




Speech By
Michael Healy

MEMBER FOR CAIRNS

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MINES LEGISLATION (RESOURCES SAFETY) AMENDMENT BILL

 **Mr HEALY** (Cairns—ALP) (3.35 pm): I rise in support of the mines legislation. Before I begin my very well-structured speech, I just want to say that I have absolutely no intention in any way, shape or form of politicising this issue. I have been sitting here listening to certain members—particularly on my right—and I found the opportunity to politicise this quite disturbing. I do not have knowledge and experience on this issue like a number of other members who have served in this chamber longer than I, but I do know there is an expectation that every Queenslander going to work needs to be protected by their government, and this government is doing that.

The actions and recommendations of this committee reflect one of the core actions of government. As I said, it is about making people safe in their workplace. The safety and health of workers in Queensland's mining sector is regulated under the Coal Mining Safety and Health Act 1999 and the Mining and Quarrying Safety Act 1999. These acts establish mining sector specific safety and health obligations which are very different to general workplace obligations under the Work Health and Safety Act 2011.

The bill addresses 15 matters that are needed for immediate improvement in the resources safety and health regulatory framework to increase workers' safety and, more importantly, health. The bill provides for greater transparency and accountability, improvements to safety and health management systems, and stronger enforcement and compliance powers by implementing amendments to the current acts 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 systems; register to be kept by Board of Examiners; health surveillance; notification of diseases; release of information; penalties; officer obligations; continuing professional development; suspension or cancellation of certificates of competency and site senior executive notices; and several penalties. To bring relief to my colleagues in the chamber, my intention is not to run through these and talk specifically to each one; however, I would like to touch on a couple of them.

Joining some of my fellow committee members and going down to visit the coalface at Anglo American's Moranbah North mine helped me get a realistic and direct understanding of the importance of ventilation in such an amazing workplace. It was a first for me and an absolute eye-opener. Working in those restrictive and confined spaces demands nothing but vigilance when it comes to health and, more importantly, safety—not to mention the much needed essential commodity: clean air. This bill proposes to strengthen the qualification requirements for the role of ventilation officer at underground coalmines so that people with appropriate experience, expertise and understanding of their statutory obligations are employed in the role.

Clause 17 of the bill proposes to replace section 61 of the current legislation to require the underground coalmine manager to appoint a ventilation officer for an underground mine. It also requires that only a person holding a certificate of competency for ventilation officers granted by the Board of Examiners can be appointed to the role of ventilation officer. In addition, the ventilation officer is

responsible for the implementation of the mine's ventilation system and the establishment of effective standards of ventilation for the mine. The underground mine manager must not appoint an individual as the ventilation officer for more than one underground mine unless the chief inspector is satisfied that the person can effectively carry out the duties at the mines. It is very important that these individuals are not overloaded in what are absolutely key and fundamental areas.

Proposed changes in relation to the management of contractors and service providers are sound and reflect the urge to achieve greater safety outcomes. This amendment targets improvement in contractor and service provider safety and health at mine sites by requiring contractors and service providers to provide their safety and health management information to be considered as part of a single, integrated safety and health management system for all mineworkers.

Contractors and service providers have an obligation to comply with the mine's safety and health management system. The existing requirements are considered insufficient and have not consistently driven effective collaboration between site senior executives and contractors to determine any necessary changes to contractor procedures to ensure compliance with the mine's single SHMS. This is particularly important where a specialist contractor is engaged and the specialist contractor's safety plan, systems or procedures are inconsistent with the safety and health management system of the mine or when a contractor needs to understand and follow safety critical procedures of that mine.

On occasion there have been instances where a contractor or a service provider has been engaged to undertake a specialist task that is not normally undertaken on site and the mine's safety and health management system may not already cater for that task. In this event the contractor or service provider will present their operating safety system documentation and standard operating procedures to the safety officer, who will review it to ensure that there is no conflict with the existing single safety and health management system in force at the mine site. If there is a conflict, the contractor's safety and health management plans and procedures must be altered to meet the site safety requirements and the contractor's employees trained and assessed in the alternative methods. If the contractor believes that they have more effective safety and health management plans or procedures for this particular task, it can be discussed with the site safety executive. If the SSE agrees that the contractor does have a more effective system, in accordance with the regulations he should have a cross-section of the workforce review and develop the system so that the mine's safety and health management system incorporates these elements.

I thank the individuals and organisations that made written submissions and attended our public hearings. I make special mention of the detailed contribution by the CFMEU. I very much appreciated in particular the team at Glencore's Mount Isa Mines and Anglo American's Moranbah North mine who went to great lengths to provide the committee with essential information through practical processes into mining safety and health in operational contexts and a very harsh environment. I also thank my parliamentary colleagues for their contributions to the debate on this bill. In particular I make mention of our tolerant and highly professional chair, the member for Nudgee. A genuine thanks is extended to the committee secretariat team and to those Hansard members who had the great privilege and honour of joining us on our travels throughout this great state. I also acknowledge the minister and his team for their strong support. At every stage when we were seeking advice and recommendations we were provided with firsthand support. I acknowledge that here.

This government recognises the importance of mining to our state, but we also acknowledge a far greater responsibility—that is, our ongoing commitment to the workers of Queensland to ensure their health and their safety. I commend the bill to the House.