




Speech By  
**James Lister**

**MEMBER FOR SOUTHERN DOWNS**

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### **MINES LEGISLATION (RESOURCES SAFETY) AMENDMENT BILL**

 **Mr LISTER** (Southern Downs—LNP) (3.48 pm): I rise to speak to the Mines Legislation (Resources Safety) Amendment Bill 2018. The LNP will not be opposing this bill; however, we do have some reservations. The bill includes amendments to the Coal Mining Safety and Health Act 1999 and the Mining and Quarrying Safety and Health Act 1999. These acts establish mining sector specific safety and health obligations which are distinct from those in the Work Health and Safety Act 2011.

Some of the effects of this bill will be to: ensure that people appointed to ventilation officer positions will be sufficiently skilled; improve inspector powers to allow for more appropriate workplace entry powers by adopting a similar approach to that in the WHS Act for entry to workplaces; ensure that manufacturers, suppliers, designers and importers notify both the Mines Inspectorate and mine operators of any identified hazards or defects with supplied equipment and substances that they become aware of; and ensure that the release of information by regulators regarding mine safety is conducted in a timely manner to enable the industry to respond.

Obviously we have heard a bit about coal workers' pneumoconiosis and how it re-emerged on the Queensland scene in 2015, with 20 miners diagnosed and 54 more diagnosed with allied respiratory complaints. I deeply regret this. It is a terrible shame that this has occurred in a state where we felt that we had that problem licked, and I can only imagine what the people in the communities of places like my honourable friend the member for Gregory talked about in the Bowen Basin would be going through on this discovery.

Miners suffering black lung disease will have access to significant workers compensation, and the *Black lung white lies* parliamentary committee report into black lung disease has found catastrophic failings in the regulatory framework and the administration of detection in the state, which is terrible. In my time in the Air Force we used the terminology 'Swiss cheese effect' where you have an alignment of misfortunes or an alignment of oversights which unfortunately cause much greater effects down the track.

The Education, Employment and Small Business Committee recommended that the bill be amended to include a definition of 'contractor', and I acknowledge my honourable colleague the member for Callide, who spoke earlier, who was himself a coalmining contractor and I thank him for his contribution. While the government has committed to working with industry and union stakeholders to address this shortcoming, it has not committed to making any such definition available. Contractors in Queensland mines deserve certainty to know whether or not they will be covered under these new laws, and I ask: where is the amendment to the bill which solves this issue?

The committee also recommended that the minister consider amending the bill to require that site senior executives be notified on a confidential basis of relevant causes of reportable diseases to allow them to ensure that the risks to health and safety of the employee are at an acceptable level. Unfortunately, the government has not committed to delivering this recommendation in the bill. It has, however, made a commitment to look at it. I ask: why has the government not responded to these

recommendations from the committee? They seem quite sensible to me and I think that mine operators should be given all of the information available to assist them in reducing the chances of their employees being injured or suffering ill health.

While the LNP welcomes this sensible legislation, the government's track record in responding to black lung has been lethargic. I acknowledge that the member for Cairns, who spoke earlier, said that it was important not to make this a political debate—and I will do my best there—but I do wish to raise some shortcomings on the part of the government because I feel that that is our duty. The government should have listened more closely to the member for Bundamba, who has obvious connections and experience in this area. Last year the CFMEU itself criticised the government over its handling of this issue, and I think that speaks volumes. If one of the government's largest financial supporters decides that the government ought to be criticised publicly, then it would seem that something is not going right and the government needs to do more. I am advised that the CFMEU was even contemplating withdrawing manpower and cash support for the 2017 election campaign for the Labor Party as a response to its frustration at the slow response to black lung disease.

The *Black lung white lies* report, which was delivered in May 2017, recommended that the government establish an authority in Mackay to oversee mine safety and hygiene, conduct medical research and training, and provide medical specialists to diagnose and treat mine dust diseases. I commend the report and the work that the committee did. I particularly commend my predecessor, the former member for Southern Downs, the Hon. Lawrence Springborg, who really did great work in this area alongside the member for Bundamba. I know that they had an excellent working relationship in that role as chair and deputy chair. I was dealing with Lawrence Springborg a great deal during that time and I know how seriously he and the member for Bundamba and the committee were taking their task.

Miners are still waiting for the government to come good on its commitment to establish a mine safety and health authority in Mackay more than a year after it was promised. It is very unfortunate for workers that a promise on such an action can go for a year and still not have been fulfilled. Miners' health and safety must come before bureaucracy and the delays that we have been seeing from the government. We do support laws which protect miners' rights to have a safe workplace—of course we do—and we are hopeful that this bill is a step in the right direction in ensuring that our miners have a safe workplace. I echo the sentiments of other speakers in the House today about the vital importance of the coal industry and therefore the work done by our coalminers to support the economy in this state. It is quite literally the goose that laid the golden egg.

We need to look after the industry and, importantly, those who work in it. The real work will, however, be done in the detail and enforcement of these laws and we implore the government to act more quickly than it originally did in acknowledging the problem to begin with. We are committed to holding this government to account when it comes to our miners' safety and wellbeing. Other than that, I commend the bill to the House.