

# **Mining Safety and Health Advisory Committee**

Annual report 2019–20



Commissioner for  
**Resources Safety  
& Health**

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29 October 2020

The Honourable Dr Anthony Lynham MP  
Minister for Natural Resources, Mines and Energy  
1 William Street  
Brisbane Qld 4000

Dear Minister

In accordance with section 68(1) of the *Mining and Quarrying Safety and Health Act 1999*, I am pleased to submit to you the Mining Safety and Health Advisory Committee's annual report for the year ending 30 June 2020.

Yours sincerely



Kate du Preez  
**Commissioner for Resources Safety and Health<sup>1</sup>**

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<sup>1</sup> The *Coal Mining Safety and Health Act 1999* was amended on 1 July 2020. The role of Commissioner for Mine Safety and Health ceased and the role of Commissioner for Resources Safety and Health commenced.

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## FROM THE CHAIR

For 20 years, the Mining Safety and Health Advisory Committee has played a significant role in protecting the safety and health of mine and quarry workers. In that time, members from mine and quarry operators, unions and the regulator have contributed their considerable knowledge and experience and a great deal of their time to providing advice to the Minister in an effort to make the mining and quarrying industry safer.

In spite of the difficulties posed by the emergence of COVID-19 in 2019–20, the advisory committee has delivered a substantial volume of advice to the Minister for Natural Resources, Mines and Energy on a diverse range of topics.

This has included a landmark expert legal assessment of the suite of mining and quarrying legislation, which is the culmination of the first stage of a longer-term project to review the effectiveness of the legislation.

The assessment, which was conducted by a multidisciplinary team from The University of Queensland and incorporated representatives from the Sustainable Minerals Institute's Minerals Industry Safety and Health Centre and the T.C. Beirne School of Law, was the first expert assessment of the legal framework to be completed since its introduction 20 years ago.

This was an independent assessment of the accuracy of the legislative framework and included interviews with industry representatives from a wide range of stakeholders.

The advisory committee has also worked to analyse and interpret the recommendations from Dr Sean Brady's *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019*. Members have engaged closely with Dr Brady to better understand the

outcomes and recommendations and to assess how the advisory committee can assist mine and quarry operators, workers and the regulator in their implementation.

In 2019–20, the advisory committee endorsed the updated *Guideline for management of respirable dust in Queensland mineral mines and quarries*. It also recognised and published a new competency requirement for site senior executives and considered whether the existing competencies for mine surveyors should be updated.

The advisory committee has provided the Minister with advice on a number of significant legislative changes including the introduction of industrial manslaughter into the resources legislative framework and the establishment of an independent regulator for the resources industry through the *Resources Safety and Health Act 2020*.

This year has been marked by a level of uncertainty that nobody could have predicted and the way the advisory committee works has had to undergo some drastic changes to ensure continuity of service and advice.

However, the quality of the advice provided has again been exceptional and I would like to thank all members, present and past, for selflessly contributing their time, expertise and knowledge in the pursuit of the common goal of promoting and protecting the safety and health of people at mines and quarries in Queensland.



Kate du Preez  
**Commissioner for Resources  
Safety and Health**

## **BACKGROUND**

The Mining Safety and Health Advisory Committee is required to be established under part 6 of the *Mining and Quarrying Safety and Health Act 1999*. Its establishment replaced the Mining Safety and Health Advisory Council.

The advisory committee is a tripartite body formed to provide advice to the Minister on mineral mining and quarrying safety and health. The advisory committee is an integral part of the governance arrangements that are in place to manage safety and health in the industry and to ensure mine and quarry workers arrive home safe and healthy every day.

Under the *Mining and Quarrying Safety and Health Act 1999*, the chair of the advisory committee must prepare an annual report on the committee's operations for the year. The report must be given to the Minister for Natural Resources, Mines and Energy as soon as practicable, but within four months, after the end of each financial year. The Minister must table the report in the Legislative Assembly within 14 sitting days.

# ROLE OF THE ADVISORY COMMITTEE

The primary function of the advisory committee is to give advice and make recommendations to the Minister about promoting and protecting the safety and health of persons at mineral mines and quarries.

The advisory committee must discharge its function by periodically reviewing the effectiveness of the:

- Act, Regulation and guidelines
- control of risk to any person from mineral mining and quarrying operations.

In periodically reviewing effectiveness, the advisory committee must have regard to:

- the risk management performance of the mineral mining and quarrying industry
- the appropriateness of guidelines
- education, training and standards of competency within the mineral mining and quarrying industry
- the implementation of recommendations from inspectors' investigations, coroners' inquests, boards of inquiry and other sources
- the promotion of community knowledge and awareness of safety and health in the mineral mining and quarrying industry
- any other matter referred to it by the Minister.

The advisory committee also has the function of establishing, recognising and publishing the competencies accepted by it as qualifying a person to perform the stated tasks, and the safety and health competencies required to perform the duties of a person under the Act.

From 1 July 2020, the *Resources Safety and Health Queensland Act 2020* amended the *Mining and Quarrying Safety and Health Act 1999* to enhance the functions of the advisory committee. The primary function of the advisory committee will be to provide advice and information to the Minister about critical risks to safety and health in the mining and quarrying sectors, and on the performance of the regulator. The advisory committee will also develop and evaluate progress against a five-year strategic plan and develop action plans to achieve measurable targets.

The enhanced functions of the advisory committee build on proven tripartite working arrangements and address recommendations for the advisory committee to provide a more strategic focus in identifying critical safety and health risks.



## MEMBERSHIP

The advisory committee consists of nine members representing the Queensland Government, mine and quarry workers and mine and quarry operators, and an independent chair. Members are nominated to, and appointed by, the Minister. The chair of the advisory committee is the Commissioner for Resources Safety and Health, Mrs Kate du Preez. Members are appointed for terms of up to three years and there is no limit to the number of terms members can serve.

The advisory committee includes members from the Australian Manufacturing Workers' Union (AMWU), Australian Workers' Union (AWU), Cement, Concrete and Aggregates Australia (CCAA), Queensland Resources Council (QRC) and Department of Natural Resources, Mines and Energy (DNRME). The Chief Inspector of Mines, Mineral Mines and Quarries is to be a member of the advisory committee.

*Table 1: Mining Safety and Health Advisory Committee members for 2019–20*

Name	Representing	Organisation	Meetings
Kate du Preez	Independent chair	Commissioner for Resources Safety and Health	11
Trevor Brown <sup>2</sup>	Queensland Government	DNRME	1
Stephen Carson	Mineral mine and quarry workers	AWU	9
Julie Devine <sup>3</sup>	Queensland Government	DNRME	11
Grant Egginton <sup>4</sup>	Mineral mine and quarry operators	QRC	6
Hermann Fasching <sup>5</sup>	Queensland Government	DNRME	7
John Hempseed	Mineral mine and quarry workers	AMWU	8
Gavin Lawrence	Mineral mine and quarry workers	AWU	11
Katie Ormonde	Queensland Government	DNRME	9
Luca Rocchi <sup>6</sup>	Queensland Government	DNRME	3
Russel Wilson	Mineral mine and quarry operators	CCAA	11
Maryann Wipaki	Mineral mine and quarry operators	QRC	10

## Substitute members

Substitute members are appointed to stand in when members are not available.

*Table 2: Mining Safety and Health Advisory Committee substitute members for 2019–20*

Name	Representing	Organisation	Meetings
Peter Ambrose	Mineral mine and quarry operators	CCAA	0
Des Bouchardt	Mineral mine and quarry workers	AMWU	0
Simon Delander	Mineral mine and quarry operators	QRC	8

<sup>2</sup> Trevor Brown attended one meeting as Acting Chief Inspector of Mines.

<sup>3</sup> Julie Devine resigned from the advisory committee on 9 June 2020

<sup>4</sup> Grant Egginton resigned from the advisory committee on 1 February 2020

<sup>5</sup> Hermann Fasching was automatically appointed to the advisory committee when he was appointed Chief Inspector of Mines on 4 November 2019

<sup>6</sup> Luca Rocchi ceased his membership of the advisory committee on 9 August 2019 when he resigned as Chief Inspector of Mines

## MEETINGS HELD

Under the *Mining and Quarrying Safety and Health Act 1999*, the advisory committee has an obligation to meet at least twice a year. In 2019–20, the advisory committee held 11 meetings. Five of the meetings were scheduled meetings and six were extraordinary meetings related to specific emerging issues referred to the advisory committee by the Minister.

Five of the extraordinary meetings were joint meetings held with the Coal Mining Safety and Health Advisory Committee.

**Table 3: Mining Safety and Health Advisory Committee meetings in 2019–20**

Meeting number	Date	Location
Joint meeting with CMSHAC—Minister’s forum	10 July 2019	Brisbane
Joint meeting with CMSHAC	11 July 2019	Brisbane
63	19 July 2019	Brisbane
Extraordinary meeting	25 July 2019	Teleconference
Joint meeting with CMSHAC	22 August 2019	Brisbane
64	18 September 2019	Brisbane
65	17 December 2019	Brisbane
Joint meeting with CMSHAC—Dr Sean Brady presentation	24 January 2020	Brisbane
66	17 March 2020	Brisbane + teleconference
Joint meeting with CMSHAC—Department of Health	6 May 2020	Brisbane + teleconference
67	24 June 2020	Brisbane + teleconference

# WORK OF THE ADVISORY COMMITTEE

The advisory committee achieves its primary function by:

- reviewing the effectiveness of the legislation (Act, Regulation and guidelines)
- reviewing the effectiveness of the control of risk to any person from mineral mining and quarrying operations
- recognising, establishing and publishing
  - the competencies qualifying a person to perform tasks prescribed under a Regulation
  - the safety and health competencies required to perform the duties of a person under the Act.

## Review the effectiveness of the legislation

In reviewing the effectiveness of the mineral mining and quarrying safety and health legislation, the advisory committee examines the *Mining and Quarrying Safety and Health Act 1999*, the *Mining and Quarrying Safety and Health Regulation 2017* and the suite of guidelines published under the Regulation.

The advisory committee maintains a good working relationship with the Department of Natural Resources, Mines and Energy and will continue to identify amendments that it considers essential to the effectiveness of the suite of legislation and to review new and amended legislation as it is drafted.

## Review of Act, Regulation and recognised standards

In 2016–17, the committee initiated a review of the full suite of mining and quarrying safety and health legislation in accordance with the requirements of the Act to periodically review

the effectiveness of the legislation. A formal review of the effectiveness of the legislation had not been undertaken since the inception of the advisory committee.

The advisory committee undertook a review of fatality and high potential incident investigations, mine and quarry inspections, mine record entries, directives and substandard conditions or practices notices. From this review, the advisory committee identified a prioritised list of recommended legislative enhancements that, in its view, would improve the effectiveness of the Act and Regulation. It also discussed the effectiveness of the legislation with key stakeholders from industry and unions.

In addition, in response to the increased number of fatalities in 2018–19 in the quarrying industry, the Minister instructed that the expert legal assessment of coal mining safety and health legislation being conducted by the Coal Mining Safety and Health Advisory Committee be extended to also cover mining and quarrying safety and health legislation.

In 2019–20, the advisory committee delivered an expert legal assessment of the *Mining and Quarrying Safety and Health Act 1999*, the *Mining and Quarrying Safety and Health Regulation 2017* and guidelines. The *Expert Legal Assessment MQSHA, MQSHR and Guidelines* was an independent expert assessment of the intrinsic adequacy of the legal framework and highlighted key issues for the advisory committee to consider.

The legal assessment consisted of a thorough desktop review of each element of the regulatory framework to consider the extent to which it was clear, coherent, current and comprehensive. The review also considered if there were gaps in the framework and assessed the current balance between the Act and Regulation.

The assessment was conducted by a multidisciplinary team from the University of Queensland, incorporating representatives from the Sustainable Minerals Institute's Minerals Industry Safety and Health Centre, and the T.C. Beirne School of Law.

It consisted of three broad components:

- a desktop analysis of the legislative framework—along with court decisions and coronial inquiries
- semi-structured interviews with representatives from a wide range of stakeholders and backgrounds in the mining and quarrying industry
- a re-evaluation of the legislative framework in the light of insights provided by interviewees.

It is important to note that the review did not encompass any evaluation of how effectively, or otherwise, the legislative framework governing safety and health in the Queensland mining and quarrying industry was being implemented. Such an evaluation would require separate processes.

In total, the review made 72 recommendations highlighting four core issues requiring possible further evaluation and decision and identified provisions of the Act, Regulation and guidelines that were unclear or contained potential gaps. In addition, the advisory committee had previously identified 39 recommendations.

For each issue the multidisciplinary team proposed an approach or recommendation to consider. The report highlighted key issues for the advisory committee to consider in the context of its primary function which is to give advice and make recommendations to the Minister about promoting and protecting the

safety and health of persons at mines and quarries.

The *Expert Legal Assessment MQSHA, MQSHR and Guidelines* report was tabled in the Queensland Parliament by the Minister on 6 February 2020.<sup>7</sup> Subsequent to the review, the Minister directed the advisory committee to establish a tripartite sub-committee to review and consider the recommendations of the legal assessment.

**Table 4: Mining Safety and Health Advisory Committee legislation effectiveness review sub-committee**

Member group	Member
Queensland Mines Inspectorate—chair	Katie Ormonde
District Workers' Representative	Des Bouchardt
Australian Workers' Union	Brian Devlin
Concrete Cement and Aggregate Australia	Cassandra Koutouridis
Queensland Resources Council	Jason Jones

The sub-committee's key criteria in assessing the recommendations is to determine whether the proposed amendments would have a material impact of improving efficiency and effectiveness of the legislation with respect to improving safety and health in the industry. As part of the sub-committee's review of the evidence behind the legislation effectiveness review recommendations, it has taken into consideration Dr Sean Brady's recommendations in the *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019*,<sup>8</sup> and the outcomes of the Queensland mining and quarrying industry Safety Reset.

On 24 June 2020, the sub-committee presented 11 recommendations to the advisory committee

<sup>7</sup> <https://www.parliament.qld.gov.au/documents/tableOffice/TabledPapers/2020/5620T199.pdf>

<sup>8</sup> <https://www.parliament.qld.gov.au/documents/tableOffice/TabledPapers/2020/5620T197.pdf>

identified as potentially straightforward to be progressed in the short term for further policy analysis and development. Sub-committee members accepted 10 of these recommendations as written, with one recommendation accepted, but not accepted as written. The advisory committee accepted in-principle the 11 recommendations presented and advised the Minister of the first round of proposed recommendations to be progressed for further policy analysis and development. Consultation on the final drafting will be presented to the advisory committee to ensure the intent of the recommendation has been maintained. As at 30 June 2020, sub-committee members attended four meetings and worked out of session, and were expecting to complete their work by the end of October 2020.

## **Resources Safety and Health Queensland Bill 2019**

In July 2019 at the request of the Minister, the advisory committee held a joint meeting with the Coal Mining Safety and Health Advisory Committee to provide advice on the Resources Safety and Health Queensland Bill 2019.

The advisory committees' advice considered a number of key aspects of the Bill including:

- the creation of a standalone regulator covering the mining, explosives, and petroleum and gas inspectorates
- the retention of an independent Commissioner through the creation of a Commissioner for Resources Safety and Health
- the retention of two separate safety and health advisory committees for coal mining and mining and quarrying and their respective roles and responsibilities
- the move to use an independent work health and safety prosecutor.

The Bill received assent from the Governor on 19 March 2020 as the *Resources Safety and Health Queensland Act 2020*.

## **Amendments to Mining and Quarrying Safety and Health Act 1999**

The advisory committee provided advice to the Minister on a number of proposed amendments to the *Mining and Quarrying Safety and Health Act 1999*, including the introduction of an industrial manslaughter offence into the resources safety and health legislation.

The advisory committee held two joint meetings with the Coal Mining Safety and Health Advisory Committee to consider the implementation of an industrial manslaughter offence and to provide advice on the elements, definitions, defences, behaviour and characteristics to be captured by industrial manslaughter in resource safety and health legislation. The advisory committee also provided advice on the elements, definitions, defences, behaviour and characteristics to be captured by industrial manslaughter in the safety and health legislation.

## **Amendments to the Mining and Quarrying Safety and Health Regulation 2017**

The advisory committee provided advice to the department and Minister on proposed amendments to the Mining and Quarrying Safety and Health Regulation 2017 contained in the Mining Safety and Health Legislation (Health Surveillance) Amendment Regulation 2020.

The amendments aimed to align protections for mineral mine and quarry workers with reforms previously implemented to protect coal mine workers from the hazards associated with respirable dust.

The amendments included:

- requiring site senior executives to arrange respiratory health surveillance for mineral mine and quarry workers
- allowing site senior executives to assess the risk of respiratory hazards—if the risk is low it can be managed without respiratory health surveillance
- requiring respiratory health surveillance to be undertaken prior to commencing work in the industry and then at least once every five years while working
- stating the content of respiratory health surveillance such as a chest X-ray dual-read to the international standard, and a lung function test by spirometry
- enabling workers to request a respiratory health surveillance assessment on retirement from the industry
- a right for eligible retired and former mineral mine and quarry workers to request free respiratory health surveillance, arranged and paid for by the chief executive of the department administering the regulation and available once every five years.

The amendments were notified on 26 June 2020 and tabled in the Queensland Parliament on 14 July 2020. The changes commenced on 1 September 2020 with a transition period of two years.

## Updates to guidelines and guidance notes

In 2019–20, the advisory committee worked closely with the department on the development and review of the QGLO2 *Guideline for management of respirable dust in Queensland mineral mines and quarries*.

This guideline was developed to help mine and quarry site senior executives to identify the key operational areas of respirable dust generation, as well as assist with risk

management of exposure to respirable dust. This also includes validation of the effectiveness of the controls and implementation of corrective actions if controls have been found to be ineffective.

Previous versions of the guideline focused solely on respirable crystalline silica. While respirable crystalline silica is an important health hazard, mine dust lung disease can also be caused by other respirable dusts. Therefore, the scope of the guideline was broadened to consider other airborne respirable dusts, as well as respirable crystalline silica.

The advisory committee endorsed a new version of the guideline which included:

- an added emphasis on establishing effective and reliable respirable dust control measures
- clarification of the requirements of qualitative and quantitative risk assessment of workers' exposure
- amendment of references to occupational exposure limits in preparation for regulatory changes to the respirable crystalline silica limit from September 2020
- the exclusion of small scale and tourist mines from the requirements of the guideline unless they are directed by an inspector to comply.

As part of the review, the advisory committee also considered a new guideline which will contain:

- modifications to health surveillance requirements
- enhancements to health surveillance standards to align with the Coal Mine Workers' Health Scheme
- the alignment of required qualifications for medical practitioners with the Coal Mine Workers' Health Scheme

- the alignment of the definition of radiologist with the Coal Mine Workers' Health Scheme
- the amendment of the Health Surveillance (Respiratory) Assessment Report to better align with the Coal Mine Workers' Health Scheme health assessment report.

It is expected that these changes to the guidelines will assist industry to reduce workers' exposure to respirable dust and to assist in managing the lower exposure limit for respirable crystalline silica in effect from 1 September 2020.

## **Review the effectiveness of the control of risk to any person**

In reviewing the effectiveness of the control of risk to any person from mineral mining and quarrying operations, the committee provided independent advice to the Minister and department about:

- the management of respirable dust in mineral mines and quarries
- the *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019* and the inclusion of an industry serious incident quarterly update as a standard agenda item
- changes to the table of competencies
- Safe Work Australia's review of workplace exposure standards for airborne contaminants
- the industry-wide Safety Reset program
- the management of fatigue in mineral mines and quarries
- the issue of reprisals when raising safety and health issues as a standing agenda item
- the potential risks related to COVID-19
- mineral mining and quarrying safety and health matters, including guidelines,

safety alerts and bulletins, and other documentation.

- the Institute of Quarrying Australia's strategic direction for industry training.

## **Brady review**

Throughout 2019–20, the advisory committee engaged with Dr Sean Brady to discuss his *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019* and considered that:

- the industry should recognise it has a fatality cycle
- this cycle is characterised by periods where a significant number of fatalities occur, followed by periods where lower numbers or no fatalities occur
- unless significant changes are made in the industry, this cycle is likely to continue
- the legislation implemented in 1999 remained effective
- that drift into failure, where the industry exhibits a greater acceptance of risk over time, is potentially evident in the Queensland mining industry at both a macro and micro level
- the mining and quarrying industry should adopt the principles of high reliability organisational theory as a mechanism to prevent drift into failure
- the characteristics that made up an high reliability organisation include
  - preoccupation with failures rather than successes
  - reluctance to simplify interpretations
  - sensitivity to operations
  - commitment to resilience
  - deference to expertise.

In line with the recommendations of the Brady review, the advisory committee commenced a standing review of quarterly serious incident data in Queensland mineral mines and quarries, examining the causes of incidents

and reviewing in more detail the learnings and recommendation of a selection of high potential incidents that occurred during the quarter.

The advisory committee will continue to provide advice to the Minister on this data on an ongoing basis.

## **Management of respirable crystalline silica and respirable dust**

The advisory committee has continued to provide advice to the Minister and department about effective strategies to manage respirable crystalline silica and respirable dust at mineral mines and quarries.

In 2019–20, the advisory committee continued to monitor trends in industry dust results and dust exceedances on a quarterly basis. This quarterly review of dust results has identified that the exposure of miners to respirable dust and respirable crystalline silica exceedances has remained low, with average exposure rates for the year well below the workplace exposure limits.

The results showed that current controls are sufficient for most similar exposure groups to remain within Safe Work Australia's current reduced respirable dust and respirable crystalline silica workplace exposure limits.

Throughout the year, the advisory committee has also continued to provide feedback and advice to the department regarding the ongoing development of the respirable dust database and has continued to monitor mine dust lung disease case numbers.

## **Safe Work Australia airborne contaminants review**

The advisory committee has continued to work with Safe Work Australia on its review of

workplace exposure standards for airborne contaminants. In 2019–20, Safe Work Australia provided the advisory committee with a report on its support for reducing the workplace exposure limit for respirable crystalline silica to 0.05 mg/m<sup>3</sup> (adjusted against a standard eight hour shift).

In its consideration, the advisory committee reviewed personal dust sampling data from mineral mines and quarries and noted that the respirable crystalline silica exceedance rate and the requirement for health surveillance would significantly increase if the reduced workplace exposure limit were to be implemented.

In providing its advice, the advisory committee considered the difficulties that many small operators may face while striving to achieve the controls necessary to meet the updated workplace exposure limits. It recommended a suitable transition time be adopted to ensure the industry had the necessary time to design, fund and implement the capital works needed.

The members of the advisory committee are committed to meeting the workplace exposure limits adopted by Safe Work Australia. The quarterly industry dust results demonstrate that preparations to move to these new workplace exposure limits is currently progressing well.

## **COVID–19**

The advisory committee provided advice to the Minister about concerns related to industry compliance with COVID–19 directions from the Chief Health Officer and the reporting of instances of disease in the workplace.

In forming its advice, the advisory committee consulted with the Department of Health in a joint meeting with the Coal Mining Safety and Health Advisory Committee. The advisory committees discussed the responsibilities and obligations of coal mine and mineral mine and



quarry operators and the regulator and the processes for reporting and investigating instances of non-compliance with COVID-19 health directions.

The advisory committee will continue to consult with the Department of Health in 2020–21 in relation to COVID-19 health directions and their effect on the safety and health of mine and quarry workers.

## **Establishing, recognising and publishing competencies**

The advisory committee is responsible for establishing, recognising and publishing the competencies qualifying a person to perform the duties of a mineral mining and quarrying statutory position under the Act.

The advisory committee maintains a list of approved competencies which is published on the Queensland Government's Business Queensland website. There are currently 12 competencies published for the mineral mining and quarrying industry. This list is periodically updated to ensure that people in mineral mining and quarrying statutory positions have appropriate skills and knowledge to perform their duties.

In setting the competencies, the advisory committee consults broadly, including with tripartite stakeholders, other jurisdictions and training organisations.

In 2019–20, the advisory committee considered new or updated competencies for mine surveyors and site senior executives.

## **Mine surveyors**

The advisory committee considered a proposal by the Surveyors Board of Queensland and the Australian Institute of Mine Surveyors to make changes to the competencies required by a person to certify mine survey plans.

The advisory committee determined that further information and research was required before it could recommend changes to the competency. Further consideration of the proposed changes will continue in 2020–21.

## **Underground site senior executive competency**

Initial work was commenced to consider the competency requirements for underground site senior executives.

In October 2019, a working group was established and held an initial workshop. The working group will review progress with a possible further workshop prior to submitting a proposal to the advisory committee for consideration.

Work to establish the required competency will continue in 2020–21.

## **Surface site senior executive competencies**

The advisory committee updated the experience requirements for surface site senior executive competencies to include relevant experience as determined by an inspector of mines (for example exploration).

## **Stakeholder engagement**

In 2019–20, the advisory committee consulted extensively with mineral mining and quarrying stakeholders, including:

- the department's Occupational Health and Hygiene Unit
- Safe Work Australia in relation to the respirable airborne contaminants occupational exposure standards review project and the impacts that may have on workplace exposure standards in Queensland
- the Department of Health in relation to COVID–19 requirements for the mineral mining and quarrying industry
- Institute of Quarrying Australia regarding industry training
- the Surveyors Board of Queensland and the Australian Institute of Mine Surveyors in relation to the proposed competency for mine surveyors
- Simtars regarding the history and gap analysis of all subject areas considered critical for ventilation officers.

## LOOKING AHEAD

In 2020–21, the mining and quarrying regulatory landscape will enter a new era with the formation of Resources Safety and Health Queensland as an independent statutory body to regulate safety and health in the resources industry. This new regulatory body was established under the *Resources Safety and Health Queensland Act 2020* which was assented to on 19 March 2020 and commenced on 1 July 2020.

The new Act amended the sections of the *Mining and Quarrying Safety and Health Act 1999* which outlined the functions of the advisory committee. While the role of the advisory committee remains similar—to ensure evidence-based, comprehensive and independent advice to the Minister about how best to promote and protect the safety and health of persons at mineral mines and quarries—the way the advisory committee must discharge those functions has seen some change.

One of the priorities for the advisory committee in 2020–21 will be interpreting the changes to the legislation and deciding how it

will affect its direction as part of its required five-year strategic plan. The advisory committee must also consider its new function to provide advice to the Minister on the performance of Resources Safety and Health Queensland and how it goes about meeting that function.

The advisory committee must also continue to examine the recommendations made in the *Expert Legal Assessment MQSHA, MQSHR and Guidelines* and provide advice to the Minister about improvements that can be made to the legislative framework.

A continuing priority for the advisory committee must also be to proactively review safety and health trends to anticipate emerging hazards, considering new technologies and critical controls, while considering the recommendations of Dr Sean Brady's report. The advisory committee, as an independent, tripartite body with considerable industry knowledge and experience, is in a unique position to provide objective and balanced advice to the Minister about the progressing of these vital reforms.

## EXPENSES INCURRED

Members of the committee are not entitled to any remuneration other than the reimbursement of reasonable expenses and travel allowances to attend meetings.

The total expenditure incurred by the Commissioner in 2019–20 in relation to the advisory committee was \$103,975.93 including GST.

*Table 5: Expenses incurred by the Commissioner for Mine Safety and Health in relation to the Mining Safety and Health Advisory Committee*

Expense	Amount
Travel and accommodation	\$10,404.63
Meetings (venue hire and catering)	\$6451.30
University of Queensland Expert Legal Assessment	\$87,120.00
<b>Total</b>	<b>\$103,975.93</b>





Commissioner for  
**Resources Safety  
& Health**

