



Coal Mining Safety and Health Advisory Committee

Annual report 2016–17

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Contents

From the chair	1
Background	2
Role of the committee.....	2
Membership	3
Substitute members	4
Meetings held	4
Work of the committee	4
Review the effectiveness of the legislation	5
Review of Act, Regulations and recognised standards.....	5
Amendments to the <i>Coal Mining Safety and Health Act 1999</i>	5
Amendments relating to the Monash review	6
Remake of the Coal Mining Safety and Health Regulation 2001	6
Updates to recognised standards	6
Review the effectiveness of the control of risk to any person	7
Recognising, establishing and publishing competencies	8
Stakeholder engagement.....	8
Expenses incurred	9

From the chair

This has been a challenging year for the Queensland coal mining industry and I would like to acknowledge the vital role that the committee has played in protecting the safety and health of mine workers. The committee members have worked diligently and professionally in their role to provide advice and recommendations to the Minister, and I would like to thank each member for offering their time and expertise.

One of the strengths of the Queensland legislative environment is its consultative approach. The tripartite nature of the committee ensures that the views of all stakeholders are equally represented and all parties are able to come together on equal footing to provide advice that is in the best interests of mine workers and the industry as a whole. The diverse, complex and often frank discussions that I have chaired give me confidence that the industry has the expertise and the willingness to overcome any challenges that arise.

The activities and achievements outlined in this report show that the committee has played a significant role in 2016–17 in protecting the safety and health of mine workers.

In 2017–18, the committee will continue to focus on:

- reviewing the effectiveness of the suite of legislation
- reviewing the effectiveness of the controls in place to limit the risks to people from coal mining
- working closely with the department on key actions and strategies to protect workers from mine dust lung diseases
- reviewing and providing advice on proposed amendments to the *Coal Mining Safety and Health Act 1999* and associated Regulations
- ensuring competencies for the coal mining industry are up to date and relevant
- assessing the impact of intoxicants on mine workers and evaluating strategies to overcome the issues they cause
- reviewing and/or updating recognised standards through its recognised standards subcommittee
- monitoring respirable dust results by reviewing the industry's quarterly respirable dust data.

Mrs Kate du Preez
Commissioner for Mine Safety and Health

Background

The Coal Mining Safety and Health Advisory Committee is required to be established under part 6 of the *Coal Mining Safety and Health Act 1999*.

An annual report on the committee's operations must be prepared by the chair as soon as practicable, but within four months, after the end of each financial year and given to the Minister for Natural Resources and Mines. The Minister must table the report in the Legislative Assembly within 14 sitting days.

Role of the committee

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

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

- Act, Regulations and recognised standards
- control of risk to any person from coal mining operations.

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

- the risk management performance of the coal mining industry
- the appropriateness of recognised standards
- education, training and standards of competency within the coal mining 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 coal mining industry
- any other matter referred to it by the Minister.

The 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.

Membership

The committee consists of nine members representing the Queensland Government, mine workers and mine operators. Members are nominated to, and appointed by, the Minister. The chair of the committee is the Commissioner for Mine 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 committee includes members from the Construction, Forestry, Mining and Energy Union (CFMEU), Electrical Trades Union (ETU), Queensland Resources Council (QRC) and Department of Natural Resources and Mines (DNRM).

Table 1: Coal Mining Safety and Health Advisory Committee members for 2016–17

Name	Membership	Organisation	Number of meetings
Kate du Preez	Commissioner for Mine Safety and Health	Independent chair	5
Russell Albury	Queensland Government representative	DNRM	4
Ian Cribb ¹	Operators' representative	QRC	5
Greg Dalliston	Workers' representative	CFMEU	5
Shaun Dobson ²	Queensland Government representative	DNRM	0
Glenn Hall	Workers' representative	ETU	4
Jim Randall	Operators' representative	QRC	5
Neil Reynoldson ²	Operators' representative	QRC	3
George Schuller ³	Operators' representative	QRC	1
Stephen Smyth	Workers' representative	CFMEU	2

¹ Ian Cribb was reappointed to the committee representing the Queensland Resources Council on 18 October 2016.

² Neil Reynoldson resigned as a member of the committee representing the Department of Natural Resources and Mines on 13 March 2017 and was replaced by Mr Shaun Dobson on 23 May 2017.

³ George Schuller resigned as a member of the committee representing the Queensland Resources Council on 28 March 2017.

Substitute members

Four substitute members were appointed to stand in when members are not available.

Table 2: Coal Mining Safety and Health Advisory Committee substitute members for 2016–17

Name	Membership	Organisation	Number of meetings
Peter Baker ¹	Operators' representative	QRC	3
Stephen Evetts	Workers' representative	ETU	0
Brett Garland	Operators' representative	QRC	0
Jason Hill	Workers' representative	CFMEU	3

¹ Peter Baker has been representing the Queensland Resources Council as a substitute member as a result of the resignation of George Schuller on 28 March 2017.

Meetings held

The committee held five meetings in 2016–17.

Table 3: Coal Mining Safety and Health Advisory Committee meetings in 2016–17

Meeting number	Date	Location
1	5 July 2016	Toowoomba
2	28 September 2016	Brisbane
3	1 December 2016	Brisbane
4	16 February 2017	Brisbane
5	7 March 2017	Brisbane

Work of the committee

The committee achieves its primary function by:

- reviewing the effectiveness of the legislation (Act, Regulations and recognised standards)
- reviewing the effectiveness of the control of risk to any person from coal mining 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 coal mining safety and health legislation, the committee examines the *Coal Mining Safety and Health Act 1999*, the Coal Mining Safety and Health Regulation 2001¹ and the suite of recognised standards published under the Regulation.

The committee maintains a good working relationship with the Department of Natural Resources and Mines and will continue to identify amendments that are essential to the effectiveness of the suite of legislation.

Review of Act, Regulations and recognised standards

In 2016–17, the committee initiated a review of the full suite of coal mining safety and health legislation in accordance with the Act. The review is in its early stages and aims to advise the Minister on the effectiveness of the Act, Regulations and recognised standards, and the control of any risk to any person from coal mining operations.

As part of the review, the committee is considering:

- the risk management performance of the coal mining industry
- the appropriateness of recognised standards
- education, training and standards of competency within the coal mining industry
- the implementation of recommendations from investigations conducted by mines inspectors, inquests by the Coroners Court of Queensland, boards of inquiry and other sources
- the promotion of community knowledge and awareness of safety and health in the coal mining industry
- any other matter referred to it by the Minister.

The review will continue in 2017–18.

Amendments to the *Coal Mining Safety and Health Act 1999*

The committee also analysed and provided advice regarding 25 amendments to the Act that were under consideration to address a range of safety and health issues.

Amendments included a proposal to mandate a requirement for an underground mine ventilation officer, continuing professional development, officer obligations and the notification of diseases.

In providing advice to the Minister about these amendments, the committee advised the Minister that the Department of Natural Resources and Mines had not involved the committee in their development and consideration. Rather, the department established a separate tripartite working group to consider the amendments, and the committee was only consulted at the very end of the process and with an extremely restrictive timeframe. The committee felt this inhibited its ability to provide informed advice to the Minister.

¹ This Regulation was replaced by the Coal Mining Safety and Health Regulation 2017 on 1 September 2017

Amendments relating to the Monash review

The committee worked closely with the department to develop the Mining Safety and Health Legislation (Coal Workers' Pneumoconiosis and Other Matters) Amendments Regulation 2016 to address the findings of the review by the Monash University Centre for Occupational and Environmental Health.

The objectives of the Regulation were to:

- prescribe notifiable occupational diseases under the legislation
- clarify coal mine worker health assessment requirements
- introduce voluntary respiratory and chest X-ray examinations for retiring coal mine workers
- strengthen respirable dust management requirements, including requiring mines to report single sample exceedance to the Queensland Mines Inspectorate.

This Regulation commenced on 1 January 2017.

Remake of the Coal Mining Safety and Health Regulation 2001

The committee established a subcommittee to provide advice to the department and Minister on the mandated remake of the Coal Mining Safety and Health Regulation 2001.

The subcommittee provided advice regarding amendments that corrected errors, omissions and legislative anomalies, and clarified the intent of the legislation without changing the policy intent of provisions.

The Coal Mining Safety and Health Regulation 2017 came into effect on 1 September 2017.

Updates to recognised standards

The committee worked closely with the department, directly and through the recognised standards subcommittee, on the development and/or updating of the following recognised standards:

- **Underground electrical equipment and electrical installations (RS01)**

This recognised standard applies to electrical equipment and electrical installations below ground in an underground coal mine, and electrical equipment and electrical installations on the surface directly associated with the underground operations of a coal mine. This recognised standard does not apply to the general surface of an underground coal mine.

The purpose of this standard is to establish the minimum standards for the selection, installation, maintenance and operation of electrical equipment and electrical installations in an underground coal mine.

Amendments were made to the standard considered necessary following a fire in an intrinsically safe circuit in an underground coal mine.

- **Place change mining operations in underground coal mines (RS12)**

This recognised standard is for place change operations when used for the development of first workings operations in underground coal mines in Queensland.

The recognised standard gives direction and/or guidance to underground coal mines about the minimum requirements for conducting the place change system of mining in Queensland.

- **Tyre, wheel and rim management (RS13)**

Recognised standard 13 applies to all tyres, wheels and rims on mobile, transportable and fixed plants at a mine and includes all associated tools and equipment. The recognised standard was developed as a result of recommendations from the Coroners Court of Queensland relating to a number of incidents involving tyres, wheels and rims.

The recognised standard outlines the elements that must be considered in a mine's safety and health management system and assists in the development of a standard operating procedure, and other procedures, for the management of tyres, wheels and rims at a coal mine.

- **Monitoring respirable dust in coal mines (RS14)**

This recognised standard applies to all underground and surface coal mines, and includes all on-site activities as defined by the *Coal Mining Safety and Health Act 1999*.

The recognised standard states ways to achieve an acceptable level of risk to persons arising out of coal mining operations by providing the minimum requirements that must be included in a coal mine's safety and health management system for monitoring, preparing records and reporting concentrations of respirable dust levels.

- **Underground respirable dust control (RS15)**

This recognised standard applies to all activities at an underground coal mine and any surface activities that may impact on surface 'dust make' (perceived visible content of dust in the air) in the mine intake airways of an underground coal mine.

This recognised standard was developed to help the mine site senior executives 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.

Review the effectiveness of the control of risk to any person

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

- proposed initiatives to address the Monash review
- the creation of an independent dust review committee and its operation
- the development and management of a respirable dust database
- changes to the table of competencies for coal mining
- Safe Work Australia's review of the workplace exposure levels of 644 respirable airborne contaminants
- coal mining safety and health matters, including recognised standards, guidelines, safety alerts and bulletins, and other documentation.

Recognising, establishing and publishing competencies

The committee developed and implemented a new competency for people sampling dust at coal mines—Competency 29: Persons carrying out respirable dust sampling at a coal mine in accordance with ASD2985. This competency commenced on 1 July 2017.

Regulatory amendments introduced in 2016–17 require that all personal respirable dust monitoring conducted at coal mines be carried out in accordance with Australian Standard 2985, and sampling may only be performed by a person who has a competency recognised by the committee. This competency is delivered by Simtars (Safety in Mines Testing and Research Station) experts over two days. The committee worked with Simtars on the development of training modules to achieve the competency.

The committee maintained the table of approved competencies published on the department's safety and health web page to reflect changes in individual competencies made by the Australian Skills Quality Authority.

The committee developed and published updated competencies for:

- underground electrical engineering managers
- surface electrical engineering managers
- people analysing and evaluating light, wheeled mobile and heavy vehicle braking systems
- trainers and training assessors.

Stakeholder engagement

The committee consulted extensively with coal mining stakeholders, including:

- the department's Coal Workers' Pneumoconiosis unit on strategies for implementing measures to address the findings of the Monash review
- Coal Services (New South Wales) regarding the management and monitoring of respirable coal dust, coal workers' pneumoconiosis, coal dust information and extension materials and awareness campaigns, respirable dust data collection, the dust management committee and the administration of respirable dust contaminants and associated health insurance schemes
- mining industry senior stakeholders to understand the effectiveness of mine safety and health from a mine operator's perspective
- Safe Work Australia in relation to the respirable airborne contaminants workplace/operational exposure standards review project and the impacts that may have on workplace exposure standards in Queensland
- the Australian Skills Quality Authority in relation to the multitude of training programs being offered by registered training organisations, and concerns that some training is substandard, and the impact that may have on the effectiveness of coal mine safety and health standards in Queensland
- Queensland's representatives on the National Drugs Strategy (Queensland Health and Queensland Police Service), unions and mine operators to better understand the risk to

people and coal mining operations from drugs and alcohol, and the effectiveness of the Act, regulations and recognised standards in controlling this risk

- the Occupational Health Mining Advisory Committee—previously Health Improvement and Awareness Committee—in regard to the role of that committee in supporting the committee regarding coal miner health standards and issues
- Glencore and Anglo in relation to a risk-assessment project on a real-time dust monitoring device to determine if it is safe for use in flammable environments.

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 expenses incurred and claimed by members in 2016–17 was \$347.78.