

# Annual Report

Mining Safety and Health Advisory Committee

**July 2012 – June 2013**

This publication has been compiled by Jack Farry of Safety and Health, Department of Natural Resources and Mines.

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## 1. Background

The Mining Safety and Health Advisory Committee (the Committee) is required to be established under the *Part 6 – Industry consultative arrangements* of the *Mining and Quarrying Safety and Health Act 1999* (the Act).

An annual report on the Committee's operations must be prepared by the chairperson as soon as practicable, but within 4 months, after the end of each financial year and given to the Minister.

The Minister must table the report in the Legislative Assembly within 14 sitting days of receipt of this report.

## 2. Role

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 mines.

The Committee must discharge its function by periodically reviewing:

- the effectiveness of the Act, regulations and guidelines; and
- the effectiveness of the control of risk to any person from operations.

In periodically reviewing effectiveness the Committee must have regard to:

- the risk management performance of the mining industry;
- the appropriateness of guidelines;
- education, training, and standards of competency within the mining industry;
- the implementation of recommendations from inspector's investigations, coroner's inquests, boards of inquiry, and other sources;
- the promotion of community knowledge and awareness of safety and health in the mining industry; and
- 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.
- Making recommendations about individuals nominated to be district workers representatives, if asked by the Minister.

### 3. Membership

The Committee, consisting of nine members representing the mines inspectorate, workers and operators, are nominated to and appointed by the Minister. The membership term is three years.

The Committee Chairperson is the Commissioner for Mine Safety and Health.

**Table 1: Current committee member appointments**

<b>Name</b>	<b>Membership</b>	<b>Organization</b>
Stewart Bell	Commissioner for Mine Safety & Health	Department of Natural Resources and Mines
Rob O’Sullivan	Inspectors’ Representative	Department of Natural Resources and Mines
Julie Dryden	Inspectors’ Representative	Department of Natural Resources and Mines
Daryl Harrison	Workers’ Representative	Australian Workers Union
Troy McKernan	Workers’ Representative	Australian Workers Union
Rick Finch	Workers’ Representative	Australian Manufacturing Workers Union
Mike Westerman	Operators’ Representative	Queensland Resources Council (Xstrata Copper)
Troy Wilson	Operators’ Representative	Queensland Resources Council (BHP Billiton)
Hamish Beattie	Operators’ Representative	Cement Concrete & Aggregates Australia

## 4. Meetings held

During the reporting period the following committee meetings were held:

**Table 2: Meetings held 2012-2013**

Meeting Number	Date	Location
35	27 September 2012	Brisbane
36	6 December 2012	Brisbane
37	21 March 2013	Brisbane
38	27 June 2013	Brisbane

## 5. Issues reviewed

### National Mine Safety Framework

Regular updates were provided to the Committee on the progress of the National Mine Safety Framework.

The Committee heard that 28 submissions were received as part of the Regulatory Impact Statement (RIS) process facilitated by Queensland Competition Authority before it was submitted to Cabinet for approval and release for the public consultation period.

An extraordinary meeting of the Committee will be arranged to review and discuss the RIS when it is released for the public consultation period.

### Diesel Engine Exhaust

The Committee was briefed by the Health Surveillance Unit's Occupational Physician on the change in classification of diesel engine exhaust from a 'probably carcinogen' to a 'carcinogen' by the International Agency for Research on Cancer in June 2012.

An overview of the current knowledge about diesel engine exhaust by Professor Brian Davies was provided to the Committee by the Acting Chief Inspector of Mines.

A proposal by the Senior Inspector of Mines (Occupational Hygiene) to develop a *Guidance Note for the Management of Diesel Engine Exhaust* was agreed to by the Committee.

A draft Guidance Note has been developed and it is expected to be finalised and published in the latter half of 2013.



## Noise and Hearing Loss

The Committee was briefed by the Health Surveillance Unit's Occupational Physician on hearing loss statistics in the USA.

A follow-up presentation was made to the Committee by the Senior Occupational Health Adviser on Queensland and Western Australian noise induced health loss statistics in the mining industry.

The Committee has requested that a guidance note, similar to diesel engine exhaust, be developed to assist the industry with the management of noise.

The approach to noise management and the approval of guidance materials by the Committee will be the subject of upcoming Committee meetings.

## Fatigue Risk

The Committee was consulted further and asked for final feedback on the draft v 6.0 of the *Guidance Note for Fatigue Risk Management*.

The *Guidance Note for Fatigue Risk Management* was finalised and published in early 2013.

## Supervisors Qualifications & Competencies

The Chief Inspector of Mines expressed concerns to the Committee about the quality of supervision in underground mines. The Committee heard that poor supervision often plays a part in incident causation. The Committee agreed that each representative group would provide a submission on what skills and competencies should be considered for underground mine supervisors.

The Committee was provided data by the Acting Chief Inspector of Mines that inadequate supervision was a root cause in approximately 15% of investigations.

Representative groups within the Committee have provided information and feedback on the current quality of supervisor training. Briefings to the Committee on 'best practice' supervisor qualifications and training will be completed in 2013.

Supervisor qualifications and competencies are yet to be resolved and will be the subject of upcoming Committee meetings.

## Electrical Competencies

The Committee was briefed on changes to the naming convention and competencies of persons required to control electrical work by the Senior Inspector of Coal Mines (Electrical).

The Committee approved the recommended changes and an updated version the *Competencies Recognised by the Mining Safety and Health Advisory Committee* has been published.



## Naturally Occurring Radioactive Materials

The Committee was briefed by the Acting Chief Inspector of Mines on the Government's announcement that uranium mining would be permitted to recommence in Queensland and also of the formation of the Uranium Mining Implementation Committee to oversee the orderly development of a uranium mining industry in the state. The Committee learned that a Mines Inspector, with experience regulating uranium mining in South Australia had been recruited to work in the Queensland Mines Inspectorate.

The Committee was briefed by the Senior Inspector of Mines (Chemical/Metallurgical/Radiological) on the current regulatory guidance materials and an approach to regulating uranium mining in Queensland.

The Committee is currently reviewing a proposal for guidelines to be established for uranium exploration, mining and processing. The Committee is yet to reach a resolution as to whether guidelines or guidance notes should be used to facilitate the proposed approach.

The final regulatory approach and the review and approval of guidance materials will be the subject of upcoming Committee meetings.

## Fatal Accidents

The Committee was advised by the Acting Chief Inspector of Mines about the need for the mining industry to maintain corporate memory about past fatalities and industry lessons learned.

The Committee agreed with a proposal to publish a summary of selected fatalities classified by hazard theme (e.g. working at heights) on a quarterly basis for use in mining industry 'tool-box' safety talks.

## Statutory Positions

The Committee was requested to review and provide feedback on a proposal to introduce statutory positions, with requisite qualifications and competencies, for surface mines similar to that required for underground mines (e.g. statutory Underground Mine Manager).

An analysis provided by the Acting Chief Inspector of Mines showing a comparison of statutory positions under the 1964 Mines Act and Regulations and the current legislation was also presented to the Committee.

The Committee debated the merits of introducing these new positions and requested clarification on the application of the proposed statutory positions to processing plants, concentrators or smelters.

The Committee was instructed that the role of Surface Mine Manager would only apply to the open cut excavation. This would be consistent with the statutory requirements in WA and NSW.

## Synthetic Drugs

The Committee was provided an overview of the synthetic drug seminars being conducted by the Queensland Police Service in regional mining centres by the Senior Occupational Health



Advisor. With the support of DNRM and the Unions, seminars have been conducted in Moranbah, Dysart, Mt Isa, Brisbane, Toowoomba and Townsville.

The main issues of concern for the mining industry are:

- the increasing availability of these substances in the community;
- perception that these substances are 'safe' because they have been readily available from retail outlets or legal because they are available via the internet; and
- the lack of rapid on-site screening drug tests that can be used by mine operators to detect recent use of these substances.

The Committee has requested that a watching brief is maintained on the issue and emerging approaches to risk mitigation including legislation and education in upcoming meetings. The Committee also intends to examine the feasibility of Field Sobriety Testing to assist mine operators assess the level of worker impairment associated with improper use of drugs and alcohol.

## **Next of Kin Notification**

The Committee was informed by the Commissioner for Mine Safety and Health that one of the recommendations from the Pike River Disaster in New Zealand was the necessity for employers to hold up-to-date *Next of Kin* details for mine workers. The Committee heard that the lack of current next of kin information at the Pike River Mine added to family grief and hindered the notification process.

A draft *Guidance Note – Next of Kin Notification* has been prepared following a workshop conducted in November 2012 by the Deputy Chief Inspector of Coal Mines.

The guidance note is being reviewed by the Committee and it is planned to be published jointly with the Coal Mining Safety and Health Advisory Committee in the 2013-2014 period.

## **Reportable Diseases**

The Committee was informed by the Senior Inspector of Mines (Occupational Hygiene) that although the Act has provision for the Site Senior Executive to report occupational diseases, there were no 'reportable' diseases currently prescribed in the regulations. This drafting oversight has existed since the legislation was passed.

The Committee was informed that a proposal is being drafted to include certain occupational diseases (such as silicosis, asbestosis, coal mine workers pneumoconiosis, legionnaire's disease, noise induced hearing loss etc) and other health-related high potential incidents (such as exposure to asbestos, exclusion from the workplace due to lead toxicity, radiation dose exceedences etc) in the regulatory schedules.

The Committee agreed that drafting of the proposal should proceed.

## 6. 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.

**Table 3: Expenses incurred and claimed by Committee Members 2012-2013**

<b>Member</b>	<b>Date</b>	<b>Expense Description</b>	<b>Amount</b>
Daryl Harrison	26/12/2012	Meeting 35 – Airfare	\$778.16
	04/12/2012	Meeting 36 – Airfare	\$522.53
	20/03/2013	Meeting 37 – Airfare	\$695.40
	26/06/2013	Meeting 38 - Airfare	\$779.93
Rick Finch	26/09/2012	Meeting 35 – Airfare & Accom.	\$443.87
	05/12/2012	Meeting 36 – Airfare & Accom.	\$609.00
	20/03/2013	Meeting 37 – Travel & Accom.	\$520.21
<b>Total expenses incurred</b>			<b>\$4349.10</b>



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