' Association, Association of Wall and Ceiling Industries Queensland, Australian Institute of Architects, Australian Institute of Building, Australian Institute of Building Surveyors, Building Design Queensland, Engineers Australia, Fire Protection Association Australia, Housing Industry Association, Landscape Queensland, Local Government Association of Queensland, Master Builders Queensland, Master Electricians Australia, Master Painters Queensland, Master Plumbers' Association of Queensland, National Association of Women in Construction, National Fire Industry Association, prefabAUS, Property Council of Australia (Queensland Division), Property Developer Network, Queensland Major Contractors Association, Royal Institution of Chartered Surveyors and Urban Development Institute of Australia (Queensland).¹³

Officers from Department of Housing and Public Works (DHPW) confirmed that a decision was made to undertake targeted consultation as the amendments generally involved the operational processes of the QBCC and have a very specific impact on stakeholders. DHPW advised that an offer has been made to brief unions on the Bill and approach that is being undertaken.¹⁴

1.4. Committee inquiry process

The committee considered 10 submissions to its inquiry (see Appendix A). The committee conducted public briefings on 9 July 2025 and 24 July 2025 with officers from the DHPW and the Office of Industrial Relations, Department of State Development, Infrastructure and Planning (OIR) (see Appendix B). A public hearing was conducted on 24 July 2025 at which the committee heard from industry representatives and workplace safety advocates (see Appendix C for a list of witnesses).

1.5. Legislative compliance

The committee's deliberations included assessing whether the Bill complies with the requirements for legislation as contained in the *Parliament of Queensland Act 2001*, the *Legislative Standards Act 1992* (LSA),¹⁵ and the *Human Rights Act 2019* (HRA).¹⁶



1.5.1. Legislative Standards Act 1992

The committee considered a fundamental legislative principle issue relating to the rights and liberties of individuals, specifically whether provisions in the Bill that increase penalties

¹² Explanatory notes, p 6.

¹³ Explanatory notes, p 6.

¹⁴ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 3.

¹⁵ *Legislative Standards Act 1992* (LSA).

¹⁶ *Human Rights Act 2019* (HRA).

are proportionate to the offence and are consistent with other penalties. The issue is discussed further in section 2 of this report.

The committee was satisfied that the Bill complies with the LSA.

Part 4 of the LSA requires that an explanatory note be circulated when a Bill is introduced into the Legislative Assembly and sets out the information an explanatory note should contain. Explanatory notes were tabled with the introduction of the Bill and the notes contain the information required by Part 4 and a sufficient level of background information and commentary to facilitate understanding of the Bill's aims and origins.



1.5.2. Human Rights Act 2019

Assessment of the Bill's compatibility with the HRA identified one issue, the right to privacy and reputation, which is discussed further in chapter 2 of the report.

The committee was satisfied that the Bill is compatible with human rights.

A statement of compatibility was tabled with the introduction of the Bill as required by s 38 of the HRA. The statement contained a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

1.6. Should the Bill be passed?

The committee is required to determine whether or not to recommend that the Bill be passed.



Recommendation 1

The committee recommends that the Bill be passed.

2. Examination of the Bill

This section discusses key themes that were raised during the committee's examination of the Bill.

2.1. QBCC digitisation

2.1.1. Proposed amendments

The Bill seeks to ensure that QBCC can move from operating in a primarily paper-based environment to providing more services online and make it easier for the QBCC, licensees and other customers to use digital services should they choose to do so.¹⁷

The amendments proposed by the Bill generally relate to the introduction of digital licensing, related investigator powers, digital servicing and serving of documents and the introduction of penalties for licensees for not updating contact details.

¹⁷ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 2.

Digital licensing

The QBCC Act currently only provides for licenses issued in card form and requires an applicant to provide two certified passport-sized photographs. The explanatory notes state that these requirements lead to ‘unnecessary inefficiencies and regulatory burden’.¹⁸

The Bill proposes to address these matters by removing the requirement for photographs to be provided in hard copy and for licences to be issued in the form of a card. This would enable licensees to optionally access their licence digitally via the Queensland Digital Licence app.¹⁹

The Bill also removes provisions relating to the issue of personal identification numbers (PINs) to licensees. The explanatory notes state this is because it is understood PINs have not been issued in over a decade and are no longer in use.²⁰

The Bill also proposes to address licensing provisions in the QBCC Act, Building Act, and PD Act that require licensees, in certain circumstances to return their licence to the QBCC. These circumstances include the suspension, cancellation, surrender, or replacement of a licence. The changes would provide that such provisions only apply to physical licence cards.²¹

Notably, the proposed changes would not require that licensees adopt a digital licence—rather, licensees would have the option to apply for a digital licence.²²

Investigator powers

With respect to digital licensing, the Bill also proposes clarifying amendments to investigator powers in the QBCC Act, to ensure the exercise of powers is reasonable, necessary, and proportionate. The proposed amendments are:

- clause 32, that s 105L (General powers) is amended to clarify an investigator cannot take a digital device such as a mobile phone if the purpose is only to inspect or copy a licence issued by the QBCC
- clause 33, that s 105O (Power to require name and address) is amended to clarify the power to require particular information also applies to providing an email address
- clause 34, that s 105T (Power to require information or attendance) is amended to clarify that a person who is required by notice to attend before an investigator under s 105T(2)(b), unless otherwise required by the notice, may attend by using technology allowing reasonably contemporaneous and continuous communication
- clause 35, that s 106 (Seizing evidence at a place that may be entered without consent or warrant) is amended to clarify the section does not authorise an

¹⁸ Explanatory notes, pp 1–2.

¹⁹ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 2.

²⁰ Explanatory notes, p 11; Bill, cls 20, 23, 24, 29, 30, 31, 40.

²¹ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 2; see cls 4–7, 10–14, 25.

²² DHPW, correspondence, 7 July 2025, attachment, p 4.

investigator to seize a digital device such as a mobile phone used to store a licence for the purpose only to inspect or copy the licence

- clause 36, that s 106A (Seizing evidence at a place that may be entered only with consent or warrant) is amended to clarify the section does not authorise an investigator to seize a digital device such as a mobile phone used to store a licence for the purpose only to inspect or copy the licence.²³

Digital documents

The Bill proposes amendments to introduce a pathway for serving documents digitally. Clause 37 would permit documents served under the QBCC Act to 'be sent by email to the person's email address last notified to the commission by the person for use under this Act'.²⁴

Officials from DHPW advised that this amendment aims to assist QBCC be more efficient and cost effective in its operational processes, as well as to assist customers in receiving documents from the QBCC more quickly.²⁵

Penalties for failure to update contact details

The Bill also proposed to insert a requirement for licensees to advise the QBCC of a change in their residential address, email address or phone number within 14 days of the change, if the licensee has previously advised the QBCC of these details for use under the QBCC Act.²⁶ Failure to notify the QBCC of a change of contact details could result in a penalty of 10 units, unless the licensee has a reasonable excuse.²⁷

The explanatory notes state that this is considered necessary to deter non-compliance and ensure the QBCC has up to date information for its licensees. The notes also state that the approach is considered to strike an appropriate balance between the need for up to date records and avoids overly burdensome regulatory requirements.²⁸

2.1.2. Stakeholder submissions and Department advice

Support for amendments

Stakeholders were broadly supportive of the Bill's proposed amendments to modernise licensing and operations of the QBCC.²⁹ By way of example, The Property Council of Australia (PCA) said, 'The reforms represent a positive step toward a more efficient and streamlined approach to regulating construction in Queensland and are welcomed by our members'.³⁰ Master Plumbers' noted the Building Reg Reno 'has provided a much needed and welcome review of Queensland's construction industry'.³¹ The Fire Protection

²³ Explanatory notes, pp 13–14.

²⁴ Bill, cl 37, new s109A.

²⁵ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 2.

²⁶ Explanatory notes, p 14.

²⁷ Explanatory notes, p 14.

²⁸ Explanatory notes, p 14.

²⁹ See submissions 1–9.

³⁰ Submission 5, p 1.

³¹ Submission 9, p 1.

Association Australia (FPAA) supported ‘the bill’s objective of increasing efficiency and improving customer experience by enabling the QBCC to deliver more services digitally’.³²

In its submission, the Civil Contractors Federation (CCF) wrote that ‘Eliminating duplicative notification requirements will reduce confusion, minimise paperwork, and allow businesses to focus their resources on active risk management rather than regulatory compliance processes’.³³

Several submissions acknowledged the engagement and consultation that went into the Bill. Master Plumbers’ commended the Queensland Government for ‘extensive consultation with industry stakeholders’.³⁴ The Property Council of Australia acknowledged the ‘willingness of the State Government and new QBCC leadership to engage openly with industry to ensure the regulation of the construction sector compliments the work of the property industry’.³⁵

However, several sought clarity and assurance that traditional forms of licensing and communication would not be removed, that changes would be accompanied by clear communication with industry, and that timeframes associated with updates to information be reconsidered.

Retention of physical licensing options

Several submitters recommended the ongoing use physical licences.³⁶

By way of example, the Fire Protection Association of Australia (FPAA) explained that practitioners in the fire protection industry often work across complex and varied environments including sites where the use of mobile phones or other electronic devices are strictly prohibited, such as in corrections facilities, secure medical environments, and other high security sites. It was therefore important that practitioners be able to present their licence for verification without relying on a digital device, and that practitioners be given the opportunity to opt in to receive a physical licence.³⁷

Similarly, the Plumbing and Pipe Trades Employees Union (PPTU) submitted that there remain a substantial number of licence holders in Queensland who do not have sufficient technological capabilities and could be disadvantaged by digital only approach to licensing.³⁸

In response, DHPW confirmed that the Bill does not propose to restrict how a QBCC licence is to be issued and that QBCC intends to continue issuing physical licenses for the

³² Submission 2, np.

³³ Submission 7, np.

³⁴ Submission 9, np.

³⁵ Submission 5, np.

³⁶ Fire Protection Association of Australia, submission 2, p 1; Plumbing and Pipe Trades Employees Union, submission 10, p 1.

³⁷ Submission 2, np.; Mr Collie, Chief Executive Officer, Fire Protection Association Australia, public hearing transcript, Brisbane, 24 July 2025, p 6.

³⁸ Plumbing and Pipe Trades Employees Union, submission 10, p 1.

foreseeable future. If the Bill is passed, licensees would have the option to apply for a digital licence, but it would not be a requirement.³⁹

Clarification of requirements for updating photographs

The FPAA also sought clarification on the requirement for updating photographs of digital licences and described some of the questions being raised by its members.⁴⁰ The FPAA called for detailed guidance from the QBCC or appropriate authority to reduce any uncertainty within the industry.⁴¹

In response, DFPW confirmed that licensees will still be required to provide the QBCC with photographs with their licence application. For a digital licence, the photo that will be displayed in the digital wallet will be the photo used for the Department of Transport and Main Roads (DTMR) licences, meaning that updates for the digital licence photo will be according to DTMR licence photo requirements.⁴²

Implementation of QBCC digital licences

The QBCC Commissioner advised that QBCC had been working closely with Transport and Main Roads over the last 12-18 months in relation to the digitisation of licences and that lessons from the implementation of driver's licences would have been taken into consideration. The Commissioner also advised that implementation of QBCC digital licences would commence with a pilot project later in 2025 and that opportunities and learnings from this process would be considered before full implementation.⁴³

Retention of traditional communication methods

Several inquiry participants submitted that it was important that traditional, rather than digital, methods of communication be retained for those who may prefer such methods.

In response, DHPW advised licensees and QBCC customers would still be able to elect their preferred communication method, including providing and receiving documents via post, and lodging them at regional service centres.⁴⁴

Need for clear guidance and information for industry

Several inquiry stakeholders called for clear and comprehensive guidance in relation to the amendments for the sector. By way of example, Landscape Australia encouraged 'clear guidance for licensees to understand their choices around digital licensing and communication preferences'.⁴⁵

In response, DHPW advised it intends to clearly communicate the amendments to the building and construction industry and its stakeholders and that this will include that the

³⁹ Ms Ainslie Barron, Assistant Director-General, Department of Housing and Public Works, public briefing transcript, Brisbane, 24 July 2025, p1.

⁴⁰ Fire Protection Association Australia, submission 3, np.

⁴¹ Fire Protection Association Australia, public hearing transcript, Brisbane, 24 July 2025, p 6.

⁴² DHPW, correspondence, 23 July 2025, attachment, p 2.

⁴³ Commissioner, public briefing transcript, Brisbane, 9 July 2025, p 6.

⁴⁴ DHPW, correspondence, 7 July 2025, attachment, p 5.

⁴⁵ Submission 3, np.

digital licence is optional and that licensees will continue to choose how to communicate with the QBCC.⁴⁶

Penalties for failure to update licensee contact details

The Plumbing and Pipe Trades Employees Union, while supporting the underpinning principle that licence holders can be identified and are contactable, suggested that the a strict 14-day timeframe and imposition of 10 penalty units, was unreasonable, as in some cases it may take longer than 14 days for licensees to obtain replacement details, and that some licence holders may have limited technological capabilities and may therefore be disproportionately affected by the new obligation.

The PPTEU recommended that the timeframe in the Bill be lengthened to 28 days, and that due consideration be provided to those with reduced technical capabilities.⁴⁷ The PPTEU also recommended that education and advice be provided to all licence holders identifying the new obligation and potential penalties prior to commencement, should the Bill be passed.⁴⁸

A departmental response for this suggestion was not provided as the submission was accepted as a late submission.

2.1.3. Committee comment



The committee is satisfied that amendments which support the implementation of QBCC digitisation initiatives are appropriate and fit for purpose. Central to the committee's considerations are assurances that QBCC licensees will retain the option of using physical licensing and communication methods.

The committee agrees that the implementation of digital measures needs to be accompanied by a clear and comprehensive communication plan. Assurances from the Department of Housing and Public Works clearly indicate that this is the intention and it will include options around licensing and communication requirements. The committee suggests that strong communication also take place regarding the introduction of the penalty for failure to update contact information.

The committee has noted the suggestion that consideration be given to extending the timeframe for licensees to update their contact details to 28 days. Given the importance of ensuring that that licensees can be identified and are contactable, the committee is satisfied that 14 days is appropriate. That said, the committee encourages the Department and QBCC to consider the effectiveness of the timeframe as part of any future review.

⁴⁶ DHPW, correspondence, 23 July 2025, attachment, p 2.

⁴⁷ Plumbing and Pipe Trades Employees Union, submission 10, p 2.

⁴⁸ Plumbing and Pipe Trades Employees Union, submission 10, p 2.

2.2. Reporting of serious safety incidents on building sites

2.2.1. Proposed amendments

As stated in the explanatory notes, 'improvements to internal systems and processes, and matured information sharing arrangements between regulators mean that notification arrangements to the QBCC of serious safety incidents can be streamlined while still achieving the original policy intent' of the existing legislation.⁴⁹

The Bill proposes to simplify the process for reporting safety matters under the QBCC Act without changing the intent or outcomes of the existing policy. No other provisions introduced in 2017 are being amended, including the ability for the QBCC to take-action against a licensee.⁵⁰

The Bill retains the two types of safety matters to be reported under section 54A of the QBCC Act. However, instead of QBCC licensees being required to provide separate notifications to two different regulators about a relevant safety matter, the Bill seeks to amend the current provision to provide that:

- if a QBCC licensee must already notify Office of Industrial Relations (OIR) of a relevant notifiable incident under OIR legislation (i.e. if the licensee is a person conducting a business or undertaking), they do not need to separately notify the QBCC again of that incident
- if a QBCC licensee does not have these existing OIR reporting obligations, they would be required to report a notifiable incident to the OIR rather than the QBCC
- QBCC licensees must still notify the QBCC of a contravention of a notice or injunction under OIR legislation, as outlined in existing section 54A(1)(b).

DHPW advised that this ensures that all licensees continue to have a reporting obligation for relevant safety matters, and that existing information-sharing arrangements between the QBCC and OIR will mean that the QBCC is quickly notified of the incident.⁵¹ Furthermore, the QBCC would still notify OIR of any notifications it receives from QBCC licensees about any contraventions of a notice or injunction under OIR legislation through administrative channels.

Current section 54A provides a maximum penalty for non-compliance with existing safety reporting requirements of 80 penalty units. It is proposed to increase this penalty to 100 penalty units to better reflect the serious consequences of these safety matters. It also will ensure the QBCC receives this information to determine if any investigations and potential disciplinary action are warranted under the QBCC Act. DHWP advised that 'it is important that QBCC licensees who carry out building work and are in charge of a building site are

⁴⁹ Explanatory notes, p 3.

⁵⁰ DHPW, correspondence, written briefing, p 6.

⁵¹ DHPW, correspondence, written briefing, p 7.

held accountable for ensuring all work is carried out in a safe manner, and in accordance with appropriate standards, codes and other legislative requirements.’⁵²

2.2.2. Stakeholder submissions and Department advice

Support for amendments

The majority of submitters to the inquiry supported the amendments. By way of example, the Civil Contractors Federation (CCF) wrote that ‘Eliminating duplicative notification requirements will reduce confusion, minimise paperwork, and allow businesses to focus their resources on active risk management rather than regulatory compliance processes’.⁵³ However, there were some concerns that the proposed amendments could weaken existing requirements.

Concerns that it may weaken amendments passed in 2017

Mr Michael Garrels, whose son Jason tragically died in 2012—an event that prompted legislative changes to workplace health and safety reporting—spoke to the committee about the morning he learned of Jason’s death the devastating impacts this event has had on his family, and how he has campaigned for legislative reform.

Mr Garrels raised concerns about the amendments proposed in the Bill, stating that the changes will remove a legislated statutory safeguard, and information sharing between the regulator and the OIR would be governed by a Memorandum of Understanding (MOU), rather than a legislative requirement. Mr Garrels told the committee that ‘the MOU could be torn up at any time. It should be a legislative link so that that pathway has to always be followed. By undoing this and just having an MOU I think it is going to be a flawed system’.⁵⁴

Mr Garrels also raised concerns that the proposed changes could undermine the precedents established through hard fought for amendments relating to suspending licences. He said,

I understand when you say that you would like to streamline systems and whatever else. I understand that, but for this particular thing I can see no benefit and no real streamlining in this at all. It just seems to me to be taking away a precedent that can be very effective when required.⁵⁵

The DHWP made clear that the Bill does not change the policy intent of the existing section 54A of the QBCC Act. The DHPW advised that the amendments in the Bill seek only to simplify the reporting pathway for a QBCC licensee. These reporting requirements will continue to support safer worksites and ensure regulators are aware of relevant incidents to take appropriate action.⁵⁶

⁵² DHPW, correspondence, written briefing, p 7.

⁵³ Submission 7, np.

⁵⁴ Mr Michael Garrels, public hearing transcript, Brisbane, 24 July 2025, p 5.

⁵⁵ Mr Michael Garrels, public hearing transcript, Brisbane, 24 July 2025, p 3.

⁵⁶ DHPW, correspondence, written briefing, p 7.

Memorandum of Understanding

The committee inquired further about the MOU. DHPW advised that an MOU between the QBCC and OIR was first established in December 2013, and the current MOU was executed in February 2021.

The MOU includes inter-agency information sharing arrangements—including the disclosure of ‘information such as incident notifications, infringements, improvement and prohibition notices, electrical safety notices and the confidentiality of information’. It includes details about what should be disclosed and timeframes for sharing.⁵⁷ DHPW advised that the MOU formalises an ongoing commitment from OIR and QBCC to build and maintain a relationship that supports safety in the building industry through collaboration and that supports improvements in processes, investigation outcomes and information sharing’.⁵⁸ A copy of the MOU is available on the committee’s inquiry webpage.

DHPW advised the QBCC and OIR will be reviewing the MOU in the coming months to ‘ensure it is contemporary, [and] it reflects current information-sharing arrangements’ which includes the automated reporting process, which is established by the OIR and which commenced in November 2024.’.⁵⁹ The OIR noted that the arrangement is long standing, and based upon legislative requirements:

This is not a new relationship between the two regulators. ... I did hear somebody refer to it as potentially based on relationships, and I do want to correct that and say that that is not the case. We have legislative requirements, as both regulators, to capture particular information. We have provisions within our legislation to be able to share information with the other regulators—that is covered in the legislation—and we have a longstanding memorandum of understanding that has been fully cooperated with by both regulators...⁶⁰

DHPW confirmed that section 152 of the WHS Act and section 122 of the *Electrical Safety Act 2004*, provide that the functions of the regulator (i.e. OIR) include to engage in, promote and co-ordinate the sharing of information to achieve the objectives of those Acts, including the sharing of information with a corresponding regulator (e.g. QBCC). Information sharing between the regulators is supported by provisions under the corresponding Acts, such as section 28B of the QBCC Act, section 271 of the WHS Act and section 193 of the ES Act. These provisions operate together to enable the sharing of information between the regulators, including on serious safety matters. There is no specific statutory requirement for the Office of Industrial Relations (OIR) to report to the Queensland Building and Construction Commission (QBCC) serious safety matters.⁶¹

DHPW also advised that the OIR will also be reviewing reporting arrangements in the first quarter of 2026 to identify any potential opportunities for improvement and to ensure it continues to operate effectively.⁶²

⁵⁷ DHPW, public briefing transcript, Brisbane, 24 July 2025, p 1.

⁵⁸ DHPW, public briefing transcript, Brisbane, 24 July 2025, p 1.

⁵⁹ DHPW, public briefing transcript, Brisbane, 24 July 2025, p 2.

⁶⁰ Office of Industrial Relations (OIR), public briefing transcript, Brisbane, 24 July 2025, p 7.

⁶¹ DHPW, correspondence, 6 August 2025.

⁶² DHPW, public briefing transcript, Brisbane, 24 July 2025, p 2.

In relation to risk analysis, DHPW advised that such analysis has been fundamental to the project and that it has all been happening deliberately and effectively as a back-end process to make sure, the system operates effectively.⁶³

How does the reporting system work

The OIR said the proposed reporting framework uses a new system called RAPID, which has greater abilities to automate. On this system, when notifications are received, they are flagged and sent to the QBCC on a daily basis:

The process within the system is that, once that initial report goes across daily, if that matter attracts statutory notices then they will be flagged in the system as well and that would be a second report that would go across to the QBCC. If a matter is sent to the QBCC and then we attend, inspectors attend and they issue notices, the QBCC will be advised of those notices.⁶⁴

The committee inquired about the frequency of reporting between the Office of Industrial Relations and the QBCC. Officials from the Office of Industrial Relations advised that reporting occurs daily at the end of each day.

Two separate reports are issued. The first report details incidents where the notifier has indicated that they wish to notify QBCC and where they have indicated that the incident occurred on a building site that the notifier has control or is currently working on. The second report provides the details of any statutory notice issues by inspectors based on their attendance to incidents. The QBCC will receive notifications daily about incidents that the OIR has been notified about and that have a QBCC licence holder involved.⁶⁵ A second report will be issued if the OIR issues any notices in relation to an investigation or inspector activity for that particular event – that could be infringement notices, improvement notices or prohibition notices.⁶⁶

Asked about how long after a serious incident is reported to OIR will QBCC be notified, OIR confirmed that the report is to be sent at the end of each day. However, it was emphasised that OIR also has other communication methods with the QBCC when a significant incident arises and that there may be other mechanisms where a regional inspectorate would reach out to the QBCC specifically.⁶⁷

DHPW also emphasised that in terms of the actual reporting of incidents, it remains the responsibility of the person required to report – so PCBU in the case of OIR, or for the QBCC, the licensee.⁶⁸ And that the law currently remains that the ‘notice must be given in the fastest way possible in the circumstances’. If the person is giving the notice by telephone, a written notice must be given in 48 hours of that verbal advice being given.⁶⁹

⁶³ DHPW, public briefing transcript, Brisbane, 24 July 2025, p 6.

⁶⁴ OIR, public briefing transcript, Brisbane, 24 July 2025, p 4.

⁶⁵ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 4.

⁶⁶ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 4.

⁶⁷ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 8.

⁶⁸ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 8.

⁶⁹ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 8.

DHPW said that, if the Bill is passed, the amendments will be reviewed, noting that ‘the Minister spoke about the fact that he would be looking to review how it is working within two years in order to ensure that it has had the effect anticipated’.⁷⁰

OIR also spoke about how reported incidents are assessed when received. Ms Fox advised that when an incident is reported it goes into a triaging process whereby incidents are reviewed by officers who assess risk of the matters and decide on what action the regulator should take. By way of example, the regulator may take no action (i.e. if outside of jurisdiction) or an administrative approach which may involve engaging with the PCBU about the incidents or risks that have been raised and ensuring that effective systems and processes are in place to protect workers. If the risk high, the regulator would send out an investigator and would attend the site to action as appropriate.

The committee inquired further about a potential lag between the notification being made, and the report being sent to the QBCC. OIR responded that it is not the case that one of these notifications comes in and there will not be action taken by the regulator:

Our action is obviously directly related to the incident, the hazards and risks that are present in that particular location at that point in time so we want to get there. We are going to get there as immediately as we possibly can. I hear your concerns, but there is no gap, essentially. It is not the case that we are going to be notified of a significant incident and no-one is going to attend⁷¹

OIR explained that the system currently in place is as close to everyone getting the information at the same time, as can be expected. OIR explained that a very strong incident reporting framework exists.⁷²

Efficiencies and cost savings

Asked about whether the department has modelled or forecast efficiencies to be achieved from the amendments, department officials advised that while no modelling has been undertaken, work has been completed to ensure a seamless approach between the two organisations:

There will be a single point of entry into government, and that will be a faster process—rather than providing two reports, one will be provided. Within the context of what I am talking about, it will be a small update to the form to require someone who is reporting to notify whether or not they are a QBCC licensee and that sort of information can be shared by government, as people would reasonably expect. No modelling has been done but there is a reasonable expectation that it will be a simpler and faster process because it will be one report rather than two.⁷³

OIR officers also spoke to expected efficiencies, explaining:

I think there are multiple efficiencies, one of them being one way of collecting the data and categorising the data. I do think that we have had this system of exchange of data for a lot of years, since that awful incident with Jason Garrels, reflecting the different types of needs that the commissioner has for his data in terms of who he has jurisdiction over versus us and who we have jurisdiction over. Having one form where you collect the same data in the same way and then collect his additional flag for him to say, ‘And this one is for your attention as well’

⁷⁰ DHPW, public briefing transcript, Brisbane, 24 July 2025, p 6.

⁷¹ OIR, public briefing transcript, Brisbane, 24 July 2025, p 6.

⁷² OIR, public briefing transcript, Brisbane, 24 July 2025, p 6.

⁷³ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 6.

is a great efficiency. I think it is an improvement in confidence that the data comes in and is interpreted in the same way, applied in the same way and actioned in the same way.⁷⁴

System has been in the process of testing

DHPW advised that the QBCC and OIR have been committed to improving outcomes relating to safety notifications for some time and that a recommendation from the governance review, which occurred in 2022, addressed this issue.

OIR advised that the system used, RAPID, was released in November 2024. OIR and QBCC have been working on it for around four years. The new system provides functionality to have current reporting, and to review and to enhance that reporting if there are other elements that down the line require reporting. OIR advised that provides confidence that the reporting process is automated and designed to deliver.⁷⁵

Ongoing evaluation and monitoring

The committee was advised that several evaluations of the proposed amendments are planned. In the introductory speech, the Minister undertook to complete a review within two years in order to ensure that the proposed reforms have had the intended effect.

OIR also advised that as that there are already contingency measures built into the reporting system and that that a departmental review would be undertaken early next year:

Obviously this is our No. 1 compliance system, so there are already fail-safes built into the system that ensure that it is consistently available and reliable, that batch processes go when they should, and that we know when they do not. We have extreme comfort at the moment in the quality of the system that is being used. However, we will be doing that review on the reporting specifically to look at the form and the timeframe for the reports going across. All of that will be subject to the review that happens early next year.⁷⁶

Need for information sharing arrangements to be clearly communicated

The Civil Contractors Federation Queensland suggested that the implementation of any information-sharing arrangements to be clearly communicated, practical and timely and not lead to additional compliance burdens on licensees.⁷⁷

In response, the department noted that the information sharing arrangements are already in place in relation to safety matter reporting and that the Bill seeks to amend the reporting pathway for QBCC licensees for particular safety matters and will complement existing provisions.⁷⁸ DHPW also confirmed that it intends to clearly communicate amendments in the Bill to industry and industry stakeholder groups.⁷⁹

Statistics on incidents including dual reporting

The committee inquired as to the number of incidents reported. The Commissioner of the QBCC advised that QBCC over the last 5 years has been notified of over 1,100 incidents. Of those notified incidents, QBCC responded to over 900 with disciplinary action, including

⁷⁴ OIR, public briefing transcript, Brisbane, 24 July 2025, p 7.

⁷⁵ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 8.

⁷⁶ OIR, public briefing transcript, Brisbane, 24 July 2025, p 6.

⁷⁷ Submission 7, p 1.

⁷⁸ Correspondence, DHPW, p 5.

⁷⁹ Correspondence, DHPW, p 5.

reprimands and condictions as well as actions on updates to safe system of work. Of those, a show cause notification was sought in 26 cases, which resulted in 5 cancellations over that period.⁸⁰

DHPW advised that in terms of incidents reported to the QBCC investigated 248 safety matters involving licensees in 2023-24.⁸¹ DHPW explained that obligations on QBCC licence holders are broader than the obligations under the OIR's legislation.⁸²

OIR further explained that the OIR only require notification for a person conducting a business or undertaking. The proposed changes will mean that people who are not PCBUs who are QBCC licence holders will also have to notify OIR and that an increase in notifications is expected.⁸³

2.2.3. Committee comment



It is of paramount importance to the committee that workers are safe and that mandatory notification process relating to serious incidents are such that regulators can act promptly and effectively.

The committee acknowledges the concerns of Mr Garrels about the proposed amendments and shares the view that safety on worksites must not be compromised. The committee also notes assurances from the department that the amendments proposed by the Bill seek only to simplify the process for reporting safety matters without changing the intent or outcomes of the existing policy and legislation.

On balance, the committee is satisfied that the amendments proposed are appropriate and fit for purpose.

The Minister has indicated that a review of the effectiveness of the arrangements will take place within 2 years. The OIR has also indicated that in addition to the testing undertaken to date on the reporting system, a further review will be undertaken early next year. The committee welcomes these assurances. Such reviews should be completed in consultation with the QBCC and OIR and industry representatives as relevant. It should also ensure the MOU operating as intended.

⁸⁰ Queensland Building and Construction Commission, public briefing transcript, Brisbane, 24 July 2025, p 2.

⁸¹ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 5.

⁸² DHPW, public briefing transcript, Brisbane, 9 July 2025, p 5.

⁸³ DHPW, public briefing transcript, Brisbane, 9 July 2025, p 5.

2.2.4. Fundamental legislative principles

As noted above, the Bill proposes to increase the maximum penalty for failing to notify the regulator of a notifiable incident from 80 penalty units (\$13,352) to 100 penalty units (\$16,690).⁸⁴

This engages the fundamental legislative principle of the rights and liberties of individuals, specifically that the consequences of legislation should be relevant and proportionate. In line with this, penalties should be proportionate to the offence, and penalties within legislation should be consistent with each other.⁸⁵

DHPW advised that the increased penalty reflects the importance of reporting safety matters and supporting safer work sites.⁸⁶ DHPW also advised that the increased amount aligns with similar penalties for failure to report an incident involving a non-conforming building product under the QBCC Act and notifiable incident under OIR's legislation.⁸⁷

The committee sought clarity from the department about whether it is possible, or likely, that a person may be subject to separate penalties for non-compliance offences committed against the QBCC Act and WHS Act as it was immediately clear whether a single failure may constitute separate offences and attract separate penalties, or whether there are sufficient safeguards to prevent both the QBCC and the regulator from taking action against a licensee for a single failure.

The amendments proposed in the Bill remove the duplicate requirement for a QBCC licence holder, who is a person conducting a business or undertaking (PCBU) within the meaning of WHS Act or ES Act, to notify under the QBCC Act as they are already notifying under the WHS Act or ES Act. On this basis, persons will only be subject to reporting to one regulator. With the proposed amendments in the Bill, it will not be possible for a person to be subject to separate penalties under both the QBCC Act and the WHS Act/ES Act for non-compliance with the requirements to report an incident. For example, where a person has an obligation under the WHS Act to report a notifiable incident, action for non-reporting can only be taken by the relevant regulator (i.e. OIR). Conversely, where a licensee has an obligation under the QBCC Act to report a notifiable incident, action for non-reporting can only be taken by the QBCC.



The committee is satisfied that the increased penalty proposed by the Bill is relevant and proportionate and that sufficient regard has been given to the rights and liberties of individuals.

⁸⁴ On 1 July 2025, the value of a penalty unit increased from \$161.30 to \$166.90: Penalties and Sentences (Penalty Unit Value) Amendment Regulation 2025, s 4 amends the Penalties and Sentences Regulation 2015, s 3; *Penalties and Sentences Act 1992*, ss 5, 5A.

⁸⁵ See for example, Justice, Integrity and Community Safety Committee, *Making Queensland Safer Bill 2024*, Report no. 1, 58th Parliament, December 2024, p 36; see also LSA, s 4(2)(a).

⁸⁶ DHPW, public hearing transcript, Brisbane, 9 July 2025, p 3.

⁸⁷ DHPW, Public hearing transcript, Brisbane, 9 July 2025, p 3.

2.2.5. Human Rights

Assessment of the Bill's compatibility with the HRA identified that it engages the right to privacy and reputation.

The Bill would amend existing information sharing provisions in the QBCC Act that may limit an individual's right to privacy. Specifically, the Bill allows for information to be shared between the QBCC and the relevant regulators under the WHS Act and ES Act, if a licensee notifies a relevant safety matter under these Acts.

The purpose of the information sharing provisions is to ensure that regulators can fulfil their responsibilities under the QBCC Act and that the QBCC receives information about notifiable incidents and other safety matters involving building worksites, while recognising that licensees can experience overlap in their notification requirements. The amendments are intended to allow for a streamlined reporting process, but not to inhibit the QBCC in regulating the building industry, including to ensure that investigations or other disciplinary action may be carried out where a licensee has breached their duties under the QBCC Act.

There is a rational connection between the limitation and its purpose. Allowing the flow of information between the QBCC and the regulators would assist with their respective monitoring and enforcement functions under the QBCC Act, WHS Act and ES Act. According to the statement of compatibility there are no less restrictive and reasonably available ways to achieve the purpose of the Bill.⁸⁸



The committee is satisfied that the Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025 strikes an appropriate balance between an individual's right to privacy and the need for effective oversight of relevant safety incidents on building worksites.

The statement of compatibility tabled with the introduction of the Bill provides a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

2.3. Outside of the scope of Bill

Several submissions raised suggestions that are considered outside of the scope of the Bill.

Submitter 1 raised concern that the QBCC legislation permanently excludes eligibility to those who have declared bankruptcy.⁸⁹ UDIA Queensland said 'there remains an urgent need to implement further improvements' such as introducing QBCC response timeframes, establishing systems for subcontractor oversight, and making changes to project trust accounts and retention accounts.⁹⁰ The Design Institute of Australia said the

⁸⁸ Statement of compatibility, p 3.

⁸⁹ Submission 1, np.

⁹⁰ Submission 4, p 2.

Bill does not propose clear regulation for interior design, and that ‘the underlying QBCC Act continues to leave interior designers in regulatory uncertainty that undermines public safety and health outcomes’.⁹¹ Strata Community Association Queensland (SCAQ) submitted that further reforms are needed in relation to building defects in bodies corporate. The Property Council of Australia said ‘prohibitive prequalification provisions make it difficult for Tier 2 builders to qualify for state government projects, in turn decreasing competition and hampering access to more suppliers’.⁹² The FPAA spoke to the importance of ensuring ‘no critical fire incident slips through the cracks due to either miscommunication or inconsistent thresholds between those regulators’.⁹³

DHPW noted recommendations from submitter 1, UDIA Queensland, the Design Institute of Australia, SCAQ, and Property Council of Australia that were outside the scope of amendments in the Bill. DHPW responded that, subject to government consideration, further reforms are anticipated through tranche 4 of the Building Reg Reno.⁹⁴

In response to comments by the FPAA regarding the reporting of fire incidents, OIR said this is more related to discussions around what is defined as notifiable, and would be more relevant to ‘ongoing national discussion about what is included in a notifiable incident’.⁹⁵

⁹¹ Submission 6, p 2.

⁹² Submission 5, np.

⁹³ FPAA, public hearing transcript, Brisbane, 24 July 2025, p 6.

⁹⁴ DHPW, correspondence, attachment, pp 1, 3–5.

⁹⁵ OIR, public briefing transcript, Brisbane, 24 July 2025, p 6.

Appendix A – Submitters

<i>Sub No.</i>	<i>Name / Organisation</i>
1	Christopher John Clouston
2	Fire Protection Association Australia
3	Landscape Queensland Industries Association Inc
4	UDIA Queensland
5	Property Council of Australia
6	Design Institute of Australia
7	Civil Contractors Federation Queensland Limited
8	Strata Community Association (Qld)
9	Master Plumbers' Association of Queensland
10	Plumbing and Pipe Trades Employees Union Qld

Appendix B – Witnesses at public briefing – 9 July 2025

Department of Housing and Public Works

Mr Graham Atkins	Deputy Director-General, Public Works
Ms Ainslie Barron	Assistant Director-General, Building Policy, Public Works

Queensland Building and Construction Commission

Mr Angelo Lambrinos	Chief Executive Officer and Commissioner
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Department of State Development, Infrastructure and Planning

Ms Naomi McPherson	Director, Emergent and Environment Workplace Health and Safety Policy, Work and Electrical Safety Policy, Office of Industrial Relations
Ms Johanna Sutherland	Executive Director, Specialised Health and Safety Services, Office of Industrial Relations

Appendix C – Witnesses at public briefing – 24 July 2025

Department of Housing and Public Works

Mr Graham Atkins	Deputy Director-General, Public Works
Ms Ainslie Barron	Assistant Director-General, Building Policy, Public Works

Queensland Building and Construction Commission

Mr Angelo Lambrinos	Chief Executive Officer and Commissioner
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Department of State Development, Infrastructure and Planning

Ms Andrea Fox	Executive Director, Policy and Workplace Services, Office of Industrial Relations
Ms Johanna Sutherland	Executive Director, Specialised Health and Safety Services, Office of Industrial Relations

Mr Michael Garrels, Workplace Health and Safety Advocate (via videoconference)

Fire Protection Association Australia

[illegible]

Mr Lachlan Austin Chief Operating Officer

[illegible]

Ms Laura Bos

Mr Kristian Marlow

Ms Penny Cornah Chief Executive Officer

STATEMENT OF RESERVATION

Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025

The 2017 amendments to the *Queensland Building and Construction Commission Act 1991* (QBCC Act) established a clear statutory obligation for QBCC licensees to separately notify both the QBCC and the relevant regulator under the *Work Health and Safety Act 2011* or the *Electrical Safety Act 2002* about serious notifiable safety incidents.

This dual notification framework was deliberately introduced to ensure the QBCC had direct and timely awareness of serious incidents, enabling it to take swift and appropriate action against licensees where necessary. Evidence before the State Development, Infrastructure and Works Committee (the Committee) shows that these notifications have underpinned meaningful regulatory outcomes, including disciplinary actions, licence conditions, and cancellations.

One of the stated policy objectives of the Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025 (the Bill) is to “*streamline workplace safety notifications to improve productivity in Queensland’s building and construction industry.*” While reducing administrative burden for licensees is a legitimate consideration, Queensland Labor Opposition members of the Committee caution that removing the dual notification requirement risks undermining the original intent of reforms introduced after the tragic death of Mr Jason Garrels in 2012. If communication between agencies breaks down, the responsibility for the consequences will rest squarely with the Crisafulli LNP Government that chose to remove this safeguard.

The Committee was fortunate to hear from Mr Michael Garrels, a Workplace Health and Safety Queensland Safety Advocate and father of Mr Jason Garrels, who told the Committee:

“I have gone through it. I am not a legal person but the one thing I do know is that there are ‘coulds’ and there is no real stipulation like immediate fatal consequences or anything like that which it should have. Also the MOU could be torn up at any time. It should be a legislative link so that that pathway has to always be followed. By undoing this and just having an MOU I think it is going to be a flawed system.”¹

While the Crisafulli LNP Government argues that improvements in interagency information-sharing arrangements now make dual reporting unnecessary, the safeguards provided by a legislative requirement should not be lightly abandoned. Reliance on administrative arrangements, such as the Memorandum of Understanding (MOU) between the QBCC and the Office of Industrial Relations cannot provide the same certainty or enforceability as a statutory obligation.

The MOU itself has existed in some form since 2013 and despite being re-executed in 2021, has not undergone regular review to ensure it remains contemporary. This lack of ongoing scrutiny raises concerns about whether such an agreement is a robust and reliable substitute for legislated protections.

The administrative burden of dual notification is modest when compared to the potential consequences of a breakdown in information sharing. The tragic circumstances that led to the 2017 reforms highlight what is at stake: the safety of workers on construction sites and the ability of regulators to act decisively when serious breaches occur. Removing the dual notification requirement risks weakening these safeguards and replacing them with administrative processes that, while valuable, are inherently more vulnerable to change, lapse, or inconsistent application.

The other objective of the Bill is to support the QBCC’s transition in delivering more services digitally to improve efficiency and customer experience. Amendments are proposed to a number of Acts to remove legislative impediments that currently limit the QBCC’s ability to embrace digital technology. These changes will, for example, allow licences to be issued digitally rather than as hard copy cards, enable service of documents electronically, and ensure licensees can access their licences through the Queensland Digital Licence app. Customers will retain the option to communicate by post, opt out of electronic service, or lodge documents in person at regional service centres.

The Queensland Labor Opposition members of the Committee support the QBCC’s digital transformation, recognising it will deliver improved efficiency, flexibility, and customer experience. We note, however, that much of this work was already underway under the former Labor Government following the independent review of the QBCC in 2022. We continue to support the development of the QBCC’s digital capability to better serve industry and ensure the QBCC operates as a customer-focused regulator.

¹ <https://documents.parliament.qld.gov.au/com/SDIWC-1AF9/QBCCOLAB20-EB11/Proof%20-%20Public%20Hearing%20held%20on%2024%20July%202025.pdf> Page 5

STATEMENT OF RESERVATION

Queensland Building and Construction Commission and Other Legislation Amendment Bill 2025

For these reasons, while the Queensland Labor Opposition members supports the digital transformation elements of the Bill, we caution against the removal of the dual notification requirement from legislation. The minimal cost of a few minutes of additional reporting is far outweighed by the benefit of ensuring the QBCC has direct, statutory access to critical safety information backed by enforceable obligations that cannot be eroded over time or by shifting administrative priorities.



JONTY BUSH MP
DEPUTY CHAIR
MEMBER FOR COOPER



BART MELLISH MP
MEMBER FOR ASPLEY



SHANE KING MP
MEMBER FOR
KURWONGBAH