

## Mine Safety Advisory Council



# Minutes

**9:00am to 1.00pm – 22 September 2011**  
**NSW Minerals Council Board Room, Level 3 12 O’Connell Street, Sydney**

No.	Item	Attachment	Action
1	<p><b>Welcome and apologies</b></p> <p><b>Present:</b>    <u>Members:</u>    Graeme Peel (Independent – Presiding Member), Barbara McPhee (Independent), Ian Cribb (NSWMC), Jason Ingham (NSWMC alternate for Tony McPaul), Susan Fields (CCAA), Andy Honeysett (CFMEU), Peter Jordan (CFMEU), Mark Duffy (for DTIRIS NSW).</p> <p>                  <u>Observers:</u>    Andrew McMahon (NSWMC), Scott Lewis (CCAA), Rob Regan (DTIRIS NSW – Technical Advisor).</p> <p>                  <u>Secretariat:</u>    Jenny Nash, John Flint, Bruce Jones.</p> <p><b>Apologies:</b>    Norman Jennings (Chairman), Tony McPaul (NSWMC), Glenn Seton (AWU), Alan Coutts (DTIRIS NSW).</p>		
	<p>Independent member Dr Graeme Peel advised members that the Chairman, Norman Jennings had been unwell and was unable to attend the meeting today, members agreed that Dr Peel should preside over the meeting in accordance with the <i>Mining Regulation 2010</i>.</p> <p>The Presiding Member welcomed all members to the meeting, including Andrew McMahon as an observer from the NSW Minerals Council, and Jason Ingham who was standing in for Minerals Council member Tony McPaul. He also welcomed Mr Scott Lewis, who will be replacing Susan Fields as the CCAA’s representative on the Council, and was attending today to acquaint himself with Council business. On behalf of the Council the Presiding Member thanked Susan for her active and constructive involvement during her time as a member of MSAC. Mark Duffy was also welcomed as the replacement for Alan Coutts, with the Minister expected to approve Mark’s appointment to the Council shortly, due to a restructure in DTIRIS NSW.</p>		Independent member Dr Graeme Peel acted as Presiding Member in the absence of the Chairman, in accordance with the <i>Mining Regulation 2010</i> .
2	<p><b>Declaration of conflict of interest</b></p> <p>The Presiding Member asked if any member had a declaration to make. There were no conflicts of interest to declare.</p>		Noted.

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3	<p><b>Business arising from the minutes</b></p> <p>The Executive Officer took members through the minutes and advised all actions had been undertaken or completed. Members agreed to adopt the minutes unamended as a true and correct record.</p>	1	Minutes adopted.
4	<p><b>OHS Culture Working Party (CWP) Update</b></p> <p>The Presiding Member referred members to Attachment 2 of the meeting papers, regarding the OHS Culture Project and advised there were still a number of issues that need to be addressed and that will need some time before they are resolved, such as building the level of OHS cultural maturity of the industry and the communications strategy to promote the tools. He invited the Executive Officer to brief members on the work of the CWP.</p> <p><u>Culture Project:</u></p> <p>Because of the different levels of cultural maturity within industry, there is now a need to develop social proof that the culture tools work. The tools can be used as part of the company officer demonstrating due diligence and used to carry out a gap analysis on their OHS culture program for OHS reporting. Agreement has been secured for Centennial Coal to use the tools as a model for other companies (providing the social proof needed to support the use of the tools). This can also be part of the further development of ANTS and assist OHS committees and supervisors. The tools should be in simple language, but, many sites will still require help to understand them.</p> <p><u>Marketing and Communication:</u></p> <p>To assist with the roll-out of culture tools the industry communications strategy needs refocusing, as there is a need to have strategies that will reach not only senior managers, OHS professionals and committees, but all levels of the industry.</p> <p>Members discussed the need for small mines to be a specific element included in the culture communications strategy and agreed that communication is the biggest challenge, and that direct involvement is needed to engage elements such as small mines and workers.</p> <p>The Presiding Member said that the CWP has now formed a Communications sub-committee and that, in addition to this, the Secretariat proposes a review of the general MSAC and community communications strategy to find out where the focus is needed to be refined, and the CWP communication group could feed into this review.</p> <p>The Executive Officer tabled a draft Project Outline for members' consideration, advising that it was an action needed following the pilot marketing and community grants initiative, and also forms part of the MSAC Action Plan to have an integrated communications strategy to be developed.</p>	2	<p>Members noted the report.</p> <p>Centennial Coal to test culture tools.</p> <p>MSAC supports the establishment of CWP communications sub-committee to better target workers, small mines and determine resourcing.</p> <p>The Secretariat proposes using an expert in review of the communications strategy, resourcing and an integrated focus on the industry and community.</p>

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	<p>The Executive Officer advised that an external expert would be a part of this review process. He also said that the CatDog involvement with the MSDPSG PE program will give this review more information to be considered, and that the Secretariat review could be an item for the planning day on December 1.</p> <p>The Presiding Member asked that members endorse the principle of the review. Members agreed to provide feedback or comment on the Project Outline to the Secretariat by 14 October.</p> <p>Members agreed that the review should progress and include the advice of an external expert, and were keen to know what has worked and not worked, and why, and whether it is being adequately resourced.</p> <p><u>Mudgee Pilot:</u></p> <p>The Presiding Member drew attention to Attachment 3 of the meeting papers, regarding the Mudgee Pilot and requested the Executive Officer to provide an update.</p> <p>The Executive Officer advised members that a tele-survey evaluation had been conducted in the Mudgee area in late August and this provided mixed results, indicating the impact was good in relation to the advertising budget, but that the link between health and safety at work and the community was not as strong as hoped. He advised that CWP members were concerned that the campaign did not reflect value for money. The Minister had demonstrated strong support for the program and the Secretariat believes another pilot held in a similar area could be better focused and would cost less. Another pilot would be better informed through the review of the communication strategy previously discussed.</p> <p>CCAA representatives expressed their concern that the links between the community grant awardees and the campaigns OHS theme was not clear and that people need to be better engaged and that the grants criteria needs to be more refined if another pilot was held.</p> <p>NSWMC felt that the evaluation indicated a reasonable result, that a longer term view should be taken and that the grants initiative is the "hook" of the marketing campaign and creates momentum through follow-up stories.</p> <p>Members all agreed that the pilot campaign should be included in the communications review and would benefit from further expert input and discussion at the planning day in December, when the grants criteria could also be refined. In the interim, follow-up of the Mudgee pilot will be undertaken.</p> <p>Members also endorsed further MSAC branding advertising when MSAC endorsed activities are being held in regional areas.</p>	3	<p>Communications strategy will be an item at MSAC's planning day on 1 December 2011.</p> <p>Feedback on Project Outline to Secretariat by 14 October 2011.</p> <p>Report noted.</p> <p>CCAA concerned that grants criteria needs refinement.</p> <p>Community grants advertising to be included in review of communication strategy and award criteria discussed at the planning day on 1 December 2011.</p> <p>MSAC endorses promotion of activities in regional areas.</p>

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	<p><u>Young Drivers:</u></p> <p>The Presiding Member drew attention to Attachment 4 of the meeting papers, regarding the Young Drivers Program and requested the Executive Officer to provide an update.</p> <p>The Executive Officer informed members that the Young Drivers program planned for Broken Hill in September had been postponed due to no mining apprentices being employed in the area, and despite the mining companies being keen to have it held there. He was hopeful that an alternate being planned for 7 December 2011 would go ahead as the Northparkes mine was eager for it to be held in their area. The RTA has raised with the Executive Officer, the issue of increasing fatalities in Central Western NSW involving mine workers and contractors travelling to and from work. He has already had one meeting with the RTA and Police and this is a looming issue that links with the Young Driver initiative.</p> <p>Members noted the report.</p>	4	<p>Report noted.</p> <p>Broken Hill Young Drivers program postponed.</p> <p>Planning for one in Northparkes area for 7 December 2011 progressing.</p>
5	<p><b>Health Management Advisory Committee Update</b></p> <p>The Presiding Member referred members to Attachment 5 of the meeting papers and commented that the results of the tele-survey, which had been three years in the planning, were enlightening. The Executive Officer updated members on the work of the Health Management Advisory Committee (HMAC) as follows:</p> <ul style="list-style-type: none"> <li>○ The Health Indices tele-survey was conducted in August and covered 224 sites, including underground and open-cut coal mines, metalliferous mines and quarries, and included large, medium and small sites;</li> <li>○ Most results were encouraging and indicated the majority of sites were aware and complying with obligations, with 92% of respondents indicating they had a health management plan;</li> <li>○ Of these, 66% indicated that their plans had commenced within the last 5 years, which could indicate that MSAC tools had been effective as well as heightened awareness of obligations through the Department.</li> <li>○ The outcomes, however, indicated there was a need to examine further issues relating to noise, musculoskeletal disorders (MSD) and fatigue.</li> <li>○ The HMAC has asked Professor David Cliff and Dr Tim Driscoll (who have provided advice on health matters previously) to provide comment on the survey and a strategic direction.</li> </ul> <p>The Presiding Member commented that it is important to have experts check the validity of the results against other known data and if results are inconsistent, then this shows the questions may need to be refined.</p> <p>Members noted that management of issues such as MSD, noise and fatigue are matters of importance for older workers, and that these matters should be included in the program for the MSAC planning day on 1 December.</p>	5	<p>Report noted.</p> <p>Noise, MSD and fatigue are still matters of concern which particularly impact older workers and will be discussed at MSAC planning day on 1 December 2011.</p> <p>Prof. David Cliff and Dr Tim Driscoll to provide comment on the survey and a strategic direction.</p>

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	<p>The CFMEU expressed concern that some coal mines indicated they were not complying with legislation and doubt that this is the case, it could be that the questions were not fully understood. Independent member Barbara McPhee doubted that the percentage of mines that said they were complying actually were in respect to MSD.</p> <p>Members were reminded that this was a 'first step' and that the length and detail of the survey was constrained by a set time limit for conducting the survey, because of a perception that the industry was suffering audit overload. The Executive Officer indicated that this survey is a first in Australia.</p> <p>Health toolbox talks were discussed briefly and members commented that drafts to date were too extensive for most toolbox scenarios. HMAC has indicated the concept is good and the drafts are to be realigned to be a short, interactive training sessions focusing on health. HMAC is reviewing this tool and one being developed for fatigue evaluation and will report on this again.</p> <p>Members noted this report and support the strategic direction of the Health Management Advisory Committee, including the consideration of the needs of older workers. Members endorsed the health lag indicator report for publication on the web and for distribution through the Department's email list.</p>		<p>The toolbox tool is being reviewed by HMAC and realigned as an interactive training sessions.</p> <p>Members support strategic direction of HMAC and endorsed the Lag Indicator Report for Web publication and email distribution.</p>
6	<p><b>Monitoring hours worked and evaluating safety incentive schemes (SIS)</b></p> <p>The Presiding Member referred members to Attachment 6 of the meeting papers and asked the Executive Officer to update members. The Executive Officer reported:</p> <ul style="list-style-type: none"> <li>o Members' responses and comments had been incorporated into the questionnaire designs for these issues;</li> <li>o That while the surveys could be undertaken through the Survey Monkey website, he sought members' views on how best to get people to respond, so that results could be collated in time for the MSAC planning day.</li> </ul> <p>Members agreed that the questionnaires should be sent out in October to as wide a section of the industry as possible through industry and union stakeholders, but would like a further definition of sites (underground / open cut / coal washery / quarry etc.) incorporated in the surveys that would better inform results. Members agreed questions are to focus on the site level.</p>	6	<p>Report noted.</p> <p>Hours of work and SIS site surveys to be sent out in October through stakeholders.</p> <p>Results will be reported at the MSAC planning day.</p>

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7	<p><b>Learning's from high hazard industries</b></p> <p>The Presiding Member referred members to Attachment 7 of the meeting papers, which included summations from incidents in three highly hazardous industries and commented that it may be useful for MSAC to consider other industry sectors and whether lessons learned in non-mining sectors are transferable to mining, in the interests of being world-leading on safety. He asked that should members agree, that a presentation on these issues be included on the planning day agenda on 1 December 2011.</p> <p>The Executive Officer also advised that he had already approached Peter Wilkinson, who participated in the Montara and Deep Water Horizon investigations and has experience in managing major risks in chemical processing and off-shore oil drilling, he also reported that Mr Wilkinson is available and willing to make a presentation to MSAC on 1 December.</p> <p>Members discussed issues from the summary of events of the Montara, Deep Water Horizon and Fukushima disasters (included as appendices in Attachment 7) and their relationship to OHS culture and non-technical skills and good practice.</p> <p>Members agreed that it is important to take advantage of lessons learned from other high hazard industries and that such an examination should be part of the process of working towards a World-leading OHS culture in NSW mining.</p>	7	<p>Report noted.</p> <p>Members agreed it is important to take advantage of lessons learned from other high hazard industries.</p>
8	<p><b>MSAC Planning Day</b></p> <p>The Presiding Member drew attention to Attachment 8 of the meeting papers, regarding the MSAC Planning Day. The Executive Officer advised members that since Attachment 8 was written, things have changed and there should still be a short MSAC meeting, but the planning segment will need more time and also an independent facilitator. Also, to make it as easy as possible for the Minister and the Chairman to attend, it was suggested that the day may best be held in Sydney.</p> <p>Members agreed the Minister should be invited and that the MSAC meeting and Planning Day to be held on 1 December 2011 in Sydney CBD.</p> <p>Members agreed to invite Peter Wilkinson to its planning day to discuss how MSAC can learn from lessons from the Montara and Deep Water Horizon investigations.</p> <p>Heather Jackson, Manager of the Industry Assistance Unit, should also to be invited to this day.</p>	8	<p>Report noted.</p> <p>Planning Day to be held in Sydney CBD on 1 December 2011.</p> <p>An independent facilitator to be used.</p> <p>The Minister to be invited.</p> <p>Peter Wilkinson to make presentation and the IAU Manager to be invited.</p>

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9	<p><b>Programmed Work</b></p> <p>The Presiding Member referred members to Attachments 9 and 10 of the meeting papers, regarding MSAC programmed work, and requested the Executive Officer to update members.</p> <p><u>Summary Matrix</u></p> <p>The Executive Officer reported that nothing has yet fallen behind and there is nothing to be concerned about at this stage; a delay in the ANTS project is a matter of getting things right before proceeding.</p> <p><u>Programmed Work Schedule</u></p> <p>Members agreed that issues outlined in this report had already been discussed.</p>	<p>9</p> <p>10</p>	<p>Report noted.</p> <p>Report noted.</p>
10	<p><b>World-leading OHS Regulator</b></p> <p><u>Brief Group</u></p> <p>The Presiding Member invited Jenny Nash, Director of Mine Safety Performance, to update members on progress by the Brief Groups review of the operation of investigations since 2007. She reported that the review is nearing completion, but as they had only had a few interviews with companies since the last MSAC meeting, it was felt that the consultant would be in a better position to fully update members at the planning day in December.</p> <p><u>Macken Schedule</u></p> <p>Jenny Nash updated members on the developments since the previous meeting in relation to Macken Schedule, updates include:</p> <ul style="list-style-type: none"> <li>• Further consideration is being given by the Department to the mechanisms to attract and retain inspectors, such as broadening the recruitment / retention allowance to officers other than Area Managers. A submission is being prepared for the Director General;</li> <li>• Discussion is continuing with NSW WorkCover regarding the trial of the Enforcement of Health and Safety Standards document and NSW, WA and Qld have agreed to sign a new inter-governmental agreement to address consistency of Mine Safety legislation (which, since the MSAC meeting have been published on the Safe Work Australia website, with discussion continuing about implementation in NSW);</li> <li>• Mine Safety Operations have commenced rolling out a new Certificate IV in Government Investigations in line with the nationally agreed standards for inspectors and this may be up and running before 1 January 2012;</li> </ul>	<p>11</p>	<p>Members were updated on the progress of the Brief Group review.</p> <p>Members noted the updates to the Macken Schedule.</p>

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	<ul style="list-style-type: none"> <li>• Mine Safety Automated Workflows Project: Most forms have been developed and approved for external testing; Mine Safety is leading the way for Mineral Resources branches in the development of forms and workflow systems; some external testing has been conducted with Bloomfield Collieries, Allandale and Fullerton Cove quarries; feedback positive so far; further testing planned with Centennial Coal, Newcrest Mining (at Cadia) and smaller extractive sites in Central West NSW;</li> <li>• Competence Boards: The NSW CCB next meets on 11 October and will include a joint meeting with the Qld Board of Examiners. The CCB is progressing development of guidelines and a system for the maintenance of competence. It is a major partner in the NSW Statutory Positions Project being led by SkillsDMC, which is looking at issues regarding the preparation of candidates for certificates of competence. The Department has recently run an Expression of Interest program and several people have submitted expressions of interest to be appointed as members and / or as Chairperson of the Coal Competence Board and / or the Metalliferous Mines and Extractive Industry Competence Board;</li> <li>• Check inspectors: The 2011 Check Inspectors Safety Seminar agenda included training of health and safety representatives and for the first time there were separate sessions for underground and open cut sectors, and the emphasis was on recent safety incidents and lessons learned to take back to the workplace;</li> <li>• Show Cause notices – Macken recommended corporations be given an opportunity to defend themselves before any formal proceedings were entered into, and referred to these as “show cause”; this opportunity has now been offered twice this year;</li> <li>• National Mine Safety Database is progressing under NMSF guidelines.</li> </ul> <p>Members indicated they are satisfied with progress to date in implementing actions to address recommendations and they look forward to seeing the final outcomes of the Brief Group Project.</p>		
11	<p><b>Legislation Update</b></p> <p>The Presiding Member invited Jenny Nash to update members on the national harmonisation process since the previous meeting in July. Jenny provided an update for members.</p>		Report noted.
12	<p><b>MSAC Business</b></p> <p><u>MSAC Budget Update</u></p> <p>The Presiding Member drew members’ attention to Attachment 12 of the meeting papers, regarding the MSAC budget update. The Executive Officer advised members that the current financial year budget for MSAC is running as underspent. The MSAC budget paper was noted.</p>	12	Report noted.

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13	<p><b>Other Business</b></p> <ul style="list-style-type: none"> <li>• The Executive Officer advised members that he had been approached by a company that produces handbooks for some stakeholders, to see if MSAC interested in putting out its own handbook; members discussed this and thought it could be an item for the Planning Day, as MSAC had previously resolved to limit exposure in this type of publication to just sponsorship, and that now MSAC had a website, this should be the vehicle to promote MSAC and where up-to-date information is kept.</li> <li>• Andrew McMahon invited members to consider attending the Minerals Council's "mini" OHS conference being held in Dubbo this year on 24 and 25 November. He also advised that the 2012 date for the annual NSWMC OHS conference had been set for 20-23 May at the Cypress Lakes Resort in Pokoblin.</li> </ul>		<p>Noted. MSAC should await outcomes of communication review.</p> <p>Dates noted.</p>
14	<p><b>Close</b></p> <p>The Presiding Member, before closing the meeting, warmly thanked Susan Fields for her constructive involvement during her time on MSAC and wished her well in her future endeavours. Susan thanked the members and said she had immensely enjoyed her time as a member of MSAC.</p> <p>The meeting closed at 1:00 pm.</p> <p>Next MSAC meeting and Planning Day on 1 December 2011 in Sydney CBD commencing at 8:30am.</p>		