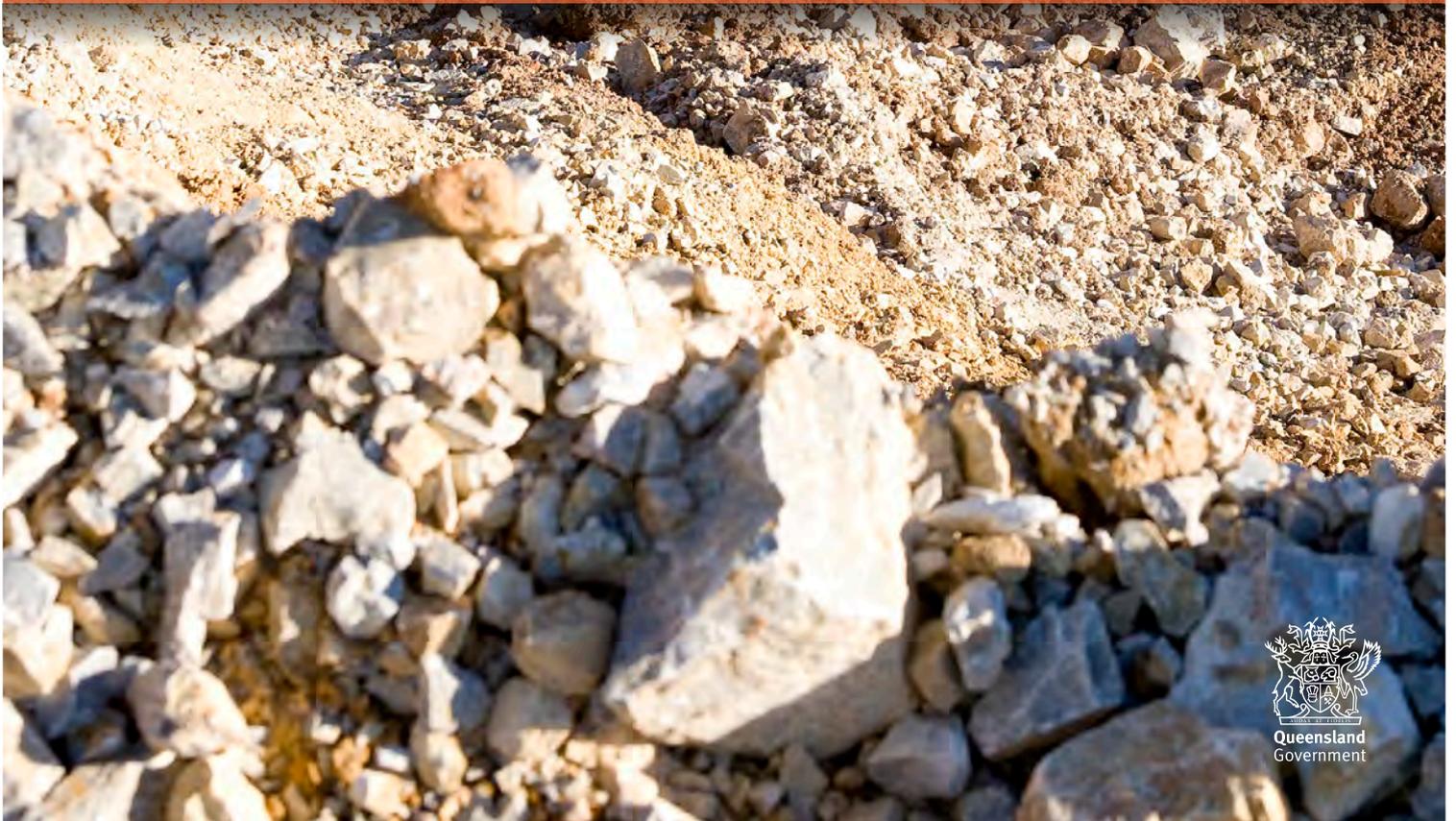




# Mining Safety and Health Advisory Committee

Annual report 2017–18



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## FROM THE CHAIR

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The Mining Safety and Health Advisory Committee has played a significant role in 2017–18 in protecting the safety and health of mine and quarry workers. Committee members have worked tirelessly to provide professional and informed advice to the Minister for Natural Resources, Mines and Energy and this hard work is illustrated by the activities and achievements outlined in this report.

Due to the number of emergent issues that arose this year, the advisory committee met eight times in total. This is significantly more frequent than the statutory requirement to meet twice a year and illustrates the genuine commitment of all members to improving mining and quarrying safety and health in Queensland.

I have always maintained that one of the significant strengths of Queensland's mining safety and health legislative environment is its consultative approach. The tripartite nature of the advisory 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 and quarry workers and the industry as a whole. The diverse, complex and often robust discussions that the advisory committee has had over the past 12 months give me confidence that the industry has the expertise and the willingness to continue to protect mine and quarry workers in Queensland.

The committee's priorities for 2018–19 are to:

- continue to review the effectiveness of the suite of legislation and move to address those areas where it is found to be less effective
- review the effectiveness of the controls in place to limit the risks to people from mining and quarrying
- provide advice regarding proposed amendments to the *Mining and Quarrying Safety and Health Act 1999* and associated Regulation
- provide advice regarding current and future guidelines for the mining and quarrying industry
- ensure competencies for the mining and quarrying industry are up to date and relevant to the current industry situation

- work closely with the department on key actions and strategies on the management of respirable crystalline silica, fatigue, lead, and wheels, rims and tyres
- monitor respirable crystalline silica results by reviewing the industry's quarterly respirable dust data
- work closely with the department to assess the impact of intoxicants on mine workers and evaluate strategies to overcome the issues they cause.

Finally, I would like to thank each member of the advisory committee for providing their valuable time and expertise. Advisory committee members are volunteers who donate their time and expertise due to their desire to see a safer and healthier mining and quarrying industry.



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

## BACKGROUND

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The Mining Safety and Health Advisory Committee is established under part 6 of the *Mining and Quarrying 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, Mines and Energy. The Minister must table the report in the Legislative Assembly within 14 sitting days.

## ROLE OF THE COMMITTEE

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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 people at mines and quarries.

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

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

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

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

The committee also has the functions 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.

## MEMBERSHIP

The committee consists of nine members and three substitute members representing the Queensland Government, mine and quarry workers, and mine and quarry operators who are nominated to, and appointed by, the Minister. The chair of the committee is the Commissioner for Mine Safety and Health. 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 Australian Workers' Union (AWU), Cement Concrete and Aggregates Australia (CCAA), Queensland Resources Council (QRC) and the Department of Natural Resources, Mines and Energy (DNRME). There is currently a workers' representative vacancy on the committee that has traditionally been filled by the Australian Manufacturing Workers Union (AMWU). The Commissioner has been working with unions to make a recommendation to the Minister to fill this vacancy.

**Table 1:** Mining Safety and Health Advisory Committee members for 2017–18

NAME	MEMBERSHIP	ORGANISATION	NUMBER OF MEETINGS
Kate du Preez	Commissioner for Mine Safety and Health	Independent chair	8
Stephen Carson	Workers' representative	AWU	8
Julie Devine	Queensland Government representative	DNRME	8
Grant Egginton	Operators' representative	QRC	4
Phil Goode <sup>1</sup>	Queensland Government representative	DNRME	2
Gavin Lawrence	Workers' representative	AWU	8
Luca Rocchi <sup>2</sup>	Queensland Government representative	DNRME	5
Russel Wilson	Operators' representative	CCAA	8
Maryann Wipaki	Operators' representative	QRC	7

<sup>1</sup> Phil Goode resigned from the advisory committee on 29 September 2017.

<sup>2</sup> Luca Rocchi was officially appointed to the advisory committee 1 June 2018 but attended advisory committee meetings from the time of his appointment as Chief Inspector of Mines (Mineral Mines and Quarries) as an invitee of the advisory committee.

## Substitute members

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

**Table 2:** Mining Safety and Health Advisory Committee substitute members for 2017–18

NAME	MEMBERSHIP	ORGANISATION	NUMBER OF MEETINGS
Peter Ambrose	Operators' representative	CCAA	0
Simon Delander	Operators' representative	QRC	7
Eric Bouchardt	Workers' representative	AWU	0

## MEETINGS HELD

The committee held eight meetings in 2017–18.

**Table 3:** Mining Safety and Health Advisory Committee meetings in 2017–18

MEETING NUMBER	DATE	LOCATION
Board of Examiners nominations	20 July 2017	Teleconference—extraordinary
52	14 September 2017	Petrie
53	24 October 2017	Brisbane—extraordinary
54	5 December 2017	Brisbane
55	20 February 2018	Brisbane—extraordinary
56	7 March 2018	Mt Isa
57	20 April 2018	Brisbane—extraordinary
58	6 Jun 2018	Brisbane

The teleconference held on 20 July 2017 was to provide advice to the Minister regarding nominees for vacancies on the Board of Examiners.

Two of the meetings were regional meetings providing opportunities for the advisory committee to visit a quarry and a mineral mine. Members were able to speak to mine operators and workers and lift the profile of the advisory committee.

## WORK OF THE COMMITTEE

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The committee achieves its primary function by:

- reviewing the effectiveness of the legislation (Act, Regulations and guidelines)
- reviewing the effectiveness of the control of risk to any person from mining and quarrying operations
- recognising, establishing and publishing
  - the competencies qualifying a person to perform stated tasks
  - 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 mining and quarrying safety and health legislation, the committee examines the *Mining and Quarrying Safety and Health Act 1999*, the *Mining and Quarrying Safety and Health Regulation 2017*<sup>3</sup> and the suite of Queensland 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 are essential to the effectiveness of the suite of legislation.

### Review of the Act, Regulation and guidelines

In 2017–18, the committee continued its review of the full suite of mining and quarrying safety and health legislation in accordance with the Act. The review aims to advise the Minister on the effectiveness of the Act, Regulation and guidelines, and the control of any risk to any person from mining operations.

As part of the review, the committee is considering:

- the risk management performance of the mineral mining and quarry industry
- the appropriateness of the guidelines
- education, training and standards of competency within the mineral mining and quarrying industries
- 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 in the mineral mining and quarrying industries
- any other matter referred to it by the Minister.

In 2017–18, the advisory committee considered a suite of issues identified by mines inspectors as a result of their compliance activity, inspections, investigations into fatalities and high potential incidents, and interactions with mine and quarry workers and managers. The Queensland Mines Inspectorate advised that, if addressed, these enhancements would improve the effectiveness of the legislation.

The review will continue in 2018–19 and the issues identified by the inspectors will be further developed into a package of proposals to the Minister to improve the effectiveness of the legislation.

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3 This Regulation replaced the Mining and Quarrying Safety and Health Regulation 2001 on 1 September 2017

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

The advisory committee analysed and provided advice regarding 36 proposed amendments to the Act that were under consideration by the Queensland Parliament.

These amendments were originally contained in the Mines Legislation (Resources Safety) Amendment Bill 2017 which lapsed following the announcement of the November 2017 Queensland election.

Subsequently on 20 March 2018, the Minister tabled the Mines Legislation (Resources Safety) Amendment Bill 2018 that included: a proposal to mandate a requirement for an underground mine ventilation officer; continuing professional development; administrative penalties; officer obligations; and the notification of diseases. This Bill included a number of amendments that resulted from the committee's advice.

## Remake of the Mining and Quarrying Safety and Health Regulation 2001

In 2017, the department undertook a policy-neutral review of the Mining and Quarrying Safety and Health Regulation 2001. This review was necessary as a preface to remaking the Regulation before it automatically expired on 31 August 2017. Issues identified included transitional changes, inaccurate and out of date Australian Standard references, and references to a number of bodies that had been renamed.

The advisory committee noted the need to remake the Regulation, but expressed concerns with the short timeframe provided by the department. This short timeframe severely limited the advisory committee's ability to thoroughly identify drafting errors and to explore the flow-on impact of proposed amendments and their impact on the industry.

The Mining and Quarrying Safety and Health Regulation 2017 came into effect on 1 September 2017 replacing the Mining and Quarrying Safety and Health Regulation 2001.

## Development of new Queensland Guidelines and guidance notes

The advisory committee worked closely with the department on the development of a new Queensland Guideline relating to the management of respirable crystalline silica. *QGLo2 Guideline for management of respirable crystalline silica in Queensland mineral mines and quarries* was published in August 2017.

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

The committee also worked closely with the department on guidance notes for the management of tyres, wheels and rims; fall prevention; collision prevention; shaft construction; and surface tailings storage facility management.

## Review of guideline for the management of respirable crystalline silica

In 2017–18, the advisory committee supported the department's post implementation review of *QGLo2 Guideline for the management of respirable crystalline silica in Queensland mineral mines and quarries*.

As part of the review, the department made a recommendation to the advisory committee that a competency for sampling respirable dust should be incorporated into the list of approved mining and quarrying competencies.

The advisory committee considered this recommendation and approved a new competency requiring people sampling for respirable dust in mineral mines and quarries to meet specific training requirements in accordance with competency 11 in the table of competencies.

A number of minor wording changes were also made to the guideline to address clarity issues that were identified in the review.

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

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

- the implications of the Monash University Centre for Occupational and Environmental Health review for mineral mines and quarries
- the proposed implementation of initiatives to address the risks of respirable crystalline silica
- the specific risks to people related to lead mining
- Safe Work Australia's review of the workplace exposure levels of around 700 respirable airborne contaminants
- the results from a respirable crystalline silica workshop.

The committee also worked with, or provided advice to, the department about initiatives to address the recommendations of the Monash review, the Act and Regulation, and guidelines, guidance notes and safety bulletins.

## Development of new guidance notes

The committee worked closely with the department on the development of a range of guidance notes. The advisory committee assisted the department by checking technical content, providing quality assurance and ensuring that adequate industry consultation was undertaken.

In 2017–18, the advisory committee endorsed the release of the following guidance notes.

### Falls and fall prevention (QGN28)

This guidance note provides advice on how to recognise the range of fall hazards and what actions and controls are necessary—with reference to people, machinery and materials or tools falling from height—to manage risk effectively.

### Surface storage facility (tailings dams) management (QGN29)

This guidance note summarises and provides information to mine management on basic risk-based precautions and concepts to ensure the safety of tailings storage facilities

for surface mine sites. It does not offer advice on tailings disposal or placement into underground mines.

A particular emphasis of this guidance note is to raise basic awareness of tailings storage facilities management and to provide inspection prompts to assist mine management in keeping their assets safe. It also provides mine management with better awareness of tailings storage facilities management generally and how to better interpret third party reports.

In recommending this guidance note be released, the advisory committee noted the difficulty associated with locating a registered training organisation that offers certified training in particular tailings dam-related competencies. As a result, the competencies associated with this guidance note have not yet commenced.

### Collision prevention (QGN27)

This guidance note assists in the identification of hazards, and the development and implementation of controls, to manage the risk to people from collisions. This includes collisions between vehicles, vehicles and people, and vehicles and infrastructure. Given the prevalence of vehicle-related high potential incidents, the prevention of such collisions is a high priority for mine management.

### Shaft construction (QGN30)

This three-part guidance note provides information to mineral mining operations on how to systematically manage shaft construction risks to ensure compliance with the legislative framework. It seeks to eliminate or minimise risks associated with shaft sinking winders, winding systems, and associated shaft sink processes and practices.

QGN30.1—Part 1 sets out a risk management approach and the minimum requirements for developing a shaft construction management plan and its inclusion in the overall safety and health management system for the mine.

QGN30.2—Part 2 provides guidance and instruction to the site senior executive and those involved in the engineering design of shaft sinking and proposed winding equipment.

QGN30.3—Part 3 provides guidance and instruction on shaft sink operations and covers pre-sink activities and main sink set-up—installation, commissioning and testing the operation of winding systems, main sink, mucking systems, support installation and equipping shaft lining, and maintenance and decommissioning of the winding system.

## Discussion paper—Options for resources safety and health regulator models in Queensland

In November 2017, the Minister established a project management office to advise him on how the Queensland Government might best achieve the intent of a number

of the Coal Workers’ Pneumoconiosis Select Committee’s recommendations relating to the management of resources safety and health.

In May 2018, the advisory committee provided detailed advice to the Minister in relation to the *Options for resources safety and health regulator models in Queensland* discussion paper produced by the project management office.



Members of the Mining Safety and Health Advisory Committee with the Minister for Natural Resources, Mines and Energy at the Miners Memorial Service 2018.

L-R: Back row—Gavin Lawrence (AWU), Commissioner for Mine Safety and Health Kate du Preez, Stephen Carson (AWU), Minister for Natural Resources, Mines and Energy Hon Dr Anthony Lynham, Chief Inspector of Mines (Mineral Mines and Quarries) Luca Rocchi, Russel Wilson (CCAA), Simon Delander (QRC). Front row—Julie Devine (DNRME), Resources Safety and Health Executive Director Mark Stone.

## Recognising, establishing and publishing competencies

The advisory committee is responsible for recognising, establishing and publishing the competencies qualifying a person to perform the duties of a 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. This list is periodically updated to ensure that people in mining and quarrying statutory positions have appropriate skills and knowledge to perform their duties.

In 2017–18, the committee commenced a review of the adequacy of all mineral mining and quarrying competencies. The review was initially focused on quarrying and will move onto large mineral mines in 2018–19. The review will examine competencies in other jurisdictions as part of the process, including Western Australia, New South Wales and South Africa.

During the year, the committee also considered new competencies for:

- site senior executives and supervisors of quarries
- tailings storage facilities.

Before the proposed new competency for tailings storage facilities can be introduced, the committee must ascertain the availability of a suitable training course and organisations that can deliver the recognised competencies. This work is expected to be completed in 2018–19.

## Revised competencies for site senior executives and supervisors of quarries

The committee implemented new competencies to replace the existing requirements for site senior executives of quarries and surface mineral mines.

Tiered competencies were developed for sites employing 5 or fewer workers, 6 to 20 workers, and those employing more than 20 workers to ensure competencies are relevant to the size and complexity of operations. This better aligns Queensland's competencies with other Australian states.

On appointment to a statutory role, site senior executives and supervisors have two years to complete the relevant training. In addition, new experience requirements require

a site senior executive to have worked in a mine or quarry before their appointment.

## Competencies for people carrying out respirable dust sampling

The advisory committee implemented a new competency for people carrying out respirable dust sampling in mineral mines and quarries in accordance with AS2985.

In developing the competency, the advisory committee recognised the body of work that had been completed by the department in implementing the recommendations of the Monash review. It also recognised that existing registered training courses were of a general nature and did not provide training which was specifically suited to, and of sufficient technical relevance for, mining and quarrying. As a result, the general course does not sufficiently prepare a person to sample for dust in a mining or quarrying environment.

The new competency has added the following specific mining and quarrying related competencies:

- sampling to AS2985—2009 Australian standard: workplace atmospheres—method for sampling and gravimetric determination of respirable dust
- appropriate data to be collected during sampling, including observations
- use and application of real-time monitors
- use and application of an anemometer
- dust observation methods and best practices for underground mines
- dust observation methods and best practices for surface mines.

It was also determined that, in line with the findings of the Monash review in relation to the number of training providers and the need to ensure the quality of training, the committee has followed the Coal Mining Safety and Health Advisory Committee's lead and limited the training organisations that can deliver these competencies to Simtars and Coal Services NSW.

## Ventilation officer competency

A requirement for a ventilation officer is contained within the Mining Legislation (Resources Safety) Amendment Bill 2018 that will be considered by the Queensland Parliament in 2018–19.

As a result, the advisory committee considered the competencies that a ventilation officer may require if the legislation is passed. The committee expects to finalise these considerations in 2018–19 and publish any relevant competencies.

## Workshops

In 2017–18, the committee held one workshop on respirable crystalline silica.

### Respirable crystalline silica workshop

The Mining Safety and Health Advisory Committee held a workshop on respirable crystalline silica on 7 July 2017.

The purpose of the workshop was to explore the epidemiological evidence, current compliance and potential impact of a change in the operational exposure limit for respirable crystalline silica and to identify and provide advice to the Minister about:

- a baseline of current industry practice regarding silica levels
- comparison of national and international jurisdictions
- concerns in errors with current sampling methods and real-time monitoring
- *QGLo2 Guideline for the management of respirable crystalline silica in Queensland mineral mines and quarries.*

The workshop also explored:

- the scientific evidence for a reduction in the occupational exposure limit from the current 0.1 mg/m<sup>3</sup> to 0.05 mg/m<sup>3</sup>
- the level of compliance of mines and quarries to the current occupational exposure limit of 0.1 mg/m<sup>3</sup>
- the possible issues that the mining and quarrying industry may encounter if there is a reduction in the occupational exposure limit from 0.1 mg/m<sup>3</sup> to 0.05 mg/m<sup>3</sup>.

The workshop was facilitated by the University of Queensland and was attended by 26 representatives including:

- mining operators—including operations managers and occupational hygienists from surface mines, underground mines, quarries and sandstone operations
- industry bodies—Cement Concrete and Aggregates Australia, Queensland Resources Council and the Institute of Quarrying Australia
- district workers' representatives/unions—Australian Workers' Union
- Department of Natural Resources, Mines and Energy occupational hygienists
- inspectors of mines (occupational hygiene)
- Chief Inspector of Mines (Mineral Mines and Quarries)
- Office of the Commissioner for Mine Safety and Health.

In preparation for the workshop, 36 mineral mine and quarry operations provided respirable crystalline silica exposure monitoring results covering five years.

The data set of approximately 5416 exposure monitoring results covered a workforce of 8500 workers—62.5 per cent of mineral mines and quarries workers in Queensland.

The workshop considered the following evidence:

- statistical analysis found that 97.2 per cent of workers had mean exposures compliant to an occupational exposure limit of 0.1 mg/m<sup>3</sup>
- 90 per cent of workers are employed at a site that has a management plan for dust or respirable crystalline silica
- 93 per cent of workers have had their respirable crystalline silica exposure character monitored
- 94 per cent of respirable crystalline silica samples were at or below the occupational exposure limit
- 91 per cent of workers undergo periodic health surveillance.

The working group determined and advised the Minister that, until recently, health surveillance in mineral mines and quarries was not standardised. This was corrected in July 2017 with the publishing of *QGLo2 Guideline for the management of respirable crystalline silica in Queensland mineral mines and quarries*. This guideline prescribed the medical assessment requirements for health surveillance; minimum sample numbers and periodic exposure monitoring

to quantify worker exposure; and directs mines and quarries to investigate and eliminate overexposure to respirable crystalline silica and minimise exceedances.

Under the guideline, the inspectorate now receives notification of every respirable crystalline silica exceedance at a mineral mine and quarry by exception rather than receiving all exposure monitoring results that are below the occupational exposure limit. The guideline also requires the site senior executive to investigate every exceedance—the investigation must be documented and identify the cause of the exceedance and control measures implemented or taken to prevent any recurrence. The site is also required to apply effective control measures to ensure that workers are not overexposed, such as by using respiratory protective equipment until engineering control measures are implemented and proven to be effective.

Crystalline silica is a component in many types of mineralised and quarried rock extracted at Queensland mineral mines and quarries, and the quantity of silica can vary from site to site. Although there is no international body to establish an accepted occupational exposure limit for respirable crystalline silica, 0.1 mg/m<sup>3</sup> is currently the mining occupational exposure limit in all Australian and most international jurisdictions. Occupational exposure limits established in Australia represent a statutory maximum upper limit, they do not represent a dividing line between healthy and unhealthy working environments.

The working group found that steps to eliminate exposure to respirable crystalline silica, or to minimise exposure to levels well below the exposure standards, must be taken to cater for susceptible individuals, natural biological variations, and mixtures of substances to reduce potential for workers to experience any adverse health effects. It also found that occupational exposure limits must be regularly reviewed to ensure that the level reflects the latest evidence and research. The working group found that any change in the occupational exposure limit for respirable crystalline silica should be informed by empirical evidence established through a review of epidemiological studies.

The working group recognised the current review by Safe Work Australia of around 700 airborne contaminant operational exposure levels. The advisory committee advised the Minister that any change in occupational exposure limits should be linked to this review.

## Stakeholder engagement

The advisory committee consulted extensively with mining and quarrying stakeholders, including:

- Safe Work Australia in relation to the respirable airborne contaminants workplace/occupational exposure standards review project and the impacts that may have on workplace exposure standards in Queensland
- the University of Queensland's Dr Jochen Mueller, Dr Jake O'Brien and Professor Kevin Thomas, unions, and mine operators to better understand the risk to people in mining and quarrying operations from drugs and alcohol, and the effectiveness of the Act, Regulation and guidelines in controlling this risk
- the department's Occupational Health Mining Advisory Committee in relation to the role of that committee in supporting the advisory committee regarding mine and quarry worker health standards and issues
- the Queensland Police Service on drug and alcohol testing procedures
- the department's occupational physician Dr Ki Douglas in relation to prescription drugs and their impacts on mine and quarry workers and in the development of a prescription drug information sheet
- the project management office in relation to the Queensland Government discussion paper *Options for resource safety and health regulator models in Queensland*
- the department's mineral mine and quarry inspectors in relation to how the suite of legislation could be more effective
- the department's Explosives Inspectorate in relation to proposed changes to the *Explosives Act 1999* that will impact on mineral mines and quarries.

## 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 2017–18 was \$3920.90.



