



Mining Safety and Health Advisory Committee

Annual report 2021-22

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To obtain a hard copy of the annual report, contact the Commissioner for Resources Safety and Health on +61 7 3096 6528 or commissioner@rshq.qld.gov.au.

Have your say

The Mining Safety and Health Advisory Committee hopes you find this annual report informative.

The advisory committee welcomes any comments and feedback about the report. Please send your feedback to commissioner@rshq.qld.gov.au.

27 October 2022

The Honourable Scott Stewart MP Minister for Resources 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 annual report for the year ending 30 June 2022.

Yours sincerely

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Kate du Preez

Commissioner for Resources Safety and Health

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From the Chair

I am proud to present this report outlining the achievements of the Mining Safety and Health Advisory Committee for 2021–22. The report accounts for the first year of operation under the *Mining Safety* and Health Advisory Committee 2021–26 strategic plan.

Over the past 12 months, the advisory committee has achieved a number of significant milestones. Most importantly, the advisory committee has continued in its mission to provide contemporary, evidence-based advice to the Minister that focuses on making mineral mine and quarry workers safer and healthier.

The advisory committee's advice has covered a range of significant topics including mine dust lung disease, the control of airborne contaminants, the causes of serious accidents and the controls in place to reduce the risk of serious accidents, competency requirements for statutory positions, and the application of high reliability organisation theory in mineral mines and quarries. It has also established a working group to carry out a project to improve the quality of operational risk management in the mineral mining and quarrying industry.

A particularly significant achievement was the hosting of a respirable dust forum to give mineral mining and quarrying stakeholders an opportunity to collaborate and share learnings for developing, implementing, and maintaining effective controls associated with respirable dust and the barriers and opportunities for localised controls. The forum was attended by more than 70 industry stakeholders and featured presentations from a diverse range of operations and subject matter experts. The advisory committee is committed to hosting further forums.

The advisory committee has also focussed internally to ensure that it is able to function effectively to achieve the objectives of its five-year strategic plan. It has established effective governance arrangements and engaged with industry stakeholders to ensure the many decades of experience and knowledge of members is employed in the pursuit of its vision of safe and healthy mines and quarries, now and in the future.

I would like to thank all members and substitute members for their enthusiastic participation in the advisory committee. Members often work many hours out-of-session to review documentation and complete projects and this is reflected in the robust discussions and high-level independent advice that is provided to the Minister.

Kate du Preez

Commissioner for Resources Safety and Health

Year at a glance

Objectives	Key achievements
A safe and healthy workplace	Identified emerging safety and health issues/trends by reviewing relevant information and data including
	 industry reported serious accident and high potential incident data, trends and regulatory audit findings, presented by Resources Safety and Health Queensland airborne contaminants data
	 mine lung dust disease type, occurrence, prevalence, and severity, including trends.
	 Identified safety and health risks inherent in mineral mining and quarrying as focus areas to consider and provide advice including
	 held an industry forum attended by more than 70 industry stakeholders to collaborate and share learnings for developing, implementing, and maintaining effective controls associated with respirable dust at mineral mines and quarries and the barriers and opportunities for localised controls
	 the forum featured presentations from mineral mine operators, quarry operators, Resources Safety and Health Queensland and The University of Queensland.
	• Established a working group to carry out a project to improve the quality of operational risk management in the mineral mining and quarrying industry.
	Continued to address fatal and serious risks to workers by reviewing the findings and recommendations of the Brady review and Coal Mining Board of Inquiry including
	 examining recommendation 23 regarding lead indicators of the Board of Inquiry part 1 report
	 understanding reporting culture by collaborating with the Commissioner's office to undertake an independent industry survey of safety reporting culture in the mineral mining and quarrying industries (finding 91 of the Board of Inquiry part 2 report)
	 considering the results of the Queensland Resources Council high reliability organisations (HRO) benchmarking summary report that examined how HRO principles are being applied in the Queensland mining industry
	 considering the results of the HRO benchmarking summary report that examined how well HRO principles are being applied in the Queensland quarrying industry.
A competent workforce	• Engaged Simtars to complete a review of all competencies recognised and established by the advisory committee (61 competencies across 12 roles) to ensure they are current, and to perform a gap analysis where a competency has been superseded to highlight if technical components have been changed or removed. This will allow the advisory committee to determine if the original intent of the competency is still being met.
	Amended the ventilation officer competency to allow RIIUND603D and RIIUND601E to be delivered by any registered training organisation.
An informed industry	Informed the Minister about emerging issues, their potential impact and proactive best-practice safety and health activities by industry and Resources Safety and Health Queensland, including a proposed reduction in the workplace exposure standard for respirable crystalline silica.
An effective advisory	Developed advisory committee terms of reference.
committee	Participated in a training session on risk management delivered by The University of Queensland's Sustainable Minerals Institute.

Mining Safety and Health Advisory Committee

The Mining Safety and Health Advisory Committee is established under part 6 of the *Mining and Quarrying Safety and Health Act 1999*.

The advisory committee is a tripartite body formed with the primary function to give advice and make recommendations to the Minister about promoting and protecting the safety and health of persons at mineral mines and quarries and persons who may be affected by mineral mining and quarrying operations. The advisory committee is an integral part of the accountability framework that is 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 Resources 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.

Membership

The advisory committee is to consist of 10 members, one of whom is the chairperson.

Members represent the Queensland Government, mineral mine and quarry workers, and mineral mine and quarry operators. The independent chair of the advisory committee is the Commissioner for Resources Safety and Health. Members are appointed by the Minister for terms of up to three years and there is no limit to the number of terms a member can serve.

The advisory committee includes members from the Australian Manufacturing Workers' Union, Australian Workers' Union, Cement Concrete and Aggregates Australia, Queensland Resources Council, and Resources Safety and Health Queensland. The Chief Inspector of Mineral Mines and Quarries is an *ex officio* member of the advisory committee.

Table 1: Mining Safety and Health Advisory Committee members for 2021–22

Name	Representing	Organisation	Meetings
Kate du Preez	Independent chair	Commissioner for Resources Safety and Health	4
Jack Farry	Queensland Government	Resources Safety and Health Queensland	4
Hermann Fasching	Queensland Government	Resources Safety and Health Queensland	3
John Hempseed ¹	Mineral mine and quarry workers	Australian Manufacturing Workers' Union	4
Gavin Lawrence ²	Mineral mine and quarry workers	Australian Workers' Union	3
Joe Russell³	Mineral mine and quarry operators	Queensland Resources Council	4
Russel Wilson ⁴	Mineral mine and quarry operators	Cement Concrete and Aggregates Australia	3
Maryann Wipaki ⁵	Mineral mine and quarry operators	Queensland Resources Council	4

¹ Mr Hempseed was reappointed as a member on 7 July 2021 for a term of three years

² Mr Lawrence was reappointed as a member on 7 July 2021 for a term of three years

³ Mr Russell was reappointed as a member on 7 July 2021 for a term of three years

⁴ Mr Wilson was reappointed as a member on 7 July 2021 for a term of three years

⁵ Ms Wipaki was reappointed as a member on 7 July 2021 for a term of three years

Substitute members

Substitute members are appointed to take part in meetings of the advisory committee in place of a member from the same organisation who is unable to attend.

Table 2: Mining Safety and Health Advisory Committee substitute members for 2021–22

Name	Representing	Organisation	Meetings
Martin Brownlee ⁶	Mineral mine and quarry operators	Queensland Resources Council	0
Brian Devlin ⁷	Mineral mine and quarry workers	Australian Manufacturing Workers' Union	0
Fiona Murfitt ⁸	Mineral mine and quarry operators	Queensland Resources Council	0
William Tangye	Mineral mine and quarry workers	Australian Workers' Union	3

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 2021–22, the advisory committee met four times. When required, members also worked out-of-session to perform their functions.

Table 3: Mining Safety and Health Advisory Committee meetings in 2021–22

Meeting number	Date	Location
72	29 September 2021	Brisbane
73	9 December 2021	Brisbane
74	30 March 2022	Brisbane
75	29 June 2022	Brisbane

⁶ Mr Brownlee was appointed as a substitute member on 7 July 2021 for a term of three years

⁷ Mr Devlin was appointed as a substitute member on 7 July 2021 for a term of three years

⁸ Ms Murfitt was appointed as a substitute member on 7 July 2021 for a term of three years

Functions 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 and persons who may be affected by mineral mining and quarrying operations.

The advisory committee must discharge its primary function by periodically reviewing the effectiveness of the control of risk to any person from mineral mining and quarrying operations.

The advisory committee also has the following functions:

- recognising, establishing and publishing the following competencies
 - the competencies accepted by the committee as qualifying a person to perform the tasks prescribed by regulation
 - the safety and health competencies required to perform the duties of a person under this Act
- developing a five-year strategic plan for improving the safety and health of persons at mines and persons who may be affected by mining operations
- periodically evaluating, and at least once each year updating, the five-year strategic plan
- developing action plans to achieve measurable targets set in the five-year strategic plan
- obtaining information from Resources Safety and Health Queensland to assess the fulfilment of the five-year strategic plan and the action plans
- identifying and prioritising critical risks to the safety and health of persons at mineral mines and quarries and persons who may be affected by mineral mining and quarrying operations
- providing advice to the mineral mining and quarrying industry about those risks
- providing information to the Minister about the performance of Resources Safety and Health Oueensland.

Five-year strategic plan

With the commencement of the *Resources Safety and Health Queensland Act 2020*, the *Mining and Quarrying Safety and Health Act 1999* was amended to broaden the functions of the advisory committee. The advisory committee must develop, and periodically evaluate and update, a five-year strategic plan for improving the safety and health of persons at mines and persons who may be affected by mining operations.

The advisory committee developed its first five-year strategic plan to improve the safety and health of mineral mine and quarry workers in 2020–21, titled the *Mining Safety and Health Advisory Committee* 2021–26 strategic plan.

The strategic plan is described in Figure 1.

Vision and mission

The strategic plan serves as a roadmap to achieve the vision of:

Safe and healthy mines and quarries, now and in the future.

To achieve this vision, the advisory committee is guided by the mission to:

Provide contemporary, evidence-based advice that focuses on making mineral mine and quarry workers safer and healthier.

Values

The advisory committee has four core values which underpin its work:

- people focussed
- robust
- collaborative
- adaptive.



Figure 1: Mining Safety and Health Advisory Committee five-year strategic plan 2021–26

Work of the advisory committee

In 2021–22, the advisory committee completed a range of projects and activities that were aligned to the four strategic objectives under the *Mining Safety and Health Advisory Committee 2021–2026 strategic plan*:

- a safe and healthy workplace
- a competent workforce
- an informed industry
- an effective advisory committee.

A safe and healthy workplace

The advisory committee takes an evidence-based approach to its work and analyses relevant information and data—while reflecting on the diversity of operations in the mineral mining and quarrying industry—to review, consider and discuss solutions and research. This approach enables the advisory committee to provide the Minister and industry with advice which fosters continuous improvement in safety and health for mineral mine and quarry workers.

The advisory committee's priority strategies for achieving this objective are:

- shape safety behaviours
- identify and review safety and health risks inherent in mineral mining and quarrying
- review the effectiveness of the controls used in mineral mining and quarrying.

Shape safety behaviours

The advisory committee aims to shape safety behaviours by exploring the practicality and application of high reliability organisation (HRO) theory in the Queensland mineral mining and quarrying industry and improving safety and reporting culture.

Application of high reliability organisation theory

One of the key recommendations of Dr Sean Brady's *Review of all fatal accidents in Queensland mines and quarries from 2000 to 2019* was that the mining industry should adopt the principles of HRO theory.

In September 2021, the Queensland Resources Council, with support from the Commissioner for Resources Safety and Health, conducted an independent expert review of how HRO principles could be implemented in the mining industry. This report provided practical ways for HRO principles to be adopted across the Queensland mining industry, including identifying existing practices that align with those principles.

In 2021–22, the advisory committee considered the findings and recommendations of this report. Due to the diversity in operations between mineral mines and quarries, and after discussions with the advisory committee, the Commissioner initiated a discussion paper which examined the application of HRO principles in quarries. The *HRO principles in the Queensland quarrying sector* discussion paper examined practices in place in the quarrying industry that met the intent of HRO principles and explored opportunities to better incorporate those principles across the industry.

The advisory committee will continue to consider HRO theory and its application in the mineral mining and quarrying industry and provide advice to the Minister on an ongoing basis.

Safety reporting survey

As part of its five-year plan, the advisory committee planned an extensive study on safety and reporting culture in the mining and quarrying industry.

This study was noted by the Queensland Coal Mining Board of Inquiry in its part 2 report9 which found:

An extensive study undertaken by CMSHAC on reporting culture in coal mines would benefit the industry in Oueensland.

In 2021–22, the advisory committee started a process, in conjunction with the office of the Commissioner for Resources Safety and Health and the Coal Mining Safety and Health Advisory Committee, to conduct a broad survey of the safety reporting culture in the Queensland mineral mining, quarrying and coal mining industries.

The advisory committee formed a working group to provide guidance and input into the survey project.

The objective of the survey is to establish a baseline understanding of the state of the safety reporting culture in Queensland's mining industry and to better understand safety reporting behaviours, including potential barriers to reporting. The survey is expected to be completed in 2022–23 and results will be communicated to industry. The advisory committee aims to repeat the survey periodically to encourage continuous improvement.

Identify and review safety and health risks

The advisory committee aims to identify and review safety and health risks inherent in mineral mining and quarrying by addressing fatal/serious risks and focussing on health risks to mineral mining and quarrying workers.

Address fatal and serious risks

Although the Queensland Coal Mining Board of Inquiry focussed on the serious accidents that have occurred in Queensland's coal mining industry, some of its findings and recommendations applied equally to Queensland's mineral mining and quarrying industry.

In particular, the committee has examined recommendation 23 and finding 82 of the *Queensland Coal Mining Board of Inquiry* part 1 report¹⁰ to provide advice to the Minister on potential actions.

In addressing recommendation 23—The industry gives lead safety indicators greater weight than lag safety indicators when measuring safety performance—the advisory committee engaged with industry experts through Safer Together to explore how lead indicators are proactively used in the petroleum and gas industry.

The advisory committee also engaged with a psychological safety expert to explore the correlation between psychological safety in the workplace, and the quality of hazard and incident reporting.

https://www.coalminesinquiry.qld.gov.au/__data/ assets/pdf_file/0014/1621211/Queensland-Coal-Mining-Board-of-Inquiry-Part-II-Report.pdf

 $^{^{10}}$ https://www.coalminesinquiry.qld.gov.au/__data/ assets/pdf_file/0009/1621197/Part-I-Report-FINAL-redacted-with-ISBN.pdf

In addressing finding 82—If the Board's interpretation of the definition of employer is correct, the amendments to the Act may not reflect Parliament's intention as to who should be liable to prosecution under Part 3A (industrial manslaughter) of the Act—the advisory committee engaged with the Work Health and Safety Prosecutor and with industrial manslaughter experts from the legal profession to better understand the issues behind this finding.

Review accident and injury data to identify current and emerging safety risks

In 2021–22, the advisory committee received quarterly briefings from Resources Safety and Health Queensland on high potential incidents and serious accident rates, respirable crystalline silica and respirable dust exceedance rates, and respiratory health and disease rates.

The advisory committee noted:

- the serious accident frequency rate for both surface and underground mineral mines was the highest it has been over the last five years
- in contrast, the serious accident frequency rate for quarries was the lowest it has been over the last five years
- a significant increase in the reporting of high potential incidents in the quarrying industry
- a total of 4324 respirable crystalline silica and respirable dust samples were collected in 2021–22 across the mineral mining and quarrying industry

 a total of 275 mine dust lung disease cases reported across Queensland's mining industry with 103 of these cases (37%) linked to the mineral mining and quarrying industry.¹¹

The advisory committee used this information to help it identify trends and to provide advice to the Minister and industry on improvements that could be made to enhance safety and health performance in the industry.

In addition, Resources Safety and Health Queensland provided results of its serious accident reduction program in the quarrying sector which aimed to improve reporting, investigations, and the implementation of effective controls.

Review the effectiveness of controls

In reviewing the effectiveness of the controls used in mineral mining and quarrying, the advisory committee reviews the risk management practices used by the industry and the effectiveness of the mineral mining and quarrying safety and health regulatory framework.

Consider industry understanding and application of risk assessments

In 2021–22, the advisory committee established a working group to carry out a project to improve the quality of operational risk management in the mineral mining and quarrying industry. The project aims to provide practical advice to industry to improve the quality of operational risk management by providing a practical example of effective risk management of a known hazard in an operational context.

Quarrying Safety and Health Regulation 2017 which requires all workers to be tested by 1 September 2022.

¹¹ There is an expectation that the total number of confirmed cases of mine dust lung disease will continue to rise due to the new respirable health surveillance testing requirements stipulated in the Mining and

The Commissioner for Resources Safety and Health engaged The University of Queensland's Sustainable Minerals Institute as a technical expert to assist the project team.

The project will use the ISO framework to develop an information sheet that identifies those elements that should be considered at each step of the risk management process for an identified hazard at the operational level.

Analyse regulatory framework

The advisory committee analyses the regulatory framework to provide advice to the Minister on potential regulatory improvements. This includes changes to the legislative framework, including the Act, Regulation and guidelines.

In 2021–22, the advisory committee considered proposed legislative amendments regarding a regulatory change to test and monitor mine workers' blood lead levels.

The advisory committee also considered the proposed reduction of the workplace exposure standards for respirable crystalline silica from 0.05 mg/m³ to 0.02 mg/m³.

A competent workforce

The advisory committee has responsibility for establishing, recognising and publishing the competencies qualifying a person to perform the tasks prescribed by regulation and ensuring the Queensland mineral mining and quarrying workforce has the competencies needed to keep people safe and healthy.

Recognise, establish and publish competencies

The advisory committee ensures the mineral mining and quarrying workforce is competent by recognising, establishing and publishing competencies.

When developing or changing a competency, the advisory committee considers the following factors:

- Is there an identified risk?
- Is there evidence of need?
- Are there alternatives?
- Can registered training organisations deliver the quality of outcomes required?

Ventilation officer competencies

In 2021–22, the advisory committee made amendments to the ventilation officer competencies.

The advisory committee updated the competencies to allow RIIUND603D (Manage, operate and maintain the mine ventilation system) and RIIUND601E (Establish and maintain the ventilation management system) to be delivered by any registered training organisation.

Underground site senior executive competencies

In 2021–22, the advisory committee commenced a review of the underground site senior executive competencies and compared the required competencies for the mineral mines and quarries industry with the equivalent competencies in the coal mining industry.

The advisory committee accepted, in principle, that holders of a site senior executive notice should undertake a law exam administered by the Board of Examiners (this does not apply to site senior executives with a first-class ticket), subject to confirmation of:

- that this requirement will not be retrospective
- the conditions regarding a transition period.

Review of published competencies

In June 2022, the advisory committee commenced a project to complete a review of the table of competencies to ensure they are current, and to perform a gap analysis where a competency has been superseded, to highlight if technical components have been changed or removed. This will allow the advisory committee to determine if the original intent of the competency is still being met.

The review is expected to be completed by November 2022.

An informed industry

The advisory committee believes that engaging and communicating with industry about emerging issues and promoting relevant learnings from reviews of evidence-based data and research are essential parts of the roadmap towards its vision of *safe and healthy mines and quarries, now and in the future.*

The advisory committee's priority strategies for achieving this objective are to communicate emerging harms and risks and to inform the Minister about the performance of Resources Safety and Health Queensland.

Communicate emerging harms and risks

In communicating emerging harms and risks, the advisory committee identifies harms and risks to inform the industry. In its five-year strategic plan, the advisory committee identified respirable crystalline silica as one of its key health focus areas for 2021–22.

On 30 June 2022, the advisory committee held a forum to provide occupational hygienists and mineral mine and quarry workers involved in the control of respirable dust with an opportunity to collaborate and share learnings for developing, implementing, and maintaining practically effective controls associated with respirable dust.

The forum provided an opportunity to increase the understanding of potential barriers, and opportunities for localised implementation of controls, and capitalised on the existing momentum in the mineral mining and quarrying industry regarding the reduction of respirable crystalline silica.

The forum was attended by more than 70 industry stakeholders and featured presentations from mineral mine operators, quarry operators, Resources Safety and Health Queensland and The University of Queensland's Sustainable Minerals Institute.

The advisory committee is committed to hosting further forums to explore and engage with industry stakeholders at least once per year.

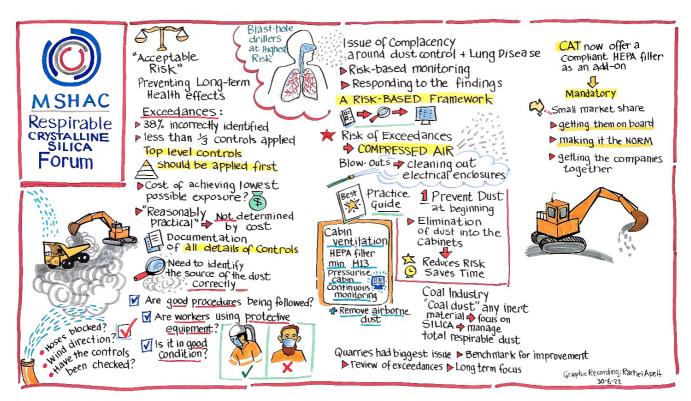


Figure 2: Respirable crystalline silica forum discussion highlights

Inform the Minister about the performance of Resources Safety and Health Queensland

In informing the Minister about the performance of Resources Safety and Health Queensland, the advisory committee aimed to provide timely, accurate and relevant information to the Minister on the regulator's performance.

In 2021–22, the advisory committee provided advice a quarterly basis to the Minister about the performance of Resources Safety and Health Queensland against a number of specific characteristics that define effective regulators in high-hazard industries including:

- regulatory activity and enforcement are risk-based
- the regulator identifies and monitors trends and uses this data to direct compliance activities
- effectively communicates with duty holders, workers and other stakeholders.

Advice to the Minister was based on performance reports that were provided to the advisory committee by Resources Safety and Health Queensland.

An effective advisory committee

To achieve its vision of *safe and healthy mines* and quarries, now and in the future, the advisory committee must function effectively with clear governance arrangements and members must work together on building tripartite collaboration.

The advisory committee acknowledged the importance of ensuring effective governance arrangements are in place to maintain the advisory committee's strategic focus and engaging effectively with stakeholders in achieving its vision.

The advisory committee also acknowledged the importance of effectively employing the knowledge and expertise of members.

Effective governance arrangements

In ensuring effective governance arrangements are in place, the advisory committee has implemented defined meeting protocols and ensured decision making with the greater good in mind.

In 2021–22, the advisory established a *terms* of reference to define the roles and responsibilities of members and stakeholders and to set out agreed frameworks for the conduct of members and meetings.

The advisory committee invited a legal expert to speak to members about their prescribed duties as members of the advisory committee and the expectations and responsibilities.

Engage effectively with stakeholders

In engaging effectively with stakeholders, the advisory committee has developed and implemented communication and engagement activities which take advantage of the existing communication channels available to the Commissioner for Resources Safety and Health.

In 2021–22, the advisory committee continued to communicate with stakeholders through a dedicated page on the Commissioner for Resources Safety and Health's website¹² and via the Commissioner's LinkedIn¹³ channel.

Employ knowledge and expertise of members

In ensuring the knowledge and expertise of advisory committee members is employed, the advisory committee establishes working groups and engages expert groups to explore key strategic issues.

The advisory committee established a Risk and Critical Control Management working group and members participated in a training session on risk management delivered by The University of Queensland's Sustainable Minerals Institute.

The training program reviewed participants' understanding and application of risk management systems, and the development and integration of critical control systems.

The program reinforced advisory committee members' awareness and application of risk and critical control management systems and enhanced their ability to review the control of risks in the mineral mining and quarrying industry.

The advisory committee also engaged with a range of expert groups to support its strategic focus including experts on:

- psychological safety
- high reliability organisation theory
- safety reporting culture.

¹² https://www.commissioner.rshq.qld.gov.au/advisory-committees/mshac

¹³ https://www.linkedin.com/showcase/queensland-commissioner-for-resources-safety-&-health-/

Expenses incurred

Advisory committee members 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 for Resources Safety and Health in 2021–22 in relation to the advisory committee was \$22,136 including GST.

Table 4: Expenses incurred by the Commissioner for Resources Safety and Health in relation to the Mining Safety and Health Advisory Committee

Expense	Amount
Travel and accommodation	8517
Meetings (venue hire and catering)	6964
Facilitation and subject matter experts	6655
Total	22136

