

~~Deputy Premier, Treasurer and Minister for Aboriginal and Torres Strait Islander Partnerships (Hon. Trad)~~

~~Overseas travel report: Queensland Treasury Corporation and QIC Limited, Roadshow meetings in London, Paris and New York, 26 July-4 August 2019~~

~~MEMBER'S PAPER~~

~~The following member's paper was tabled by the Clerk~~

~~Member for Glass House (Mr Powell)~~

~~Nonconforming petition relating to the installation of traffic lights at Campbell's Pocket Road and D'Aguilar Highway~~

~~MINISTERIAL PAPER~~

~~Revocation of State Forest Areas~~

~~ **Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (10.34 am): I lay upon the table of the House a proposal under section 26 of the Forestry Act 1959 and a brief explanation of the proposal.~~

~~Tabled paper: Revocation of state areas: Proposal under section 26 of the Forestry Act 1959 and a brief explanation of the proposal, relating to Murray Upper State Forest.~~

~~NOTICE OF MOTION~~

~~Revocation of State Forest Areas~~

~~ **Hon. LM ENOCH** (Algester—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (10.34 am): I give notice that, after the expiration of at least 14 days as provided in the Forestry Act 1959, I will move—~~

- ~~1. That this House requests the Governor in Council to revoke by regulation under section 26 of the Forestry Act 1959 the setting apart and declaration as State Forest of the area as set out in the Proposal tabled by me in the House today, viz~~

~~Description of area to be revoked~~

~~Murray Upper State Forest~~

~~An area of 6.497 hectares described as lot 190 on SP218278, as illustrated on the attached "Murray Upper State Forest revocation: Sketch A".~~

- ~~2. That Mr Speaker and the Clerk of the Parliament forward a copy of this resolution to the Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts for submission to the Governor in Council.~~

~~The proposed revocation of part of Murray Upper State Forest is required to allow the grant of Aboriginal freehold land under the Aboriginal Land Act 1991 in accordance with Indigenous land use agreement commitments between Abraham Muriata on his own behalf and on behalf of the Girramay people, the Girramay People Aboriginal Corporation, the Cassowary Coast Regional Council and the state of Queensland. I would also like to acknowledge that there are representatives of the Girramay people here in the chamber with us today.~~

RESOURCES SAFETY AND HEALTH QUEENSLAND BILL

Message from Governor

~~ **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (10.36 am): I present a message from His Excellency the Governor.~~

~~**Mr SPEAKER:** The message from His Excellency the Governor recommends the Resources Safety and Health Queensland Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.~~

~~MESSAGE~~

~~RESOURCES SAFETY AND HEALTH QUEENSLAND BILL 2019~~

~~Constitution of Queensland 2001, section 68~~

~~I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly a Bill intitled—~~

~~An Act to establish a statutory body called Resources Safety and Health Queensland to regulate safety and health in the resources sector, establish an employing office, provide for the Commissioner for Resources Safety and Health, and to amend this Act, the Coal Mining Safety and Health Act 1999, the Explosives Act 1999, the Mining and Quarrying Safety~~

and Health Act 1999, the Petroleum and Gas (Production and Safety) Act 2004, the Public Service Act 2008, the Statutory Bodies Financial Arrangements Regulation 2019 and the Work Health and Safety Act 2011 for particular purposes

(Sgd)

GOVERNOR

Date: 29 August 2019

Tabled paper: Message, dated 29 August 2019, from His Excellency the Governor recommending the Resources Safety and Health Queensland Bill 2019.

Introduction

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (10.36 am): I present a bill for an act to establish a statutory body called Resources Safety and Health Queensland to regulate safety and health in the resources sector, establish an employing office, provide for the Commissioner for Resources Safety and Health, and to amend this act, the Coal Mining Safety and Health Act 1999, the Explosives Act 1999, the Mining and Quarrying Safety and Health Act 1999, the Petroleum and Gas (Production and Safety) Act 2004, the Public Service Act 2008, the Statutory Bodies Financial Arrangements Regulation 2019 and the Work Health and Safety Act 2011 for particular purposes. I table the bill and the explanatory notes. I nominate the State Development, Natural Resources and Agricultural Industry Development Committee to consider the bill.

Tabled paper: Resources Safety and Health Queensland Bill 2019.

Tabled paper: Resources Safety and Health Queensland Bill 2019, explanatory notes.

The re-identification of coal workers' pneumoconiosis and the six mining and quarrying fatalities that have occurred in the last year highlight the need for continuous monitoring and improvement of the regulatory framework and the importance of a transparent, independent regulator. As the minister responsible for resources safety and health, I am committed to maintaining the most effective regulatory framework possible to ensure every worker in Queensland's resources industries goes home safe every day.

The Resources Safety and Health Queensland Bill 2019 establishes a revised regulatory framework that aims to engender worker trust, ensure appropriate independence and transparency, and enhance independent oversight of the performance of the regulator. The bill has arisen from the recommendations of the independently led Project Management Office, which was established by the Palaszczuk government to examine and develop for implementation key recommendations of the Coal Workers' Pneumoconiosis Select Committee. I thank the committee for their input.

The bill establishes Resources Safety and Health Queensland, or RSHQ, as a statutory body, ensuring genuine independence of the regulator—which was at the core of the select committee recommendations and the government's response. The focus of the new statutory body will be the safety and health of Queensland's resources industries workers. RSHQ will include inspectorates for coal mines, mineral mines and quarries, explosives and petroleum and gas. RSHQ will also include the Safety in Mines Testing and Research Station, or Simtars, and the Coal Mine Workers' Health Scheme.

As a statutory body, RSHQ will be a separate legal entity from the mines department. RSHQ will not be part of, or subject to, oversight from an administering department. This will ensure that the function of protecting workers is separate from government's function of growing and facilitating mining and exploration projects and the resources sector as a whole.

RSHQ will have its own executive officer who will be appointed by the Governor in Council and will report directly to the minister. RSHQ will be able to enter into contracts, charge fees and deal with property in its own name. This will provide operational and administrative independence and will enable RSHQ to continue a range of government activities, including work carried out by Simtars. The bill further ensures RSHQ's accountability by making the regulator subject to the Crime and Corruption Act 2001, the Financial Accountability Act 2009 and the Statutory Bodies Financial Arrangements Act 1982. Transparency will be achieved through legislative reporting requirements and the preparation of RSHQ's own annual report.

The bill establishes a separate Resources Safety and Health Queensland employing office to engage public sector staff to undertake functions for RSHQ through work performance arrangements. This will enable RSHQ to pursue its activities while ensuring staff continue to be employed under the Public Service Act 2008, thus retaining existing entitlements and conditions.

The bill establishes an independent Commissioner for Resources Safety and Health with functions across all resources sectors, not just mining. The role of commissioner will be established

separately to RSHQ. The commissioner will provide impartial advice to the minister about safety and health matters and will monitor, review and report on the performance of RSHQ's functions. The commissioner will also chair the coal and mining safety and health advisory committees and engage with representatives from the explosives and petroleum and gas sectors. The commissioner will act independently, impartially and in the public interest at all times. The role will replace the existing Commissioner for Mines Safety and Health position.

The bill will enhance the functions of the Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee to provide a more strategic focus in identifying critical safety and health risks. In addition to providing advice to the minister, the advisory committees will develop and evaluate progress against five-year strategic plans and develop action plans to achieve measurable targets. Strategic plans will identify, quantify and prioritise safety and health issues facing the mining and quarrying sector. These priorities will inform appropriate actions to be taken by government, industry and workers. The enhanced functions of the advisory committees further strengthens the oversight, monitoring and transparency framework provided for in the bill and will build on proven tripartite working arrangements.

The bill also provides for an independent Work Health and Safety Prosecutor established under the Work Health and Safety Act to prosecute serious offences under resources safety legislation. Only the Work Health and Safety Prosecutor will be able to prosecute serious offences, while other offences may be prosecuted by the Work Health and Safety Prosecutor or the chief executive officer of RSHQ. Utilising the Work Health and Safety Prosecutor will enhance transparency and independent decision-making in relation to prosecutions and promote efficiency of process.

The bill amends resources safety legislation to define serious offences that would be prosecuted by the Work Health and Safety Prosecutor. For mining and quarrying, a serious offence will be an offence where a person on whom a safety and health obligation is imposed contravenes the obligation and the contravention causes death, grievous bodily harm, bodily harm or involves exposure to a substance which is likely to cause death or grievous bodily harm or an offence prescribed by regulation. The bill adopts similar serious offence provisions for explosives and petroleum and gas. Individuals will have the ability to submit a written request to the Work Health and Safety Prosecutor seeking that a proceeding be brought in relation to a particular act or omission which constitutes a serious offence.

The reforms made in this bill will establish an independent regulatory framework that workers can trust and will help reaffirm Queensland as one of the safest places to work. I commend the bill to the House.

First Reading

Hon. AJ LYNHAM (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (10.44 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to State Development, Natural Resources and Agricultural Industry Development Committee

Mr SPEAKER: In accordance with standing order 131, the bill is now referred to the State Development, Natural Resources and Agricultural Industry Development Committee.

~~HEALTH TRANSPARENCY BILL~~

~~Introduction~~

 **Hon. SJ MILES** (Murrumba—ALP) (Minister for Health and Minister for Ambulance Services) (10.44 am): I present a bill for an act to facilitate the publication and collection of information about public facilities and private facilities that provide health services, and to amend this act, the Health Ombudsman Act 2013, the Health Practitioner Regulation National Law Act 2009, the Hospital and Health Boards Act 2011, the Private Health Facilities Act 1999 and the Public Health Act 2005 for