




Speech By  
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**MEMBER FOR TOOWOOMBA NORTH**

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Record of Proceedings, 8 November 2022

**COAL MINING SAFETY AND HEALTH AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mr WATTS** (Toowoomba North—LNP) (5.24 pm): I rise to make my contribution on the Coal Mining Safety and Health and Other Legislation Amendment Bill. Let me start by saying that there can be nothing more important than the safety of people when they go to work. Nobody should be put in an environment where they feel that their safety is compromised, or they fear reporting a safety issue for some kind of reprisal. That needs to be firmly on the record, and this House needs to ensure it is always at the forefront of what is trying to be achieved. I do not doubt that the minister is sincere in trying to improve safety in the mines, although I have reservations about the details and the process that has been taken to arrive there. We seem to have arrived at a bureaucratic compromise which seems to be unsatisfactory to all stakeholders.

I am concerned about the monitoring and implementation of some of the elements of this bill. I think the implementation date runs the risk of people rushing to compliance rather than ensuring there is a complete culture surrounding the safety of employees in the environment. For the record, I have now had the privilege of going underground in two different mines. It is a confronting environment. It is hostile to human life. If something goes wrong, you are in serious trouble very quickly.

The importance of the statutory safety officers of all the different acronyms that others have outlined—as a dyslexic I will not be going through those acronyms—is fundamental. More important than all of that is the culture that exists within the entire organisation. That culture is not necessarily reflected by someone's employment status; it is an attitude. The environment is created by everybody who participates—whether they be a contractor, an owner, a statutory officeholder or whatever position they hold. It is a complete mindset and a culture, and I think that has been lost as we try to come up with bureaucratic ways to make sure this environment is safe.

I will go through a couple of the recommendations that were made and the minister's response. I have a couple of questions in relation to them. Recommendation 2 states—

The committee recommends clarification by the Minister of which body will enforce compliance with the exceptions to direct employment provisions.

The minister has answered some of that. I would seek some further detail to make sure they have the capacity, training and financial resources to do that in an effective way. I would ask that any reporting that is done there comes back to this House for public consumption. I think openness and transparency around safety is key. That is one area that I seek further information from the minister on.

Another area comes down to the nub of the issue here, which is the 80 per cent rule. If we go through the transcripts, it would appear that nobody is happy with the 80 per cent and nobody is really sure where this 80 per cent comes from. I would seek further clarity on that. Mr Smyth from the Mining and Energy Union said—

The other thing with 80 per cent is: how do you regulate it? When you are talking figures, it creates a nightmare to regulate it. Who is responsible for compliance? If it is 80 per cent, does the RSHQ then have to have inspectors going out to these mine sites and auditing and ensuring compliance?

I then asked whether this would necessarily make the mine safer and the comment was that it may well take away from some of their core functions—that is, they are busy counting numbers and looking at spreadsheets and checking employment records rather than going through some of the processes that would ensure safety. I seek more clarity around where the 80 per cent came from and why that is suggested as a solution when two of the parties in the tripartite discussions were so far apart—that is, the unions and the peak body. Mr Newman said—

... that the tripartite working group did not address the 80 per cent. That never came up. There were a number of solutions put forward, but the 80 per cent was not part of it. As the QRC has just said, it was only after that tripartite working group that they themselves and the contractors met with the minister and came up with the 80 per cent.

The suggestion was that this came from the QRC and I understand that that is not its position on this. Again, I am really curious to understand why 80 per cent and how that is going to lead to a safer outcome. We have to remember that as we go through all of this we are dealing with environments where vehicles are so big that if there is a big dust cloud the car that you are sitting in will completely disappear and the vehicle coming up behind you would not even realise you were there and would not even feel you if it went over the top of you. That is a hostile environment. If you are underground, the number of hazards are very confronting the first time you go down and run through the safety.

I understand that the government wants to show the union and others that it is taking safety seriously. However, I am concerned that this bill, after waiting so long, has been rushed through. The committee only had a couple of weeks to discuss this bill with the various people who have really strong views on some of what needs to go on to create a safe environment. We could not even get the transcript back because we had to have a hearing in the middle of a parliamentary sitting week. It took a week to get the transcript back, so this is not how the safety and the lives of Queenslanders should be dealt with in what is one of our most important industries.

This is an industry that funds our hospitals, our police, our education system. It funds this place. This is an industry that is of critical importance to the people of Queensland and such an important industry operating in such a hostile environment to human life and here we are rushing things after having such a long delay. We could have been reviewing this all the way through that period. We could have been looking at this and we could have been holding hearings and we could have been opening this up, but unfortunately none of that was done.

There are a lot of hairs on this and, as I say, I do not question either the government or the minister's desire to have coalmining safety. I am just concerned that creating a bureaucratic nightmare for mine operators, contractors, unions and other people will take the eye off what the ultimate aim is—that is, to have a culture of safety and to make sure that we are not compromising every single person who helps get this very valuable resource out of the ground for the benefit of the organisation, for themselves and for everybody else in Queensland. We should not be compromising on that and I am concerned that this bill and this minister have compromised on that by not being open and transparent and by not allowing the public to view this over an extended period of time and rushing this through because the deadline was creeping up that for some reason had been missed. I would ask the minister to extend the deadline and go back to the negotiations. Both the union and the QRC believe that they can come up with a better solution than this given a little bit more time, and I would encourage the minister to seek that better solution.