



Speech by

Mr N. ROBERTS

MEMBER FOR NUDGEЕ

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EXPLOSIVES BILL

Mr ROBERTS (Nudgee—ALP) (3.53 p.m.): I rise to say a few words about an important industry for Queensland. Australia, with its extensive resource base, is a major user of explosives. In fact, Queensland is the largest user State, using approximately 250 million kilograms of explosives a year. That contributes significantly to the State economy through both the mining and the construction industry. It is a little known fact that the vast majority of the explosives used in this State are manufactured within Queensland. There are 29 licensed premises where explosives are manufactured, 90 mobile manufacturing vehicles and 80 smaller on-site manufacturing facilities throughout the State, most of those being contained at mines or quarries.

The extensive and diverse nature of the industry highlights the need for quite specific regulation. In Queensland, there is a great deal of exporting of explosives. That occurs mainly by air and sea and most of that exporting and importing comes through the port of Brisbane and at Port Alma. There is also a significant export market for explosives in the South East Asia region. That market is being developed and targeted by the local explosives manufacturing industry. The transport of explosives within Queensland is quite extensive—by rail but predominantly by licensed vehicles—and there are almost 200 of those throughout Queensland. In terms of storage, there are over 200 locations that have been approved by the Explosives Inspectorate and approximately 160 licensed sellers throughout the State, the majority of those being gun shops selling reloading powders, about 20 of which are for blasting explosives. In addition, in terms of licensed users, there are more than 2,000 throughout the State. Various categories of users include agricultural, mining, quarrying and construction.

The extensive nature of the industry and the dangerous nature of the industry lead us to the requirement for quite extensive regulation. It is important to note in this debate, as has been pointed out by other speakers, that the term "explosives" under the Act includes not only devices used for blasting but also, as the member for Mackay has pointed out, fireworks, flares, ammunition, sparklers and even some toys, for example, the caps in toy guns that are used by children.

Over the past 10 years, the safety record for the industry has been quite good. Although no fatality is acceptable in any industry, the industry record over that 10-year period has been quite good. There have been four fatalities: three of those were suicides and one was a mining accident. However, there have been about 30 injuries, mainly involving children who had been using detonators or other homemade devices. In addition to what other members have said, that highlights the need for parents and other members of the community to be eternally vigilant whenever children gain access to even what might be considered the tamer explosive devices to play with.

Although that safety record appears to be quite good, for a highly hazardous industry it is essential that we do not lose sight of the fact that we need to maintain a stringent regulation of this industry and always look for ways of improving the safety record. Hence one of the main purposes of this legislation is to protect the community from an inherently dangerous substance. That issue remains as critical today as it did when the existing legislation was first introduced.

In terms of addressing the safety factors of this industry, one of the essential strategies is to learn from the accidents and the incidents that have taken place through a proper investigation process. That is something which the Act provides currently. However, on many occasions when there have been significant incidents involving explosions, it is sometimes very difficult to pinpoint fairly the actual causal effect of the injury or the incident. Invariably, the process relies upon a number of

hypotheses and probabilities as to what might have been the cause of a particular accident. Pursuing that particular path remains an essential part of the process. However, it is now considered of equal importance, and in some cases even more essential, to investigate near misses or near-miss incidents involving explosives as such incidents will often provide more information in terms of preventing additional injuries than ones which actually result in injuries. Therefore, the Bill extends the requirement in the Act for the notification of incidents.

The definition of "explosive incidents" has been broadened to include matters such as where an explosive is or appears to be lost or stolen, an accidental explosion, the death or injury of a person, unexpected damage to a property or an incident with the potential to cause any of the above events. It is a significant improvement to try to rope in those near-miss incidents in terms of preventing future injuries. The investigation of those incidents will provide the additional information that we require to ensure that this remains a safe industry.

The other aspect of the Bill deals with penalties. The need to improve penalties was identified during the review process. In terms of penalties for individuals, the maximum has been set at 400 penalty units, which is up from 84. That maintains an effective deterrent and also retains some relativity with penalties within the Workplace Health and Safety Act. The penalty provisions for corporations will automatically be five times that of the individual, which brings it up to 2,000 penalty units. The Bill also provides for regulations to include individual penalties up to 200 penalty units for a breach of particular requirements. While that might appear to be quite a severe penalty, when one takes into account the severe consequences of the misuse of or accidents arising from explosives, it is a fair response. With those few comments, I commend the Bill to the House.
