




Speech By
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MEMBER FOR BURDEKIN

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RESOURCES SAFETY AND HEALTH QUEENSLAND BILL

 **Mr LAST** (Burdekin—LNP) (12.15 pm): I rise in my capacity as shadow minister for natural resources and mines to contribute to the debate on the Resources Safety and Health Queensland Bill 2019. It is worth noting that this bill is of particular importance in my electorate of the Burdekin, where much of Queensland's natural resources are found. I state at the outset that the LNP will not be opposing this bill. I also want to acknowledge the resource workers who have been injured or paid the ultimate sacrifice in the industry and their families and friends.

Earlier today I spoke with Brian Gerdes from Baralaba. Brian is the father of Jack Gerdes, who tragically lost his life in a mining accident at the Baralaba coalmine on 7 July last year. Brian likened the safety issues that exist within the Queensland resources industry to the coronavirus outbreak which poses a real and ongoing threat to our country at the present time. He calls the issues around safety within the mining sector a mine safety virus that is being fed by greed. We cannot bring Jack back, but here today we can make a giant step forward in terms of improving mine safety.

The LNP will not be opposing this legislation because we place the health and safety of our natural resources workers as the highest priority for that industry. We find the government's refusal to fully inquire into the causes of accidents, injuries and deaths in the resources sector a matter of great concern, but the LNP is above playing politics with worker safety and we want to get to the bottom of it. Make no mistake: this government is on notice. The implementation and the results of Resources Safety and Health Queensland will be subject to intense investigation and, in the interests of the miners and the quarry workers, those of us on this side of the House will hold this government to account on the implementation of this bill.

Before I speak to the issues that I want the minister to clarify, it is important to have some background on this bill. The resources sector provides one in every eight jobs in Queensland and contributed almost \$63 billion to the Queensland economy in 2017-18. Put simply, without the resources sector Queensland does not work. Despite all of the safety and technological advances, the resource industry can be a dangerous one. In 18 months we saw eight deaths in Queensland's mines and quarries and that is a huge burden for families, communities and our state to bear. Rightly, Queenslanders demanded and still want answers. They still want to know why there were 500 fewer mine safety inspections last year than there were four years ago. They still want to know why we have vacant mine safety inspector roles and they still want to know why gender requirements prevented the meeting of the Mine Safety Advisory Committee.

In July last year Minister Lynham announced two separate independent reviews into Queensland's mine safety. These reports were meant to be finalised by the end of 2019. However, they are yet to be tabled, and that is simply not good enough. The LNP moved a motion in this House for a full parliamentary inquiry into these and the other issues that contributed to deaths and injuries in Queensland's mines and quarries. Frankly, the way that this government dismissed that inquiry was an insult to resource industry workers and their families across this state.

At no time did the LNP ask for mine safety resets to be halted, as the minister implied. For a member of parliament from Central Queensland to question the cost of an inquiry into saving lives is something that this House should hold as abhorrent. I remind members that this parliament has previously united in the interests of health and safety for our resource workers. The fact that the committee report into this legislation refers to and draws from the report of the Coal Workers' Pneumoconiosis Select Committee proves that the LNP's motion for a parliamentary inquiry into safety in our mines and quarries was not only warranted but that it is essential.

When the committee charged with examining this legislation quotes phrases including 'massive systemic failure' and 'an absolute failure by the DNRM, its Mines Inspectorate, Simtars and its Health Surveillance Unit', you have to think that the situation that led to eight deaths in 18 months may, in fact, deserve complete oversight. However, that was not to be, because those opposite would rather play politics than work cooperatively to overhaul mine safety laws in this state.

It is not only the opportunity for a full parliamentary inquiry that this minister and those opposite refused. I draw to the attention of the minister and the House part 12 of the Coal Mining Safety and Health Act—existing legislation. This section expressly provides the minister with the power to establish a board of inquiry into 'a serious accident'. The question that the minister needs to answer is why did he not exercise this power? Workers in the resources industry deserve to know the response to that question.

Part 12 states that the inquiry must be held in public. What does the minister not want the public of Queensland to know? Part 12 empowers the board of inquiry to call witnesses, receive evidence on oath, seek documents and offer witnesses the same protection as a witness in a proceeding in the Supreme Court. Despite these powers and widespread calls from throughout the resources sector, this minister did not act. Queensland's resource workers deserve the truth. Why did the minister not act and what guarantees do Queenslanders have that the minister will get it right this time round?

The LNP is standing shoulder to shoulder with our miners on this important issue because we know they deserve the truth and they deserve answers. We also know that we must do whatever is needed to give answers to the families of those eight victims and we must take action to ensure their loss was not in vain. As I mentioned earlier, the LNP will not be opposing this bill because we value the resources sector and the men and the women who work in it. However, the proposals put forward in this bill must be implemented properly. Given this minister's repeated failings I am seeking clarification on several issues with regard to the legislation because it is abundantly clear that the minister has no intention of answering the questions that I have already put to him.

Firstly, let us concentrate on ensuring Queensland's resources industry receives fair treatment and is allowed, where approvals are met, to operate and grow. In part 2 of the bill there is explicit mention of the power to charge an entity a fee for services. Naturally resources companies have a responsibility to contribute fairly to programs that will ensure the health and safety of those who work for them. However, due to the contribution that this industry makes to the Queensland economy, we need to ensure that this is not another hidden tax that will impede Queenslanders. I would like the minister to provide an assurance in this House in his reply that these fees will be based on the actual services provided and that these fees will only increase in line with the cost of actually delivering the services.

Turning to the amendments proposed in this legislation to the Coal Mining Safety and Health Act, the proposed amendments to section 76 of that act are cause for concern. Whilst I can see the intention to ensure that workers and their families are protected, we must bear in mind the recent efforts of groups to disrupt this and other industries. Those on this side of the chamber, the resources industry and its workers need assurances from the minister that the use of broad terms such as 'any person' will not result in the relevant committee being bogged down by activist groups, third-party campaigns or the like. It must be made very clear that this legislation is about protecting workers, not providing excuses for this government to add an extra burden or more red tape to the resources sector.

With regard to that same section of the Coal Mining Safety and Health Act, those of us on this side are reminded of the failure of the Mining Safety and Health Advisory Committee to meet in the lead-up to those fatalities in Queensland. Whilst we fully support the need for the right balance on committees, there should be no excuses for committees that advise on health and safety not to meet. I would ask the minister to give serious consideration to including mandatory regular meetings of this committee and other relevant committees to ensure we get this right. Workers in the resources industry deserve a safe workplace, like all Queenslanders, and they deserve the unwavering focus of the health and safety regulators on their industry. As is often said with regard to the law, the job does not only need to be done, it needs to be seen to be done.

Whilst there is no need to reiterate this government's track record when it comes to conflicts of interest, there is an unquestionable opportunity in this bill to minimise any such conflict when it comes to the health and safety of the resources industry. Division 3 of the bill refers to the minister's discretion in allowing the CEO of Resources Safety and Health Queensland to engage in paid employment outside the responsibilities of the office. It also refers to the minister's discretion to allow the CEO to actively take part in the activities of a business or management of a corporation. As we saw in the Premier's own department, this is a recipe for disaster.

When it comes to health and safety we must draw a line in the sand. For such an important function we must ensure that there is a 100 per cent commitment to the functions of this entity and I call on the minister to ensure there are adequate safeguards in place to ensure the integrity of this office can never be brought into question. The CEO's sole focus must be on making our resources industry safer, not on trading real estate or creating smartphone apps. This is simply too important a task to take risks with.

The section of the bill entitled 'conflicts of interest' also requires strengthening. Again I refer to the conflicts of interests we have seen under the current government and implore the minister to take firm action on this. In the interests of ensuring the health and safety of Queensland workers, I would like to see any conflicts of interest disclosed publicly and firm time frames placed around such disclosure. Again, Queensland workers deserve to know that the CEO of RSHQ is focused on their health and safety as his primary goal.

I note that the amendments tabled by the minister will ensure that the CEO will be appropriately qualified to discharge their duties. That is a vital component of that role. We need someone who understands the industry and who has experience in the industry so that they bring that knowledge and credibility to the role going forward. I acknowledge and welcome the requirement for the commissioner to have appropriate qualifications or experience. Whilst I understand the difference between the two roles, I believe RSHQ would be strengthened by the additional practical knowledge and experience at the CEO level.

Moving on to staffing of the entity, I am sure we all agree that it is an absolute necessity to ensure that RSHQ has staff with appropriate skills and knowledge. Given the importance of roles within this entity I would like assurances from the minister that while secondments and service provision from other government agencies may be necessary, that these will be short-term measures only. In short, RSHQ needs the expertise to improve health and safety in the resources sector within its own walls, not on secondment for extended periods.

With regard to the annual report that must be prepared by the commissioner, I believe it is imperative that the number of inspections and audits conducted throughout the state be included in this report. Queenslanders deserve transparency and Queensland resource workers deserve the truth. As we have seen in responses from the minister recently, there are issues with the types of investigations being undertaken and the number of investigations being undertaken. Currently the scheduled numbers are simply not being met. Surely it must be a key performance indicator of both the CEO and the commissioner that adequate and appropriate investigations into health and safety practices in Queensland's resources industry are undertaken. After all, resource workers have a right to know.

Just as we saw in the *Black lung white lies* inquiry, the truth is what is needed to address serious issues that are affecting workers, their families, their friends and their communities in concerning and tragic ways. It is time for this government to act. Whilst the LNP will not be opposing this legislation here today, it does not change our stance on the fact that this industry, its workers and their families, friends and communities deserve the truth.

It is a sad day for Queensland when, despite too many failings to count, this minister will not provide the truth. It will be another sad day if this minister and this government fail to implement this legislation correctly. It will be yet another sad day if this minister refuses to accept the feedback provided from those on this side of the House and pushes ahead blindly due to cheap political pointscore. This must be done properly. The time for failings is over. For once, provide Queenslanders with the answers to their questions. For once, the minister should take on board the suggestions of members of this House who want our resource workers to go home safely after every shift. It is the least that the minister can do, because it is what Queensland workers deserve.

I want to leave members with the words of Brian Gerdes, to whom I spoke earlier today and who best sums up the importance of mine safety and health in this state. He said—

There are eight families who want answers; who want to change the safety conditions on Mine Sites. These eight deaths, and all that fell before, have caused heartache which will remain with us for the rest of our lives. Please stop the carnage by FIXING the problem.

The sole focus of this legislation must be to improve safety for our Queensland resource workers. We owe it to them and to their families.

Before I finish I will touch on the amendments tabled by the minister today regarding Paradise Dam. I know a lot of our members have some deep concerns about those amendments and will certainly talk about that during consideration in detail. We have amendments before the House today when the results of the inquiry have not even been released and I think that says it all.