




Speech By  
**Patrick Weir**

**MEMBER FOR CONDAMINE**

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

 **Mr WEIR** (Condamine—LNP) (2.46 pm): I rise to make a contribution to the Mines Legislation (Resources Safety) Amendment Bill 2018. When this legislation was introduced into the House it was referred to the State Development, Natural Resources and Agricultural Industry Development Committee. At that time we were snowed under with numerous pieces of legislation. The CLA decided to move consideration of this bill to the Education, Employment and Small Business Committee.

**Ms Linard:** Happy to help, Pat.

**Mr WEIR:** I take that interjection. I have taken a keen interest in how this bill has progressed. The committee reported on 8 May. Like many other pieces of legislation, it has taken a long time to finally make its journey into the House.

This omnibus 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 general workplace obligations under the Work Health and Safety Act 2011. The bill aims to deliver additional safety and health measures to ensure every worker goes home safely through creating a strong regulatory framework to adhere to. I am sure we all support that.

In 2015 coal workers' pneumoconiosis, or 'black lung', was rediscovered in Queensland. Unfortunately, more than 20 miners have been confirmed as having this disease since the rediscovery, with a further 54 people being diagnosed with some form of miners' dust disease. It was thought that the Queensland mining industry had been free of this disease for 30 years. Coal workers' pneumoconiosis is a type of pneumoconiosis solely caused by prolonged exposure to coalmine dust. Those miners who are suffering from black lung disease will have access to significant workers compensation, and rightly so.

The parliamentary committee's report on black lung titled *Black lung white lies* found catastrophic failings in public administration in Queensland. The regulatory system supposedly put in place to protect the health and safety of coal workers in Queensland was found by the committee to have been a catastrophic failure at all levels.

One of the recommendations of the Education, Employment and Small Business Committee was that the bill be amended to include a definition of 'contractor'. The contractors who work in Queensland mines deserve the certainty of knowing whether they will be covered by these new laws or not. Whilst the government appears to be committed to working with industry and union stakeholders to address this shortcoming, it has not committed to formulating a definition of 'contractor'. I do not see that this is a major difficulty. I ask the government: where is this amendment to the bill which would easily solve this problem?

The committee further recommended to the minister that consideration should be given to amending the bill to require site senior executives to be notified confidentially of relevant cases of reportable diseases to allow them to ensure that the risks to the health and safety of employees were

at an acceptable level. However, the government unfortunately has not committed to delivering this recommendation. They have said they will 'look at it' which does not auger well for the amendment to ever see the light of day.

This recommendation is sensible. Providing senior managers of mine sites with full disclosure that there could be a problem would give them the opportunity to take the necessary steps in a timely manner to ensure that no other workers are affected. This government, however, has chosen not to take the advice of its own committee. Why? It would seem logical that mine operators should be given all of the information available to them to assist with reducing the chances of miners developing black lung.

The government's response to black lung disease is at best lethargic. Their track record on a disease that causes death is totally unacceptable. We the LNP welcome this legislation and would suggest that the government accept the recommendations of the committee. They are not listening to one of their own members—Jo-Ann Miller, the member for Bundamba. I am sure the member for Bundamba has had many people share their own personal stories about black lung with her throughout this whole process.

The government is not, amazingly enough, listening to the CFMEU. This must be a first for this government. Last year they called for Minister Lynham to resign over his 'insensitive and inadequate response to the Queensland inquiry into black lung disease, including questioning the scientific evidence for lower dust levels'. Let's think about this: one of the largest financial supporters of the Labor Party is willing to publicly attack the Labor Party.

**Mr Costigan:** You know you are having a shocker when that happens.

**Mr WEIR:** That is exactly right, member for Whitsunday. They must be having a shocker. There must be something seriously wrong with what the minister is doing for the CFMEU to take that sort of action. It was reported that the CFMEU considered pulling its manpower and cash support ahead of the Palaszczuk government's re-election in 2017 due to their frustration at the lack of action on the deadly black lung disease.

The government is always espousing its supposed core principle of supporting workers' rights. I do not think those miners who have black lung or who are currently working in an environment with the potential to develop black lung think much of Labor's inaction. Labor is no longer the friend of the worker as it so often claims to be. The LNP supports wholeheartedly the laws that protect miners' legal right to a safe workplace.

More than a year after the Premier promised to establish the mine safety and health authority in Mackay, miners are still waiting. The *Black lung white lies* report made the recommendation to establish this authority in May 2017. The authority was to oversee mine safety and hygiene, conduct medical research and training, and provide medical specialists to diagnose and treat mine dust diseases. When exactly is this authority going to be established?

Miners should feel betrayed. To make this promise on such a critical issue—the issue of mine safety—and then let more than a year pass with no action is a shameful act. The health and safety of miners surely comes well before the bureaucracy and long delays Labor is famous for. The LNP are hopeful this bill is a step in the right direction to ensure our miners have a safe workplace. We implore the government to act way more quickly to enforce these laws than it did in acknowledging that there was a problem in the first instance.

The bill addresses 15 matters for improvement to increase the health and safety of mineworkers. It will importantly ensure that the ventilation officers are sufficiently skilled, improve inspector powers to allow for more appropriate workplace entry powers similar to those in the Work Health and Safety Act and ensure the release of information by regulators regarding mine safety is conducted in a timely manner—just to name a few areas of vast improvement for the safety and health of coalminers.

On a personal note, my brother-in-law Darrell worked for many years in the coalmining industry in Central Queensland and now at the Commodore mine in Millmerran. My brother Rob currently works at a coal-fired power station and the workers of the New Hope Acland mine near Oakey have either been exposed or are still being exposed to coal dust. Anything we can do as members of the Queensland parliament to reduce or stop the risk of black lung disease has got to be a good thing. I call on the minister to act on all recommendations.