



Speech by

Rachel Nolan

MEMBER FOR IPSWICH

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MINING AND OTHER LEGISLATION AMENDMENT BILL

Ms NOLAN (Ipswich—ALP) (3.19 pm): I rise to comment briefly on this bill, which obviously deals comprehensively with mine safety issues, and as such I commend the minister for bringing it to the House. I specifically want to speak in relation to the safety provisions of the Petroleum and Gas (Production and Safety) Act 2004. We talk a lot about the environmental benefits of getting a greater take up of gas-fired power and moving away from an almost complete reliance on coal in order to make that happen effectively. Although, of course, we do have to ensure that provision of gas can be as safe as possible. That is what some elements of this bill do. The importance of maintaining that safe environment for oil and gas activities are obvious to us all as the consequences of things going wrong can result in death, injury or serious public disruption. That was exemplified recently with the serious oil spill resulting from a pipeline rupture at Algerster.

Amendments to the act are largely explanatory in nature. They are designed to clear up any confusion about the application of the act. For example, the term 'operating plant' is used to define where rigorous safety requirements apply and drilling rigs were obviously included. There was some doubt expressed by industry over whether workover rigs, which are used to maintain or repair a well, were covered. There is now no doubt—that is, they are in. Another example is an amendment to the definition of a pipeline which was found to be too broad and could include areas such as the pipework in a house that were already covered by Australian standards. The term now is properly restricted to major pipeline systems, including transmission type pipelines and distribution networks.

One amendment arose from an incident in Queensland some time ago when a drilling rig was operated when it was quite obviously in a less than safe state. A provision in the bill now requires that government be notified in advance of any new operating plant being put into operation in this state. Allocating responsibility for the management of safety is an important part of the legislation and to this end the term 'operator' has been more clearly defined. This person is responsible for the development of safety management plans under the act. There is also a provision to allow employers to be brought to task if they give instructions to an employee to carry out illegal work. I am sure that is something in which this minister took a personal interest, given his ongoing advocacy for workers' rights and his very strong view that the boss should appropriately take responsibility for asking an employee to do improper or illegal work. Previously only the employee who may have been pressured to do the work could be prosecuted.

The reporting of petroleum or gas related incidents has been clarified to ensure that all serious accidents can be investigated by the inspectorate and some double dipping has been removed so that work carried out under a safety management plan at an operating plant does not require separate authorisation. All operating plants are required to have safety management plans and some of these operating plants are small, including LPG depots. For these businesses a generic safety management plan has been developed in conjunction with industry which will make compliance less onerous while still maintaining high safety standards.

While none of these provisions is, as members might have gathered, earth shattering, they represent a continuous improvement to the safety regime in the petroleum and gas industries and as such I commend those provisions to the House.

Before concluding I will just make one brief point: the member for Gregory was very keen to talk about federal election issues in the context of this speech. There are, I think, some very important issues that will come up with the amendments to the bill which the minister has tabled. They relate, as we know, to a bid by the Queensland Conservation Council to have an Xstrata mine take initially full and then partial responsibility for the greenhouse gas emissions caused by the coal that it will produce. I understand, as many members do, that the Conservation Council will be disappointed that this legislation will cease that action. I think, however, it is important to note that all of us—the government and the Conservation Council—find ourselves in the difficult position of having to manage greenhouse gas emissions in the absence of a broad national policy framework. That is why we get to the situation where the Conservation Council takes this action and the government needs to respond to an individual action relating to an individual mine. The Conservation Council have nowhere else to go because there is not a broad policy framework in this country, despite climate change having been a matter of serious public debate for at least a decade and a matter of scientific record for probably 30 years.

It is an utter disgrace that in 2007, when we know for sure about climate change, we are still dealing with a federal government that is quite simply in denial. It is very difficult for the rest of us to deal with these greenhouse issues, as we are having to by legislating today, in an ad hoc manner because we all live, sadly, in an environment of a complete policy void on the part of the federal government.

I understand that the Conservation Council will be disappointed but I would suggest to it that its disappointment should lie with this disgraceful federal government made up of—still in 2007—dyed in the wool climate change skeptics.