




Speech By
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MEMBER FOR NUDGE

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MINES LEGISLATION (RESOURCES SAFETY) AMENDMENT BILL

 **Ms LINARD** (Nudgee—ALP) (12.16 pm): I rise to speak in support of the Mines Legislation (Resources Safety) Amendment Bill 2018. As the House would recall, priority initiatives in the bill were first introduced into the previous parliament in September 2017 and reported on by the former infrastructure, planning and natural resources committee. The committee at that time made three recommendations including that the bill be passed. The bill lapsed when the parliament was dissolved on 29 October 2017 prior to its second reading.

The current version of the bill replicates the content of the lapsed bill with the addition of a number of minor amendments. In the minister's introductory speech, he advised that collectively the initiatives will provide greater transparency and accountability, improve compliance and enforcement of safety and health standards, or improve mine safety and health standards or systems. The explanatory notes advised that consideration of amendments to the mine safety and health framework commenced in 2013, with the reidentification of coal workers' pneumoconiosis also highlighting the need for continuous improvement of regulatory frameworks.

Everyone deserves the right to expect that their health and safety will be protected while in the workplace. Nowhere is diligence in this regard more important than in workplaces categorised by hazards such as those inherent in the mining industry. This bill continues the vital work of continued vigilance, addressing 15 priority matters, including in relation to ventilation officer competencies; inspector powers including inspector workplace entry; manufacturer, supplier, designer and importer notification requirements; contractor and service provider management; advisory committees and Board of Examiners' membership; safety and health management system requirements; health surveillance notification of diseases; suspension or cancellation of certificates of competency and site senior executive notices; and civil penalties, amongst others.

Following its introduction in March this year, the bill was referred to the Education, Employment and Small Business Committee, of which I am chair. The committee reported in May, making three recommendations including that the bill be passed. The committee's inquiry process included consideration of the evidence provided to the former committee—and I thank the committee for its contribution—in public hearings in Brisbane, Mount Isa and Moranbah and site visits to Mount Isa Mines and the Moranbah North mine. I take this opportunity to thank those individuals and organisations who made written submissions on the bill and attended as witnesses at the public hearings including the Department of Natural Resources, Mines and Energy; the CFMEU; Mine Ventilation Australia; the Australian Workers' Union; the Queensland Resources Council; and the Mine Managers Association of Australia.

I would also like to thank the teams at Glencore's Mount Isa Mines and Anglo American's Moranbah North mine who helped provide the committee with vital insights into the practical implementation of mining safety and health legislation in operational contexts and environments, during the committee's site visits to their mining operations. While this was not my first visit to an open-cut mine, it was my first opportunity to literally visit the coalface. Seeing the challenging environment in

which men and women in the mining industry work each day and the expertise these stakeholders provided to the inquiry was of invaluable assistance in understanding the potential benefits and implications of the bill.

While I do not intend to go into detail in regard to all 15 of the priority matters addressed in the bill, I would like to make a brief mention of a few. The bill proposes to strengthen the qualification requirements for the role of ventilation officer at underground coalmines so that only people with appropriate experience, expertise and understanding of their statutory obligations are employed in this vital role. The amendment will require a practical examination to gain certification as a ventilation officer to ensure proven competency in the role. Ventilation officers are responsible for the implementation of the mine's ventilation system and the establishment of effective standards of ventilation for the mine, a safety critical role. When something goes wrong in this regard, it can be catastrophic. Stakeholders spoke strongly in support of the amendments, and the committee was satisfied that the proposed new sections in relation to ventilation officer competencies, and the arrangements to be put in place during absences of ventilation officers, are appropriate for coalmines and noncoalmines, given the relative risks of the two industries.

The bill also provides a power to enter workplaces, including off-mine site workplaces, by adopting a similar approach to that used under the Work Health and Safety Act for entry to places. It is proposed that the inspectors will be able to enter any place that is, or the inspector reasonably suspects is, a workplace without permission or requiring a warrant. Existing workplace entry powers under the Coal Mining Safety and Health Act and Mining and Quarrying Safety and Health Act are reasonably broad, and the committee heard that legislative gaps exist in respect to entering some off-mine site workplaces where activities affecting the health and safety of mineworkers may still be carried out. There was broad support for the proposed amendment in the bill to change this.

The bill also importantly deals with the health surveillance of current and former miners and the notification of reportable diseases, such as chronic obstructive pulmonary disease, coal workers' pneumoconiosis, legionellosis and silicosis. The bill seeks to expand who is responsible for the notification of reportable diseases to ensure that cases, once identified, are captured and addressed. The Australian Workers' Union raised concerns at the Mount Isa hearing that, where a non-disclosure agreement is in place, such reportable diseases may not be captured accurately. The committee sought the minister's clarification in this regard, in addition to the proposal put forward by some stakeholders that site senior executives be notified, on a confidential basis, of relevant cases of reportable diseases to allow them to ensure that the risks to the health and safety of the employee are at an acceptable level. The minister addressed this issue when he just spoke and he said that consultation is ongoing.

Conversely, protecting the privacy of affected workers and protecting workers from any possible punitive measures, such as losing their job, responsibilities or hours, was raised as a key concern. I note the government response addressed this issue in part and I again thank the minister for his ongoing consultation and for addressing this topic.

I do not seek to expand on the remaining priority matters contained in the bill in any more detail. Our committee and the former committee's reports canvassed those in some detail. I would like to once again state the importance of this bill and the ongoing work of tripartite consultation with key stakeholders in ensuring continued vigilance in regard to worker health and safety in the mining sector. The passion of stakeholders for their industry and to continuing to consult on additional improvements into the future was very evident during our inquiry process, and I commend that ongoing dialogue and work.

I would like to again personally thank the team at both of the mines we visited—Mount Isa and Moranbah. They work in incredibly difficult circumstances. We know that from the photos we see, but to actually go underground and spend hours and hours down there as they shear the coalface was an incredible experience. Obviously, it is a very galvanising one, as the workforce there is very close. I thank them for their time and assistance with our inquiry. I commend the bill to the House.