




Speech By  
**Christopher Whiting**

**MEMBER FOR BANCROFT**

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**RESOURCES SAFETY AND HEALTH QUEENSLAND BILL**

 **Mr WHITING** (Bancroft—ALP) (12.31 pm): I rise in support of the bill. When we talk of mine safety today—and we have heard the minister say this before—we want to see everyone on a mine site come home safely every day. This bill and the new body are part of the reforms that aim to see that happen. I will make five points about the bill, but firstly I want to cover some of the things that the member for Burdekin has said.

The member for Burdekin said that the opposition would stand shoulder to shoulder with the resource workers regarding safety. Tellingly, he made this qualification: there must be no hidden tax and there must be no more red tape for mining companies. Miners need to know if this is going to be a caveat on their commitment. The member for Burdekin wanted to hear assurances from the minister on a number of things. I want to hear an assurance that, at the end of the day, their judgement on this matter will fall on the side of the workers and not the mining companies.

As I said, I want to talk about five issues in the bill. In the CWP inquiry, one thing that we covered—and it is very specific—is that everyone missed it. As was correctly noted before, the select committee said that there was a ‘massive systemic failure’ and a ‘catastrophic failure of the regulatory system’. As part of improving or replacing that regulatory system, we will have the establishment of the independent body, Resources Safety and Health Queensland or RSHQ.

Under this bill, RSHQ will be taken out of the Department of Natural Resources, Mines and Energy and will become a standalone authority. It will not be embedded in a long chain of departmental reporting structures. It will report directly to the minister. Importantly, it will have a CEO; it will not have an executive director from the department. It will be an independent office and it will take independent action. Under this model, the CEO will be able to launch a prosecution as part of the new and enlarged powers of the unit.

Thirdly, as we know there will be a change of role for the Commissioner of Mine Safety and Health and a changed role for the boards, as well, all of which will now provide strategic direction and advice to the minister. RSHQ will report to the minister and not the parliament. The minister will put reports from the commissioner and the boards on websites for everyone to see. The commissioner will also monitor RSHQ. Under this bill, the commissioner will have more specific roles. Under the current act, the commissioner advises the minister on health and safety matters, and monitors and reports on those matters to the minister. Under the new act, the commissioner will chair the committees, give advice to the minister if requested and, once again, monitor and review RSHQ. Through this bill, the commissioner’s powers will be extended and specified more so than they have been.

Fourthly, I note that the bill will mean a growth in the ability of the Work Health and Safety Prosecutor to take prompt and independent action on mine safety. The prosecutor will still sit outside RSHQ. Under the current act, the prosecutor can recommend that the commissioner takes action. Under the new act, the WHS Prosecutor will take on serious offences. As we have said, other offences

can be prosecuted by the CEO of RSHQ or the Work Health and Safety Prosecutor. I find that to be a substantial improvement. I believe that it will help deliver better workplace health and safety outcomes for Queensland workers.

Fifthly, and this is a crucial part of the reforms, we are amending the definition of 'serious offence'. A serious offence is now spelt out. When a person has an obligation to make sure that everyone gets home safely and they fail that obligation, resulting in a death, injury or exposure, that is a serious offence. This brings resource safety legislation into line with the Work Health and Safety Act. It means that mine workers will have the same level of safety protection as other workers under the Work Health and Safety Act 2011. That raises and reinforces the standards that mining companies and everyone on a mining site must reach.

In conclusion, I have to say that, in light of the eight deaths at mine sites since July 2018 and in light of the terrible toll of CWP, it is clear that we need change. This minister is delivering that change. This bill is an essential part of that change and regulatory reform. It is clear that we need a regulatory body with substance and impact. The system needs to change. The point is, how do you make that change without creating structural change? The old regulatory framework did not prevent CWP deaths, so why would we persist with it? As the minister said, we need the best regulatory framework so that workers can get home safely every day.

I will make a couple of points on the amendments regarding Paradise Dam. It is very clear that these amendments will allow the works on the dam to happen without having to go through the rigour or the length of time that they would under that legislation. I point out—and this is very pertinent to this bill—that obligations under the Work Health and Safety Act 2011 will still apply. It takes a long time—a year or maybe two—to get approvals for that kind of work. Quite simply, I do not think we have that kind of time. I believe that we need the works done by the next wet season. Under these amendments, we will be ready to start that work as soon as possible. As I said, the Work Health and Safety Act 2011 will still apply, but the important thing is that with these amendments we can get that important project happening as soon as possible, which will benefit all of Queensland. I commend the bill to the House.