




Speech By  
**Lachlan Millar**

**MEMBER FOR GREGORY**

---

Record of Proceedings, 19 May 2020

## **MINERAL AND ENERGY RESOURCES AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr MILLAR** (Gregory—LNP) (4.39 pm): I rise to speak to this bill with mixed feelings of relief and frustration. I am relieved that this bill has finally come before the House, but I am frustrated that it has taken so long. I am frustrated that while we waited we saw the deaths of eight mineworkers in Queensland mines in 18 months. This was still insufficient to get the Labor government to ensure this legislation was put before the House for debate. This month we saw the tragic gas explosion at the Grosvenor mine in Moranbah. Thank Heavens no-one was killed, but five men have been terribly injured. Four remain in a critical condition and all five must be living in horrendous pain. I speak for all my constituents in Gregory when I say to those workers and their families that our thoughts and prayers are with you and yours.

I am relieved to see this bill finally come before the House, but I am angry that the Labor government has fiddled and dragged its feet while lives have been lost. Mining safety should not have to beg for the proper attention of the government of the day. The industry is one of the economic pillars of the Queensland economy, as the LNP government recognised publicly. With the short notice and the restrictions on flights due to COVID-19 I was struggling to find a way to get to the parliamentary sitting today. I ended up having to drive to Moranbah and fly out of Moranbah. Moranbah is receiving more flights out of Brisbane than any other airport in the state—more flights than there are going from Brisbane to Melbourne at the moment. That is a practical demonstration of the huge part mining plays in keeping Queensland going. Resource reliant jobs count for one in every eight jobs in Queensland. Given that statistic, it is unforgivable that this Labor government has still not fully implemented the 68 recommendations of the *Black lung white lies* report. The report was handed down in 2017 and was fully supported by the LNP. Here we are, heading to the next election, with the job still not done despite bipartisan support. This is, frankly, unacceptable.

It is not an isolated example of Labor's neglect of the industry. In this chamber in April last year, the then deputy premier and treasurer, Jackie Trad, said mockingly that miners should start reskilling. What sort of deputy premier openly attacks and mocks the jobs that support families right across the state? Did the then deputy premier not reflect how this would make those families feel? This is neither an intelligent nor a caring government when the industry the former deputy premier was attacking, the resources industry, accounts for \$1 in every \$5 in the Queensland economy.

As Queenslanders watched eight deaths occur over the last 21 months, they were also hearing that a key advisory committee on mining safety was not sitting because the board members were not of the right gender. Forget knowledge, expertise and experience, everything is seen through the lens of politically-correct, totally irrelevant gender wars with this government. This was the government's priority, not mining safety. It is not surprising to discover that there was a 30 per cent decrease in mine safety inspections between 2015-16 and 2018-19. No wonder something is going fatally wrong. We owe it to the workers, their families, their communities and all Queenslanders to try to find out everything that is contributing to this state of affairs.

My sense is that more than one factor is involved. The mining industry is not a static industry on a cookie-cutter model. We have differences in workforce structure and rosters, for instance. For that reason, all this time the LNP has been calling for a public inquiry by a bipartisan parliamentary select committee. Such a committee would allow all stakeholders to have a say. It could hold regional hearings and accept written submissions to ensure all stakeholders get a say. Most importantly, it could review the suite of existing mining legislation to see if it is fit for purpose against contemporary mining practices.

As a Bowen Basin MP representing Blackwater, Emerald, Springsure, Rolleston, Tieri and Capella—all mining towns—constituents often ask me whether the *Black lung white lies* reforms have been introduced or when a particular mining bill before the House is going to be debated. As Bill Shorten discovered at the federal election, Central Queensland is a very politically savvy and engaged community. My constituents are uniformly annoyed to find out that mining workforce regulation is sprinkled in dribs and drabs over a number of different bills. They are right to see it as unnecessarily complicated. It is not the comprehensive and coherent approach that stakeholders expect. A bipartisan parliamentary committee inquiry could clean that situation up, but the Labor government and the minister have been actively resisting any such public examination. The Labor government has announced two internal reviews and reports into mine safety yet nothing much has changed. We will have a board of inquiry into the Grosvenor mine gas explosion. So we should, but it still does not do the comprehensive, coherent and public job that a parliamentary committee inquiry would do for the people of Queensland.

This bill is another in the muddled chain of mining legislation coming before us. It actually addresses three separate issues: the introduction of industrial manslaughter penalties with a view to strengthening mining safety; financial assurances for the state with regard to mining rehabilitation; and, lastly, regulatory efficiency laws touching the energy and water ombudsman, water infrastructure charges, energy retailing and amendments relating to water supply safety and flooding. Despite the cost in lives and injuries, mining safety is still being tucked into a shopping list of other regulatory concerns. If this is a demonstration of a political strategy to bury a tale of incompetence, then it is also yet another demonstration of the contempt the Labor government feels for the regions.

The LNP will not be opposing this bill. It is fitting that this important industry be subject to the same laws on industrial manslaughter as any other industry. The introduction of industrial manslaughter offences will ensure that there are sufficient penalties where there is criminal negligence by an employer that causes a workplace fatality. The new offences will ensure there is consistency in how the deaths of workers on Queensland worksites are treated. The introduction of these penalties will affect four pieces of existing legislation: the Coal Mining Safety and Health Act 1999; the Mining and Quarrying Safety and Health Act 1999; the Explosives Act 1999; and the Petroleum and Gas (Production and Safety) Act 2004.

It is the changes to the first act that are causing great concern to my constituents because it impacts the role of what we call SSEs—site senior executives. I have had multiple meetings with constituents about the requirement under these industrial manslaughter laws for SSEs to be direct employees of the mine operator. This act will remove the ability for contractors to be able to work in these roles. Such a requirement completely ignores or misunderstands the workforce model used on the Queensland coalfields. Mining is not a generalist field of knowledge anymore. It is highly technical and highly expert. Mine operators use experts in many narrow disciplines. For those experts to make a living, and for the mine operators to have access to the very best expertise, there is a system of independent contractors and self-employed consultants who may work for many different mine operators. They may be the very best in ventilation, for instance, or any number of other areas of expertise. This workforce model allows the best and widest use of our skilled and expert mining workforce for the benefit of the entire industry. It also allows Queensland's mines to be efficient producers and therefore successful exporters.

The Coal Mining Safety and Health Act 1999 reflects the workforce model by not prescribing the particular persons who may be appointed. The SSE may be a contractor or service provider or the employee of a contractor or service provider. This bill amends the act so that only persons who are a permanent employee of the mine operator may be appointed as certain statutory office holders. This will remove the ability for contractors and their employees to be able to work in these SSE roles. In doing so, it fundamentally imposes a more rigid workforce model across this vital industry. It does so for no apparent benefit in terms of workplace safety and yet risks making the SSE positions in our mines unfillable.

The Queensland Resources Council has argued persuasively that this can be resolved with an amendment to ensure it is the CEO of the mine operator who is held liable. I am running out of time, but this is a vital point that I sincerely hoped to see government amendments addressing today. While I am very alert to the defects in this bill, the LNP will not be opposing it in the interests of mining safety.

Mine safety must always come first when it comes to our mining industry. Every person who works in a mine must be assured that they will return home safely. It is important that we have the regulations and the legislation around such an important industry to make sure that we have mine safety as a priority. I know many people who work in the mines. I went to school with people who work in the mines today. A lot of my mates work in the mines and also work in agriculture. We must make sure mining is safe.