

**TRANSPORT AND RESOURCES COMMITTEE**  
**REPORT NO. 29**  
**INQUIRY INTO COAL MINING INDUSTRY SAFETY**  
**QUEENSLAND GOVERNMENT RESPONSE**

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## **INTRODUCTION**

On 18 August 2022, the Legislative Assembly agreed to a motion that the Transport and Resources Committee inquire and report on current practices and activities of the coal mining industry to cultivate and improve safety culture.

On 16 February 2023, the committee tabled its report no. 29 in relation to its inquiry.

The Queensland Government response to recommendations made by the committee are provided below.

## **RESPONSE TO RECOMMENDATIONS MADE TO GOVERNMENT/THE MINISTER**

### **Recommendation 3**

The Minister consider what forums and mechanisms can be used to improve the quality of tripartite communication around Queensland coal mining safety and health.

#### **Government Response**

The Government thanks the committee for this recommendation.

I will consider the matters raised by the committee in this recommendation. In order to enable me to do so, I have directed the independent Commissioner for Resources Safety and Health to provide advice about the effectiveness of tripartite communication and how it can be optimised. I have requested that the Commissioner provide me with advice by 1 September 2023.

### **Recommendation 6**

The Minister consider reviewing the rate of the regulatory health and safety fee payable by coal mine operators, to support an increase in resourcing to the coal mines inspectorate within Resources Safety and Health Queensland (RSHQ) for an expanded compliance and enforcement program.

#### **Government Response**

The Government thanks the committee for this recommendation.

I will consider the matters raised by the committee in this recommendation. In order to properly consider this recommendation, I have directed RSHQ to consider, and advise me, on where any additional resourcing would be best directed to further the purposes of the

*Coal Mining Safety and Health Act 1999 and Resources Safety and Health Queensland Act 2020.* I have requested that RSHQ provide me with advice by 1 September 2023.

### **Recommendation 7**

RSHQ increase the number of unannounced inspections it undertakes at Queensland coal mines to 25% of all inspections by the 2023/24 financial year.

### **Government Response**

The Government thanks the committee for this recommendation.

RSHQ currently delivers 10-20% of its total annual coal mine inspections of coal mines unannounced, based on expert advice and industry's demonstrated ability to manage risk arising from operations.

The number of inspections to be undertaken in a financial year, including the proportion of those inspections that are to be unannounced, is based on a periodic assessment of prevalent or emerging risks. This risk assessment is used to determine appropriate focus areas for inspections, and the most suitable format/manner of inspection for those focus areas.

I support RSHQ continually reviewing and adjusting its inspection program based on a considered assessment of risk across the industry and note that it will undertake analysis to critically assess whether the current rate of unannounced inspections should be retained or changed for the coming 2023-24 financial year.

I have requested that RSHQ update me on its 2023-24 inspection program, including the proportion of inspections that are to be unannounced.

### **Recommendation 9**

The Minister consider amendments proposed in the Consultation Regulatory Impact Statement strengthening protections against reprisal with a view to legislatively implementing them.

### **Government Response**

The Government thanks the committee for this recommendation.

The Consultation Regulatory Impact Statement (CRIS) includes proposed reforms which aim to strengthen protection for workers from reprisal actions when raising safety issues.

The 60-day open consultation period for the CRIS, which closed on 21 November 2022, received written submissions from peak bodies, unions, individual companies, workers and community members. RSHQ, as part of the legislative process and on behalf of government, is developing a decision regulatory impact statement for government's consideration, with a view to preparing draft legislation for consultation during calendar year 2023.

## **OTHER RECOMMENDATIONS**

### **Recommendation 2**

The Coal Mining Safety and Health Advisory Committee (CMSHAC) ensure that genuinely tripartite consensus is arrived at regarding the full-time nature of the Site Safety and Health Representative role at Queensland mine sites; industry should subsequently give full effect to the settled tripartite position.

#### **Government Response**

The Government acknowledges the committee's recommendation to the independent CMSHAC and I look forward to receiving CMSHAC's advice.

### **Recommendation 4**

The CMSHAC commission independent research into the impact of coal production rates on safety risk management in Queensland coal mines. Coal mine operators must facilitate sufficient access to, and protections for, members of their workforce who participate in this research.

#### **Government Response**

The Government acknowledges the committee's recommendation to the independent CMSHAC and I look forward to receiving CMSHAC's advice.

### **Recommendation 8**

The CMSHAC review the terms of reference for its current study into coal mine safety reporting culture to additionally address the deficit of research around production and safety conflicts, and reprisal against workers who raise safety issues, which we have raised in this report.

#### **Government Response**

The Government acknowledges the committee's recommendation to the independent CMSHAC and I look forward to receiving CMSHAC's advice.

### **Recommendation 11**

Conduct genuinely tripartite Safety Reset sessions for the Queensland coal mine industry at least biannually, and preferably annually.

#### **Government Response**

The Government acknowledges the committee's recommendation to coal mining stakeholders about safety reset sessions.

My predecessor, the Honourable Dr Anthony Lynham, initiated industry safety resets in 2019, and I continued this initiative in 2021. A tripartite safety reset steering group, comprising stakeholders representing the entire resources sector, was formed ahead of the 2021 reset and will be retained to provide advice on how the reset can be most effective. A safety reset is planned to be held in October 2023.

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