

Minutes

9:00am–1:00pm 22 April 2010

Boardroom, NSW Minerals Council Level 3 / 12 O'Connell Street, Sydney

No.	Item	Attachment	Action
1.	<p>Welcome and apologies</p> <p>Present:</p> <p><u>Members:</u> Norman Jennings (Chairman), Barbara McPhee (Independent), Glenn Seton (AWU), Susan Fields (CCAA), Graeme Peel (Independent), Ian Cribb (NSWMC), John Flint (alternate for Alan Coutts I&I NSW), Rob Regan (I&I NSW/DMSO, Technical Adviser to Chairman) Tony McPaul (NSWMC), Keith Shaw (alternate for Ian Murray CFMEU), Trevor Schram (alternate for Wayne McAndrew CFMEU).</p> <p><u>Secretariat:</u> Tim Crakanthorp (Acting EO), Bruce Jones (Acting SPO) <u>Observer:</u> Andrew McMahon (NSWMC)</p> <p>Apologies: Wayne McAndrew (CFMEU), Ian Murray (CFMEU), Alan Coutts (I&I NSW)</p> <p>The Chairman welcomed MSAC members and acknowledged Trevor Schram as the alternate for Wayne McAndrew, Keith Shaw as the alternate for Ian Murray and John Flint as the alternate for Alan Coutts.</p>		
2.	<p>Business arising from the minutes</p> <p><i>Adoption of Minutes from last meeting</i></p> <p>The Chairman welcomed members and thanked the NSW Minerals Council for their hospitality in hosting the Council's meeting. He Chairman invited members to adopt the Minutes of the previous meeting. Members agreed to adopt the minutes.</p> <p><i>Business arising from the Minutes</i></p> <ul style="list-style-type: none"> • A copy of the Chairman's letter to the Director-General regarding 2010/11 Mine Safety Levy consultation was distributed as was a copy of the Minister's acceptance to write a foreword to the 2010 Coal Mine Safety Audit Report. • The Chairman reported that, despite his contacting Minister Macdonald's Office, to date he still had no response or feedback from the Minister to his letter of 23 December 2009 and that, consequently, without the Minister's agreement, MSAC will have difficulty in going forward on number of key projects. Members expressed their concern and agreed the Chairman should write again to the Minister about the matters outstanding. • The Chairman recalled that I&I NSW had agreed to sponsor a Good Practice workshop with MSAC at the NSW Minerals Council OHS Conference in May; Tony McPaul thanked MSAC on behalf of his organisation's OHS Committee for that sponsorship; Andrew McMahon reported that over 400 people are now registered to attend the Conference. 	1	<p>Minutes adopted.</p> <p>Chairman to write again to the Minister about matters outstanding.</p>

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	<p><i>Update on conflict of interest</i></p> <p>The Chairman took members through the document prepared by the Secretariat. He noted that both suggested options complied with Government guidelines. After some discussion, members agreed to adopt the second option and make a verbal declaration of a real or perceived pecuniary or possible conflict of interest that would be recorded in the minutes. Members agreed that at the beginning of each MSAC meeting, there be an item on the agenda where members can make a declaration of a pecuniary or conflict of interest.</p>	2	Members agreed to make a verbal declaration of any conflict for the minutes. Declaration of a conflict of interest to be a standing agenda item.
3.	<p>NSW Mining Industry Health Working Party (HWP)</p> <p>The Chairman brought members' attention to Attachment 3, an update on work by the Health Working Party regarding health indices. The Acting Executive Officer gave a presentation on the history and current work of the HWP. Discussion ensued as follows:</p> <ul style="list-style-type: none"> • Lag indicators may be collected annually from claims data • For lead indicators, there could be issues regarding phone survey validation. It was suggested that a rolling audit could validate the phone survey and make the phone survey participants more aware of issues that may arise • The Chairman commented that the MSAC initiated workshops currently being conducted throughout NSW will allow industry to be better placed to respond to surveys on health issues, a key link in measuring that information and awareness is spreading. • The Acting MSAC EO advised that the Terms of Reference for the HWP should be completed by end of 2010 and that Associate Professor David Cliff has drafted telephone survey material for the HWP's consideration. <p>Discussion followed and the Chairman summarised saying that it was clear there was a need to ensure health survey participants get feedback from their input into surveys.</p> <p>The Chairman also noted that the cover of the Health Management Plan Toolkit being distributed by the Industry Assistance Unit in their workshops doesn't have the MSAC logo (even though the Health Management Plan does) –</p> <ul style="list-style-type: none"> • John Flint (I&I NSW) indicated that the tool kit did not carry the MSAC logo as it was not formally endorsed by MSAC • Members agreed they wished to have the MSAC logo on the front of all publications that result from MSAC initiatives, it was part of the Council's outreach. <p>Independent Member McPhee commented about Coal Services Pty Ltd (CSPL) doing work in regard to associated non-technical skills (ANTS) and, as she was concerned about consistency of language and programs for the industry, she wondered whether MSAC was aware of this.</p> <ul style="list-style-type: none"> • I&I NSW will follow up on this with CSPL at the next joint meeting on 11 May 2010 • The Chairman encouraged I&I to be forthright with CSPL so people in industry are not confused and to ensure there will be consistency. 	3	<p>Members support the direction of the Health Working Party.</p> <p>All documents coming from MSAC initiatives to have MSAC logo on it.</p> <p>I&I NSW to discuss the ANTS program with CSPL.</p>

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	incorporated into the latest design		
6.	<p>NSW Mine Safety Performance Report</p> <p>I&I NSW briefed members on the Draft NSW Mine Safety Performance Report which shows safety trends over the previous two years specifically, with a ten year background:</p> <ul style="list-style-type: none"> • The trends show NSW to be performing and meeting national targets • The report gives the Government and industry a good idea of areas that can be improved • The intention is to make it available on the Web • I&I NSW will refine it further before releasing after consideration of comments from members • The Chairman invited comments and suggestions for improvement. <p>Discussion followed regarding:</p> <ul style="list-style-type: none"> • Incorporating mine insurance costs and breaking down broad categories (such as mobile mechanical equipment, work environment and being hit by moving object) into more specific categories • Whether the categories equate to agreed standards from other agencies • Members agreed that the Report provides a base measurement for the future and that it displays a trend consist with improvement that will show industry the dividends from the focus on safety, especially when followed by annual editions of the report. <p>Members agreed that this I&I produced report is a very good start. Members were asked to provide feedback to the Secretariat on this report by close of business Thursday 6 May 2010 after which it would be published on the website and distributed to the I&I NSW mining database. Members agreed to this and pending feedback, endorsed its publication.</p>	10	Members to provide feedback to the Secretariat on this report by close of business 6 May 2010 after which it would be published on the website and distributed to the I&I NSW mining database.
7.	<p>Programmed Work</p> <p>Wran Schedule</p> <p>Members were updated on progress on work under the Wran Mine Safety Review recommendations. The update included the following:</p> <ul style="list-style-type: none"> • The Minister was invited to write a foreword to the Coal Mine Safety Audit Report which has been received • Health Management, Musculoskeletal Disorders and Fatigue workshops to provide information for workers, managers and the I&I NSW inspectorate throughout NSW have commenced • A report on the Prevention of MSD workshop is being presented to the MSD PSG in May 2010 • Planning for the CEO summit review event has commenced but ministerial confirmation of the venue and date is still pending • The Health Working Party (HWP), at its March 2010 meeting, agreed in principle to a matrix of proposed health indices that would be the starting point for industry consultation. 	11	Noted.

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	<p>Summary Matrix of MSAC Programmed Work</p> <p>The Acting Executive Officer advised the following:</p> <ul style="list-style-type: none"> • A community awareness strategy has commenced but is not on track and that the CEO review event should be changed to not being on track • The Culture Change project is still not on track due to the delayed start and contractor selection but ANTS is on track • The development of a data set on fatigue needs to change from green to orange on the matrix. <p>Programmed work schedule for 2010/11</p> <p>The Acting Executive Officer advised members on matters from the work schedule.</p> <p>The Chairman thanked the Acting Executive Officer for the reports and commented that the MSD and Health workshops are already examples of Good Practice in Health.</p>	12	Noted.
8..	<p>MSAC Business</p> <p>The Chairman brought members' attention to the next item of business regarding the Mine Safety Budget, the MSAC Budget and the National Mine Safety Framework, and invited I&I NSW and the Executive Officer to brief members.</p> <p>Mine Safety budget update - Quarterly Report (Q3)</p> <ul style="list-style-type: none"> • I&I NSW advised members of the likelihood that the Mine Safety budget will come in below budget for the reason shown in the report and the fact that the budget did not envisage such good attendance at seminars and the increased sales through the Mine Technology Centre • Any remaining money will be retained in 2010-11 Mine Safety budget carry-over and, apart from the remuneration issue, the inspector recruitment position may improve once a legislative drafting issue is resolved. Moreover, I&I's in-house training measures are looking like they will have a positive effect. <p>MSAC 2009-10 Budget update</p> <p>The Acting Executive Officer took members through the MSAC budget update:</p> <ul style="list-style-type: none"> • More will be spent on printing and consultancies in the next quarter • Salaries are down due to not having an administrative assistant at the moment and to a delay in filling the Acting Policy Officer position. <p>National Mine Safety Framework (NMSF) update</p> <p>I&I NSW advised that the NMSF steering group meets on monthly basis and is working on recommendations for drafting</p>	14	Noted
		15	Noted

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	<p>instructions for consistent OHS mine legislation:</p> <ul style="list-style-type: none"> • The plan is to have something complete from the next meeting in May for the next ministerial council meeting on this issue • NSW's position hasn't changed – that the mining industry should be covered by the Model Workers Health & Safety Act and specific supplementary legislation relating to the mining sector • While the legislation will be consistent, it is not clear that all states will enact the same instruments. <p>Discussion followed on what industry input into NMSF negotiations there has been and the Chairman summarised discussion noting that there appears a fair amount to do in the national arena, but that this should not hold up what MSAC is doing.</p>		<p>NSW is seeking the same level of protection in underground coal mining as currently exists.</p>
9.	<p>Other Business</p> <ul style="list-style-type: none"> • The Chairman informed members that, on behalf of MSAC, he has written to the head of the US Mine Safety and Health Administration (MSHA), Joe Main, offering MSAC's condolences about the recent West Virginia mining disaster. • Andrew McMahon informed members that on Wednesday 22 September, the NSW Minerals Council is holding a seminar at which Peter Sandman, a leading authority on OHS matters, will give an address. An information brochure on this will be distributed soon. • Possible venues for the next MSAC meeting were discussed and members agreed that it should be held in Wollongong. The Minerals Council will consult with companies in that area and will try to not only arrange a venue but organise a mine site visit as well for members. The Secretariat will also approach Coal Services P/L about hosting the meeting and will advise members of the venue when finalised. • The Chairman again expressed thanks to the Minerals Council for hosting the Council's meeting today and thanked members for attending and for their constructive contribution to the meeting's agenda items. 		<p>Next MSAC meeting to be held in Wollongong – venue to be advised.</p>
10.	<p>Close Meeting closed at 1.15 pm</p> <p>Next Meeting – 24 June 2010 in Wollongong – venue to be advised.</p>		