



Speech by

**JOHN ENGLISH**

**MEMBER FOR REDLANDS**

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### **DANGEROUS GOODS SAFETY MANAGEMENT BILL**

**Mr ENGLISH** (Redlands—ALP) (3.28 p.m.): No, we do not need any more regulations in relation to the management of dangerous goods—or do we? On the morning of 3 December 1986, Bhopal became a household name around the world. As a result of poor management, poor maintenance, poor procedures and cost cutting, between 2,000 and 3,000 people were killed, between 200,000 and 300,000 people were injured and between 30,000 and 50,000 people were permanently incapacitated as a cloud of methyl isocyanide was released at the Union Carbide plant at Bhopal.

The factory was situated next to a residential area and was only two kilometres from railway and bus stations. Some of the methyl isocyanide decomposed into hydrogen cyanide. As the cloud began to affect residents, many people left their homes in an attempt to escape. On that day, 3 December, the nearest hospital, which had a capacity to handle 750 patients, admitted around 12,000 people. That night the atmosphere recondensed and many more were affected. Even after three days the air still contained fairly high levels of cyanide.

Why did this tragedy occur? There were a multitude of factors, from pipes being manufactured from incorrect material, failure to insert slip blinds and faulty warning and alarm systems to a tragic sequence of poor decision making. That would not happen in Australia, I hear members cry; Australian employers are much more concerned about their social responsibilities.

Just in case members have not heard, I point out that there are organisations called banks. These are also Australian employers that continue to make increased profits whilst closing branches, decreasing customer service and increasing fees and charges. But they are banks. Everyone knows they are greedy and do not understand social obligations.

In 1987 a propane rail tanker was being unloaded in Cairns. During the unloading process a hose split, releasing a cloud of propane. An excess flow valve should have activated to stop the leak. For some reason this valve failed to work. A cloud of propane gas spewed out and expanded from the source of the leak. The prevailing wind blew the cloud of propane into a nearby residential area. In this residential area the propane gas finally located an ignition source. The pilot flame from a hot-water system ignited the cloud, which then burnt back to the leaking hose. The jet of flame from the hose was directed at the steel pressure valve of the tanker. After about 10 minutes the steel tanker violently ruptured. The resulting fireball left one person dead and 24 people injured. That was in 1987. Surely things have improved since then.

Recently in Brisbane there was a fire at what will soon become known as a dangerous goods location. A friend of mine works at another dangerous goods location about 500 metres from that fire. He observed the fire and alerted middle management so they could monitor any potential impact on their facility. It should be noted that there is a high level of awareness of occupational health and safety issues by many workers as a result of both legislation and education and training programs run by unions and some employers.

My friend was ignored by middle management. They could not see any relevance in a fire 500 metres from their facility. It is disconcerting to think that managers of a dangerous goods location did not see any relevance in a fire 500 metres away. I am sure many firemen and other emergency personnel can provide testimonies about the size of the area potentially affected by a chemical spill or other incident at a dangerous goods location. I am sure that any residents near this fire understood the

potential risk to them. Eventually senior management from my friend's company became aware of my friend's efforts and commended him for those efforts.

This legislation will make Queensland a safer place by standardising the management of hazardous materials. The facilities referred to in the act come under two categories. One is major hazard facilities. These are large-scale, high-risk industrial facilities such as oil refineries. The other type of location is labelled as a dangerous goods location. These are smaller facilities also storing and handling dangerous goods. These could be hardware stores, service stations and similar small facilities. The major hazard facilities, though, are large-scale, high-risk industrial facilities. These large-scale industrial facilities are essential to our economy. They generate employment and provide products such as petroleum and fertilisers, which are vital to our modern lifestyle.

However, these benefits do not come without risk. The challenge is to safely manage the risk while enjoying the benefits. Disasters arising from incidents at major hazard facilities may be infrequent, but when they do occur the consequences can be devastating. This bill is designed to prevent such incidents. This bill will provide a level of protection for Queensland communities that has been lacking until now.

The Dangerous Goods Safety Management Bill introduces safety obligations for Queensland's large, high-risk industrial installations, referred to as major hazard facilities. The bill adopts a national standard for the control of major hazard facilities which is based on international approaches to the prevention of major accidents involving hazardous materials, in particular the European Community Directive on Major Accident Hazards 1982, known as the Seveso Directive, and the International Labour Organisation's Convention for the Prevention of Major Industrial Accidents 1993. The Seveso Directive is so named because it was developed following an incident in 1976 near the town of Seveso in Italy, where the release of dioxin, an extremely toxic chemical, led to the contamination of over 1,800 hectares of residential and agricultural land.

All other Australian states are moving towards the introduction of regulatory controls for major hazard facilities that are based on the national standard. Victoria and Western Australia are the most advanced. Given the impact of the Longford incident, it is not surprising that Victoria is well advanced in the implementation of this approach based on the requirements of the national standard. Western Australia is already implementing the requirements of the national standard under existing legislation.

Other states are in various stages of progress towards their implementation. Like the Seveso Directive, the Australian national standard is based on a safety report. The safety report approach requires that occupiers of major hazard facilities prepare a safety report that demonstrates that they understand all hazards, their consequences and how they are to be safely managed. The importance of the safety report as a strategy in the prevention of major accidents was recognised by the report of the Longford royal commission in June 1999. The commission report states—

The imposition of a safety case or safety report procedure would go a long way towards avoiding a repetition of the accident at Longford. The report also recommends that a safety case or safety report procedures be extended by legislation to all major hazard facilities within the State.

The recommendations of the report of the Longford royal commission have been fully considered and included in this bill. In particular, the bill requires the occupier of a major hazard facility to submit a safety report which demonstrates the way that the occupier has satisfied safety obligations in relation to the following: a systematic risk assessment, a safety management system, emergency plans and procedures, the provision of induction information, education, supervision and training to all persons at the major hazard facilities, and the provision of information to and consultation with the neighbouring community.

The inclusion of an obligation to consult with the community accords with this government's commitment to improving community safety. To further ensure the safety of communities in the proximity of major hazard facilities, the bill explicitly provides for the area surrounding a major hazard facility to be designated as a major hazard facility consultation zone, if the risk to people, property or the environment is considered to be significant. This community consultation process is a major victory for average people—a victory, Madam Deputy Speaker, for you, me and all residents of Queensland. This bill is a major step forward in the government's commitment to protecting people, property and the environment from the disastrous consequences of a major accident at a major hazard facility, and I commend the bill to the House.

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