



Queensland

Work Health and Safety (High Risk Plant) Amendment Regulation 2026

Subordinate Legislation 2026 No. 21

made under the

Work Health and Safety Act 2011

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1 Short title

This regulation may be cited as the *Work Health and Safety (High Risk Plant) Amendment Regulation 2026*.

2 Commencement

Sections 8 to 11 and 12(2) commence on 29 March 2026.

3 Regulation amended

This regulation amends the *Work Health and Safety Regulation 2011*.

4 Amendment of s 529CA (Identifying processing of crystalline silica substance that is high risk)

- (1) Section 529CA(1), ‘, in compliance with subsections (2) and (3),’—

omit.

- (2) Section 529CA—

insert—

- (1A) In making an assessment under subsection (1), the person must not rely solely on the effect of any control measure implemented under section 529B(1)(b).

- (3) Section 529CA(2), from ‘The person’ to ‘subsection (1)’—

omit, insert—

In making an assessment under subsection (1), the person must have regard to the following matters

- (4) Section 529CA(3)—

omit, insert—

- (3) In making an assessment under subsection (1), the person must not have regard to the use of personal protective equipment, or of administrative controls, to control the risks associated with

respirable crystalline silica.

5 Amendment of s 529CD (Duty to train workers about risks of crystalline silica)

Section 529CD(4), definition *crystalline silica training*, paragraph (a), ‘; or’—

omit, insert—

; and

6 Amendment of s 608ZZA (Status of major amusement park licence during review)

(1) Section 608ZZA—

insert—

(1A) If the operator does not apply for internal review of the decision, the licence continues to have effect until the later of the following events—

- (a) the expiry of the licence;
- (b) the end of the period for applying for an internal review.

(1B) Subject to subsection (5), if the operator applies for an internal review of the decision, the licence continues to have effect until the earlier of the following events—

- (a) the operator withdraws the application for review;
- (b) the regulator makes a decision on the review.

(2) Section 608ZZA(1A) to (4)—

renumber as section 608ZZA(2) to (6).

7 Amendment of s 678 (Application for internal review)

(1) Section 678(1), ‘subsection (2)’—

[s 8]

omit, insert—

subsections (2) and (2A)

- (2) Section 678(1)(b) and (2)(b), ‘time’—

omit, insert—

period

- (3) Section 678(2), after ‘118(5),’—

insert—

144F(5),

- (4) Section 678(2)(a), after ‘provision’—

insert—

ends

- (5) Section 678—

insert—

- (2A) An eligible person in relation to a reviewable decision under section 608ZG(7) may apply to the regulator for review (an *internal review*) of the decision within—

- (a) 28 days after the day on which the 6 month period referred to in that provision ends; or
(b) any longer period the regulator allows.

8 Amendment of s 702 (Definitions for ch 12)

- (1) Section 702, heading, ‘ch 12’—

omit, insert—

chapter

- (2) Section 702, definition *high risk plant*—

omit, insert—

high risk plant means plant prescribed as high risk plant under section 702A.

9 Insertion of new s 702A

After section 702—

insert—

702A High risk plant—Act, sch 1, s 1

- (1) For schedule 1, part 1, section 1(6) of the Act, definition *high risk plant*, each of the following items of plant is prescribed as high risk plant—
 - (a) an amusement device;
 - (b) a cooling tower;
 - (c) a device—
 - (i) that is not operated for hire or reward; but
 - (ii) that would, were it operated for hire or reward, be an amusement device;
 - (d) an escalator;
 - (e) a lift;
 - (f) an LP gas cylinder.
- (2) In this section—

cooling tower means a device for lowering the temperature of water by evaporative cooling in which atmospheric air passes through sprayed water exchanging heat, and includes a device incorporating a refrigerant or water heat exchanger.

LP gas cylinder means a gas cylinder that contains liquefied petroleum gas under pressure.

10 Amendment of sch 2 (Fees)

- (1) Schedule 2, part 2, item 11(d)—

omit, insert—

[s 11]

- (d) for a lift mentioned in schedule 5, part 2, section 3, item 3.4—
 - (i) for a service lift 72.95
 - (ii) for a lift other than a service lift 124.80
 - (iii) for a lift mentioned in subparagraph (ii), for each floor for which the lift is installed, in addition to the relevant fee payable under subparagraph (ii) 29.20
- (da) for an escalator or moving walkway 97.40
- (2) Schedule 2, part 2, item 11(da) to (h)—
renumber as schedule 2, part 2, item 11(e) to (i).

11 **Amendment of sch 5 (Registration of plant and plant designs)**

- (1) Schedule 5, section 4(2)—
omit, insert—
 - (2) The following lifts are excluded from section 3.4—
 - (a) a lift installed in a class 1a building;
 - (b) a lift installed in a sole-occupancy unit in a class 2 building, if the lift is used to access more than 1 level of the unit.
- (2) Schedule 5, section 4—
insert—
 - (4) In this section—
Building Code of Australia see the *Building Act 1975*, section 12.
class 1a building means a building classified as a class 1a building under the Building Code of Australia.
class 2 building means a building classified as a

class 2 building under the Building Code of Australia.

sole-occupancy unit means a sole-occupancy unit as defined under the Building Code of Australia.

12 Amendment of sch 19 (Dictionary)

- (1) Schedule 19, definition *licence holder*—
insert—

(e) for a major amusement park licence—the operator of the major amusement park to whom the licence is issued or transferred.

- (2) Schedule 19, definition *lift*, from ‘includes’—
omit, insert—

includes the following—

- (a) a chairlift;
- (b) a stairway lift;
- (c) any supporting structure, machinery, equipment, gear, lift well, enclosure or entrance.

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 12 March 2026.
- 2 Notified on the Queensland legislation website on 13 March 2026.
- 3 The administering agency is the Department of State Development, Infrastructure and Planning.

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