

## MINUTES

MEETING	<b>Mining Competence Board</b>		
MEETING NO.	3 for 2015	DATE	25 November 2015
LOCATION	Centennial Clarence Colliery, Clarence	TIME	10.20 am – 1.35pm
ATTENDEES	Bryan Davis (Chairman), Mick Cairney (NSWMC), Andy Honeysett (CFMEU), Leanne Parker (CCAA), Gary Parker as the delegate for Jenny Nash (NSW Department of Industry), Keith Shaw (CFMEU), Glenn Seton (AWU), <i>NSW Department of Industry Secretariat:</i> John Flint, Andrew Palmer <i>Observers from NSW Department of Industry:</i> John Moss, Doug Revette and Bryan Doyle	APOLOGIES	Nickolas Strong (NSWMC), Jenny Nash and Tony Linnane (NSW Department of Industry)
PREPARED BY	Andrew Palmer		

### Welcome and preliminary business

No.	Item	Status
1	<b>Introduction</b>	
1.1	The Chairman welcomed members and asked for any apologies.	Noted apologies and Gary Parker as the delegate for Jenny Nash.
1.2	<b>Declaration of conflict of interest</b> The Chairman asked members if they had a conflict of interest to declare. No declarations were made.	No conflicts of interest declared.
1.3	<b>Acceptance of previous minutes and actions arising</b> The minutes of the previous meeting 2 September 2015 in attachment 1 were accepted. Actions arising from previous meeting have been completed with meeting papers covering them.	Minutes accepted.
1.4	<b>Correspondence</b> Correspondence received from Ben McPherson, Senior Open Cut Examiner at Glencore, Ulan	John Flint to provide a written response to Ben McPherson's enquiry.

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	Surface Operations. He was enquiring about how the practising certificate and maintenance of competence systems will operate for statutory functions. John Flint telephoned Ben to answer his enquiries. Bryan asked for a written response to be provided.	

### This meeting

No.	Item	Status
2.	<p><b>For update and discussion and/or decision</b></p> <p><b>Development of statutory function descriptions</b></p> <p>John Flint introduced paper 3 and attachments 3A (Project Brief) and 3B (Statement of Requirements) for a proposed project to develop statutory function descriptions using the expertise of an external provider. The descriptions will then be used to review the standards for certificates of competence pre requisites and examinations.</p> <p>The points raised in discussions about the papers included:</p> <ul style="list-style-type: none"> <li>the framework and descriptions should not differ according to the sector (eg coal), but contain core tasks that only differ according to their level of management or technical requirements. The concern is to avoid long lists</li> <li>the framework should apply a management model</li> <li>the Quarry Manager function should be split into full and restricted (former production manager permit) as they are different (eg. low risk mines, often smaller in size)</li> <li>undertake extensive consultation in developing the descriptions through the Project Steering Group.</li> </ul> <p>The Board noted the project timeframe for completion by June 2016 and governance to be provided through the Steering Group. Nominations were accepted from Leanne Parker, Keith Shaw and Gary Parker to form the Steering Group.</p> <p>The Board endorsed the Project to proceed and agreed for amendments to be made to the</p>	<p>Secretariat to:</p> <ol style="list-style-type: none"> <li>commence the project for Descriptions of WHS (Mines) statutory functions, as endorsed by the Board</li> <li>amend the Project Brief and Statement of Requirements as agreed to the Board</li> <li>issue a request for quote to 3 or more potential providers to do the entire body of work, as per the Statement of Requirements</li> </ol> <p>Leanne Parker to provide names of potential providers.</p>

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	<p>Project Brief and Statement of Requirements including:</p> <ul style="list-style-type: none"> <li>a) a requirement for a coal and a metalliferous/extractive workshop be held to obtain feedback</li> <li>b) consider applying a management model in the framework.</li> </ul>	
2.2	<p><b>Revised matrix on applying Associated Non Technical Skills (ANTS) in certificate exams</b></p> <p>Gary Parker introduced the revised matrix from the first version tabled at the last meeting. The revisions are focused on the candidate demonstrating their competencies for their level of management, starting at level 1 for the first line supervisor through to the manager at level 3. John Moss supported the paper, with some amendments he has proposed, so examiners can use it to develop questions. There is no need to develop questions for the examiners.</p> <p>The Board agreed to:</p> <ul style="list-style-type: none"> <li>a) amendments to be made to the revised matrix, including John Moss feedback and reversing the order of the columns to be left to right for levels 1 to 3</li> <li>b) distribute the amended version to the Industry Assistance Unit and Convenors of Panels for review and comment</li> <li>c) report back to the Board on the outcomes of the consultation with a finalised version.</li> </ul>	<p>Secretariat to:</p> <ul style="list-style-type: none"> <li>1) make the Board agreed amendments to the ANTs matrix</li> <li>2) distribute the revised matrix to the Industry Assistance Unit and Convenors of Panels</li> <li>3) Report back on the outcomes of the consultation with a finalised version</li> </ul>
2.3	<p><b>Revised requirements for Underground mine supervisor certificate of competence</b></p> <p>In addition to paper 5, John Flint tabled a summary of the themes from feedback at the Mining Industry Safety Advisory Committee (MISAC) meeting 18 November 2015 on the discussion paper for this topic (refer to paper at the end of these minutes). A summary of the issues discussed in response to this paper are:</p> <ul style="list-style-type: none"> <li>a) <i>the concept of the statutory function for underground mine supervisor being a 'shift boss' like an Undermanager in a underground coal mine or a first line supervisor in charge of a work crew and area.</i></li> </ul> <p>A comparison of statutory positions in an underground mine for coal against metalliferous revealed there is no equivalent for the undermanager in an underground metalliferous mine:</p>	<p>The Board agreed to the Secretariat developing a flexible matrix of requirements to obtain a certificate of competence restricted to the area(s) of underground mining operations that the person be capable of supervising.</p> <p>John Moss to contact Nick Strong to explain the outcomes of the meeting for this agenda item.</p>

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	<p>John Flint advised Tony Linnane had found throughout the development of the model tristate and NSW WHS (Mines) legislation that the function was to be an Undermanager style shift boss. The intent was to ensure there was overall co-ordinated management of the shift. Members advised that underground metalliferous mines do not operate with a manager on back shifts. Gary Parker asked who is ensuring the overall co-ordinated management of the operations on backshifts and was advised that each supervisor is responsible separately for their area.</p> <p>Leanne Parker and Glenn Seton thought the function was recognition of their visits to underground mines and activities as part of the previous Metalliferous and Extractives Competence Board, where the need was identified to set the standards for competence for first line supervisors so they will be trained to the required level.</p> <p>Andy Honeysett indicated that the CFMEU, on the advice of their Check Inspector/official (Greg Braes), think it should be a first line supervisor function.</p> <p>The industry and union members indicated to the Department that the function should be for a first line supervisor.</p> <p><i>b) Requiring the Diploma of Underground Metalliferous Mining Management against the Certificate IV in Metalliferous Mining Operations (Underground).</i></p> <p>Leanne Parker explained that a Certificate IV qualification focuses on applying processes eg. Safety Management System. The Diploma level involves implementing.</p> <p>John Flint advised that the Diploma had been proposed as this is consistent with the equivalent WA statutory function requirements. Having consistency of requirements will support mutual recognition of certificates and mining employers' desire to have easier transfer of staff between jurisdictions. However, the Board members generally indicated that having consistency with WA was not the highest priority.</p> <p>The industry and union members of the Board thought the Certificate IV is more appropriate for the underground mine supervisor function.</p> <p><i>c) how the certificate of competence will be applied to cover the range of underground mining operations</i></p> <p>The meeting discussed that an underground operation may have a supervisor for each of the</p>	

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	<p>following areas, or a combination thereof depending on their size and operations:</p> <ol style="list-style-type: none"> <li>1. Development</li> <li>2. Blasting</li> <li>3. Production</li> <li>4. Fixed plant</li> <li>5. Mobile fleet</li> </ol> <p>There is a core set of skills (eg. risk management) used in supervising any area and are transferable. There are areas like blasting that require specialist skills and knowledge.</p> <p>The Board agreed the department should develop a flexible approach of requirements to obtain a certificate of competence, depending on what area of mining operations the person is seeking to supervise. The certificate could be unrestricted to supervise all areas or restricted to those areas where the person satisfies the specific requirements only.</p>	
2.4	<p><b>Proposed maintenance of competence (MOC) system for practising certificates</b></p> <p>Andrew introduced paper 6 with an overview of the proposed system, referring to figure 1.</p> <p>Mick Cairney enquired about the justification for the annual and total hours of learning required over the five years to enable people to then renew their practising certificate. Andrew advised that it is benchmarked off similar schemes including Engineers Australia, Institute of Quarrying Australia and the Mine Managers Association of Australia.</p> <p>Keith Shaw expressed concern about the 60 hours of learning for the Ventilation Officer as being too low given the importance of the function in an underground coal mine.</p> <p>Leanne Parker moved for the paper to be endorsed by the Board and released for consultation by the Department, which was seconded by Gary Parker. The Board agreed and for the Secretariat to send a copy of the discussion paper with a comments template to the following organisations to reply by the end of January 2016:</p>	<p>Board endorsed:</p> <ol style="list-style-type: none"> <li>1) the paper on the proposed MOC system and for it to be released for public comment</li> <li>2) the Secretariat to send copy of the paper and comments template to the organisations suggested</li> <li>3) the Secretariat to organise for the consultation documents to be available for download from the Board webpage on the Department website</li> </ol>

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	<p>AusIMM, IQA, AWU, CCAA, Mine Managers Association, Collieries Officer Association, Minerals Council of NSW, CFMEU, AMMA, APESMA, Ventilation Officers Association (Metalliferous)</p> <p>The Secretariat will also make copies available for download from the Mining Competence Board page on the Department website.</p>	
2.5	<p><b>Survey of examiners</b></p> <p>John Flint introduced paper 7 for the outcomes of the survey of examination panels for certificates of competence, indicating there were mixed responses on the changes proposed and current practices, with no consensus. The following themes were noted from the discussions of the Board:</p> <ul style="list-style-type: none"> <li>• the Department needs to continue administering the examination processes to support the role of the examiners eg. the panels may meet face to face. This is recognised by the Department, who are reviewing the governance processes and structure of the competency unit.</li> <li>• the examinations and pre requisites have not been rationalised to reflect changes in industry and current situations eg. Part A exam in lieu of having the required qualification</li> <li>• mixed views on whether candidates are required to maintain a logbook of their experience to be used in the examination process or be required to submit extensive details, as per a criteria for experience requirements like they do in Qld. Leanne Parker advised the Skills DMC Board support a logbook being maintained and used in training across a person's working life.</li> </ul> <p>The Board thanked the panels for the feedback provided and recommended that ongoing work led by Gary and John Moss be undertaken to monitor and improve examinations. The Secretariat is to investigate whether oral examinations for certificates of competence are conducted in other jurisdictions.</p>	<p>The Board:</p> <ol style="list-style-type: none"> <li>1) thanked the panels for the feedback provided</li> <li>2) recommended that ongoing work led by Gary Parker and John Moss be undertaken to monitor and improve examinations</li> </ol> <p>The Secretariat is to investigate whether oral examinations for certificates of competence are conducted in other jurisdictions and report back to the next Board meeting.</p>

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2.6	<p><b>Update on Australasian Mining Competency Advisory Council (AMCAC)</b></p> <p>John Flint introduced paper 8 on the establishment of AMCAC and the request for members to indicate their interest to be an employer or employee representative to attend AMCAC. He explained that AMCAC is attempting to ensure that there is the right number and mix of skilled people to attend the meetings.</p> <p>The Board discussed the availability and appropriateness of members attending depending on the matters being considered at a meeting. The members representing the unions agreed for one of them to attend each meeting depending on the agenda. Bryan offered to be available to attend.</p> <p>Members are to submit expressions of interest to be an employer or employee representative to the Secretariat by 16 December 2015, with a one page summary of their skills and experience.</p>	<ol style="list-style-type: none"> <li>1) Members are to submit expressions of interest to be an employer or employee representative to the Secretariat by 16 December 2015, with a one page summary of their skills and experience</li> <li>2) Secretariat to on forward the Expressions of Interest to AMCAC once it commences meeting</li> </ol>
3	<p><b>Business for noting</b></p> <p>3.1 <b>3.1 Update on Department's implementation of recommendations</b></p> <p>John Flint introduced paper 9 on progress on the remaining outstanding recommendations from the work of the previous Competence Boards. Board noted the actioning of all the recommendations.</p> <p>3.2 <b>Mining Competence Board annual report</b></p> <p>John Flint introduced paper 10 containing a copy of the proposed report for 2014/2015 financial year, as required under the WHS (Mines) Regulations. Board endorsed the report and for it to be submitted to the Minister</p> <p>3.3 <b>Update on strategic plan</b></p> <p>John Flint introduced paper 11 advising that the Strategic Plan is under consideration at the Minister's office.</p>	<p>Actioning of all recommendations from previous Competence Boards' work noted by the Board</p> <p>Annual Board report for 2014/2015 endorsed for submission to the Minister by the Secretariat</p> <p>Board notes the Strategic Plan to 2020 is under consideration by the Minister's office.</p>

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4.	<p><b>Other Business</b> <b>4.1 Meetings for 2016</b></p> <p>Board considered paper 12 setting out the proposed dates for four Board meetings in 2016. The following arrangements were agreed to by the Board:</p> <ul style="list-style-type: none"> <li>• 25 February meeting will be held in Sydney at the CFMEU Nymboida House (to be confirmed by the Secretariat with Andy)</li> <li>• 12 May meeting to be held at Newcrest Cadia Mine (John Moss to approach Nick Strong). Leanne and Bryan to confirm with the Secretariat their availability for this revised date. Note: this meeting will follow on from the MISAC meeting on 11 May at Dubbo.</li> <li>• 25 August</li> <li>• 17 November</li> </ul>	<ol style="list-style-type: none"> <li>1) Secretariat to confirm venue for 25 February 2016 meeting with Andy to be Nymboida House</li> <li>2) John Moss to confirm with Nick Strong that Newcrest will host the 12 May meeting at its Cadia Valley Operations</li> <li>3) Leanne Parker and Bryan Davis to confirm their availability for the 12 May meeting</li> </ol>
	<p><b>Close meeting</b> 1.35 pm</p>	