




Speech By
Hon. Scott Stewart

MEMBER FOR TOWNSVILLE

Record of Proceedings, 12 June 2024

**RESOURCES SAFETY AND HEALTH LEGISLATION AMENDMENT BILL;
MINERAL AND ENERGY RESOURCES AND OTHER LEGISLATION
AMENDMENT BILL**

 **Hon. SJ STEWART** (Townsville—ALP) (Minister for Resources and Critical Minerals) (7.17 pm), in reply: First of all, I would like to thank all honourable members for their participation in this debate. I will speak to the Mineral and Energy Resources and Other Legislation Amendment Bill first. This bill represents an important step in delivering the Queensland Resources Industry Development Plan, a commitment to the sustainable growth of Queensland's resource sector and ongoing support for our regional communities. It will strengthen the state's coexistence institutions to support both the resource industry and the emerging renewable energy industry to build positive and mutually beneficial relationships with regional communities, landholders and the agriculture industry. It will also make amendments to improve the regulatory efficiency of the resources act to ensure Queensland's regulatory framework for the resources industry remains contemporary and fit for purpose.

Queensland delivers domestically and to many countries around the world the quality food and fibre and high-grade mineral and energy resources which underpin our multibillion dollar agriculture and resources industries. That is why I am committed to a resource sector that sustainably coexists with the agriculture sector and the regional communities in which they operate. I listened when GasFields Commission Queensland handed down their *Regulatory review of coal seam gas-induced subsidence* report in 2022 about the impacts of CSG induced subsidence on high-value agricultural land and acted quickly to direct my department to develop a regulatory framework to manage those impacts. This report, released in 2022, followed nearly two years of consultation with landholders regarding CSG induced subsidence, highlighting gaps in the existing regulatory frameworks. An important issue was the lack of available independent information to assist landholders about the impact of CSG subsidence on their farming activities.

While most stakeholders are calling for a framework to address CSG induced subsidence, which I delivered, I have heard the concerns that have been raised about the need to undertake more consultation to make sure this framework does not unintentionally impact these industries. That is why I will move amendments during consideration in detail to remove the subsidence management framework provisions to allow for further consultation on this important regulatory reform.

For the opposition to sit across the chamber and claim this government does not consult is completely untrue. We certainly did consult. We have listened to the concerns raised by the committee and stakeholders, which is why we have removed the subsidence management framework from the bill. I want to make it clear this consultation will not go back to first principles. The consultation will be focused on the risk-based subsidence management framework outlined in the bill introduced into parliament in April this year.

I firmly believe the approach taken in this framework is a good one. It moves towards a balanced approach that recognises the valuable contribution these industries make to Queensland, while ensuring detrimental impacts to agricultural land are addressed. This subsidence management framework will now have more detailed scrutiny by stakeholders to ensure it does not result in unintended consequences that will disadvantage the agricultural and resource industries.

I note the concern regarding the ability for individuals to hold fossicking licences. Let me be clear: nothing in this bill prevents an individual from holding a fossicking licence. Anyone can get a fossicking licence, and it is as easy as visiting our Queensland government website and purchasing one online.

The GasFields Commission continue to be instrumental in promoting coexistence between landholders, regional communities and Queensland's onshore gas industry. I am confident the GasFields Commission will leverage the knowledge and expertise they have gained in this role as they transition to Coexistence Queensland and provide coexistence support across the broader resources and renewable energy industries. I will move amendments during consideration in detail to clarify that Coexistence Queensland and any community leaders council they establish must include representation from the agricultural sector. It just makes sense.

My colleagues have incorrectly interpreted the amendment to the Financial Provisioning Scheme which raises the eligibility for risk assessment from an estimated rehabilitation cost of \$100,000 to \$10 million. This amendment gives those companies with an estimated rehabilitation cost of up to \$10 million flexibility to decide if they want to undergo a risk assessment process if they are risk assessed as very low, low or moderate risk, or pay surety if they are risk assessed as high risk. An estimated rehabilitation cost of \$10 million is not a fixed or minimum requirement. The applicable estimated rehabilitation cost for different micro projects will continue to be assessed and determined by the Department of Environment, Science and Innovation. This is the same approach for any and all new projects, critical minerals or otherwise. This amendment ensures these companies have greater flexibility in determining the most suitable pathway under the Financial Provisioning Scheme.

Finally, the Premier recently announced the government's decision to ban carbon capture and storage activities in the Queensland part of the Great Artesian Basin. The ban provides clarity for all stakeholders that greenhouse gas storage and enhanced petroleum recovery activities that use greenhouse gas injection in the Great Artesian Basin are prohibited in Queensland. Stakeholders have shown strong support for the Miles government's leadership in protecting the Great Artesian Basin. The Queensland government have listened to stakeholders and are making sure we are doing what matters for the natural phenomenon that is the Great Artesian Basin. AgForce and the Local Government Association of Queensland have thanked the Premier for listening to Queensland communities and responding with his leadership to ban carbon capture and storage in the Great Artesian Basin.

The Resources Safety and Health Legislation Amendment Bill 2024 aims to improve the sector's safety and health performance to reduce the occurrences of fatalities and serious accidents. The bill contains a broad range of proactive reforms that will strengthen the safety culture of the Queensland resources sector by prioritising safety, promoting HRO behaviours and strengthening regulatory enforcement.

The bill is the result of a significant amount of work from Resources Safety and Health Queensland, the relevant unions and resources industry members. It is no small feat to bring sometimes divergent views together. We all have a shared interest in ensuring Queensland resource workers return home safe each and every night. I can assure members these tripartite processes are well and truly established and were involved in the development of this legislation. I would go further and encourage industry and unions to collaborate and communicate outside of these formal committees because I agree that genuine cooperation between employer and employee representative groups is critical to ensuring safety and health in our industries.

The bill implements additional competencies for safety critical roles in coal mines, including mechanical and engineering managers as well as surface mine managers. The Brady review made findings and recommendations related to the importance of competency through training and supervision of workers. The certificate of competency for surface mine managers of coalmines will bring Queensland in line with similar certificate of competency requirements for surface mine managers, as well as electrical and mechanical engineering managers, in New South Wales.

The bill provides a transitional period of five years from commencement of the bill—a day fixed by proclamation—for surface mine managers and electrical and mechanical engineering managers to have the required certificate of competency and associated practising certificate. The Board of Examiners has processes underway to have examinations ready, and the proclamation date can take this into account. I can assure the House that the Board of Examiners has adequate resources to implement the new certificates.

The member for Toowoomba North sought reassurance that amendments about information sharing will not be used to name and shame. Let me be clear—at no stage has naming and shaming formed part of the bill's policy.

The member for Callide suggested confusion about the requirement for a site senior executive to be 'at or near' the mine. As I have already mentioned, this is not a new requirement. The member suggested the amendments would mean site senior executives could not take leave or leave the mine at all. He did not state how that confusion could arise as a result of the amendments and there is nothing in the amendments that limits a site senior executive's ability to take leave. These amendments were consulted on and, again, the language 'at or near the mine', in relation to a site senior executive, is not new, so the basis of the member's comments are not clear.

As I highlighted in my second reading speech, I will be moving amendments for consideration in detail. The amendments ensure that the existing safety and health obligations for persons generally under section 39 of the Coal Mining Safety and Health Act 1999 and section 36 of the Mining and Quarrying Safety and Health Act 1999 continue to apply to a person not located at a mine or quarry but who may affect the safety and health of workers. These include obligations to comply with the act, to give information needed to protect persons from injury or illness and to take reasonable action to ensure no-one is exposed to an unacceptable level of risk.

Finally, I would like to thank all those who attended the committee's public hearings for the bills and those stakeholders who made submissions for consideration. I also want to take this opportunity to acknowledge and thank officers from the Department of Resources, the Office of Groundwater Impact Assessment and Resources Safety and Health Queensland, and my team in the ministerial office, for their work and contribution to the development of these important bills. I commend the bills to the House.