

<b>Members present:</b>	Mr Simon Ridge (Chair) Mr Andrew Chaplyn Mr Chris Davis Ms Adrienne LaBombard Ms Peta Libby Mr Glenn McLaren Mr Stephen Price Mr Martin Ralph Mr Greg Stagbouer Mr Rob Watson	Government member Government member Expert member Industry member Expert member Union member Union member Expert member Expert member Industry member
<b>Guest Attendees</b>	Mr Colin Boothroyd Mr Alan Holmes (For Agenda Item 3.0)  Ms Su Ho (For Agenda Items 4.0 and 5.0)	Department of Mines and Petroleum Department of Mines and Petroleum  Department of Mines and Petroleum
<b>Executive officer:</b>	Mr Doug Brown	Department of Mines and Petroleum

<b>Meeting Business</b>	<b>Decision/Action</b>
<p><b>1.0 ADMINISTRATION</b></p> <p><b>1.1 Opening – 8:05am</b></p> <p>The Chair opened the meeting advising members that proceedings will be recorded for minute taking purposes with the recording being erased once the minutes are confirmed.</p> <p>Mr Ralph and Mr Stagbouer were welcomed to their first MIAC meeting in the role of Expert Members.</p> <p><b>1.2 Apologies</b></p> <ul style="list-style-type: none"> <li>• Mr Simon Bennison                      Industry member</li> <li>• Mr Gary Wood                              Union member</li> </ul> <p><b>1.3 Confirmation of meeting agenda</b></p> <p><b>1.4 Declarations of conflict of interest with agenda items</b></p> <p><b>1.5 Confirmation of the meeting minutes of 18 June 2015</b></p> <p><b>1.6 Other business</b></p> <p><b>2.0 ACTION ITEMS ARISING FROM THE MEETING OF 18 JUNE 2015</b></p> <p><b>2.1 Action Point One</b> <u>Working in isolated areas</u> <i>Follow up with WorkSafe as to progress of its investigation into the fatality of a Chinese national in a remote isolated area.</i></p>	<p>Apologies noted.</p> <p>Agenda confirmed.</p> <p>No conflicts of interest were declared.</p> <p>Minutes confirmed.</p> <p>See Agenda Item 9.0.</p>

The Chair informed the meeting that WorkSafe has concluded its investigation into the fatality and submitted a report to the State Coroner. The Department will obtain a copy of the report from WorkSafe under the *Freedom of Information Act 1992*. Any learnings from the report will be circulated to members.

Noted.

## 2.2 **Action Point Two**

Creation of a Resources Industry Advisory Committee under the *Work Health And Safety (Resources) Act*

2(a) *MAP be requested to consider the length of its comment periods.*

The Chair advised members that the secretariat for the Ministerial Advisory Panel (MAP) has been informed of MIAC's concerns as to the short length of its comment periods. The meeting was told that the length of comment periods was contingent on the timeline approved by the Minister for the development of the proposed resources safety legislation. The Department will provide members with copies of MAP papers as soon as they are made available.

Noted.

2(b) *MAP be requested to add MIAC members to its distribution list for meeting papers.*

Noted.

The Chair advised members this has been done.

## 2.3 **Action Point Three**

Intentions of Expert Members to continue after 30 July 2015

*Meeting procedure to include a call for declarations of conflict of interest.*

Commencing from this meeting going forward members will be asked to declare any conflicts of interest they may have with listed agenda items.

Noted.

## 2.4 **Action Point Four**

High Risk Work Licences and Competency

*Mr McLaren to draft briefing paper to have the issue of quality in training placed on the Action Register.*

Mr McLaren spoke to this item in lieu of submitting a briefing paper. It was noted that members were sent a copy of a report by the Western Australian Auditor General titled *Regulation of Training Organisations* at Mr McLaren's request.

Noted.

Mr McLaren spoke of the findings of the report which raises concern as to the quality of training provided by some Registered Training Organisations (RTO). It was noted that costs are being incurred by some mining operators in having to perform Verification of Competency checks on workers despite the latter being trained by an RTO.

It was noted that the Commission for Occupational Safety and Health is also concerned with the quality of training in some sectors. Mr McLaren agreed to keep members informed of any future developments on this issue.

## 2.5 **Action Point Five**

DMP's Enforcement and Prosecution policy

*Provide members with a copy of a draft of the revised EPP.*

The Chair confirmed that members were sent a copy of the Department's revised Enforcement and Prosecution Policy.

Noted.

2.6 **Action Point Six**

Potential Health effects of inhalation of diesel fumes by Mineworkers, specially diesel particulate matter (DPM)

6(a) *The Department to provide members with the findings from its study/survey on diesel emissions.*

Members noted receiving the papers as requested at the June 2015 MIAC meeting.

Noted.

6(b) *Obtain findings from the study conducted at the Lake Lynn Experimental Mine in the USA.*

Members noted receiving the papers as requested at the June 2015 meeting.

Noted.

6(c) *Obtain progress report from UWA researchers conducting a study into diesel emissions.*

The Chair advised the Department has been informed the research paper is not yet finalised and it is not known when that will occur. The researchers gave an assurance that MIAC will be sent a copy of the paper at the time of publication.

Noted.

The Chair invited Mr Davis to speak on the topic of diesel emissions in light of a paper by Emeritus Professor Odwyn Jones that is to be presented at the AusIMM Ventilation Conference in Sydney. Mr Davis drew attention to the paper's focus on the size of diesel particles and their impact on human health.

2.7 **Action Point Seven**

Standing agenda item – Work Health and Safety (Resources) Bill

*Circulate the RIS to members.*

The Chair noted that the Regulatory Impact Statement (RIS) has been circulated to members as requested.

Noted.

2.8 **Action Point Eight**

Standing agenda item – Mines safety statistics

8a) *Add Serious Injury Rates for Mining to the statistics provided to MIAC.*

The Chair confirmed the statistics have been circulated as requested. It was agreed that the Department need not provide MIAC with charts that duplicate information and secondly, graphical information on serious injuries and their causes are to be tabled at future MIAC meetings.

**Action Point One**  
The Department is to revise the statistics being provided to MIAC.

8b) *Arrange for an officer from the Department to attend the next MIAC meeting to give a presentation on the serious injuries report.*

This has been actioned under Agenda Item 3.0.

Noted.

3.0 **DEPARTMENTAL STUDY - ANALYSIS OF SERIOUS INJURIES.**

*[Mr Boothroyd and Mr Homes joined the meeting.]*

The Chair introduced Mr Boothroyd and Mr Holmes to the meeting who gave a presentation on a study conducted by the Department analysing data on serious injuries in the mining sector.

Noted.

A key point made during the presentation is serious injury rates for fitters, process workers, surface drivers and underground operators were high compared to other

groups. Members were told three causes of injuries were the most frequent: crushing (being caught between or against an object), slips and falls and injuries caused by suspended or dropped loads.

Members discussed the information provided in terms of reporting requirements that will exist in the proposed work health and safety resources legislation.

Members thanked the presenters for the information provided.

#### **Resolution/Outcome**

Members noted the information provided.

*[Mr Boothroyd and Mr Homes departed the meeting.]*

#### **4.0 GUIDELINE ON TYRE SAFETY**

*[Ms Ho joined the meeting.]*

The Chair introduced Ms Ho to the meeting who provided background to the development of the *Tyre safety for earth-moving machinery on Western Australian mining operations – Guideline*.

Industry supported the draft guideline but suggested that some parts may need to be clarified based on feedback received from constituents. Industry would provide the Department with comments out of session.

#### **Resolution/Outcome**

Members endorsed the proposed guideline subject to final feedback being provided by industry out of session.

#### **5.0 CODE OF PRACTICE – SAFE AUTONOMOUS MINING IN WESTERN AUSTRALIA**

*[Ms Ho was present for this agenda item.]*

The Chair open discussion informing members of the wide ranging consultation undertaken during the development of the draft code.

Concern was expressed by the unions that the draft code did not include material covering remote operated equipment. The Chair informed the meeting that remote operated equipment and autonomous equipment are different systems and the draft code was designed to only address safety in the latter. It also does not cover autonomous equipment used on rail systems.

Separate guidance material for equipment operated remotely will be developed by the Department in consultation with stakeholders.

It was agreed that a clarifying statement be inserted in the draft code advising it only deals with autonomous equipment and not equipment operated remotely.

The unions suggested that where the word 'should' appears in the draft code it is to be replaced by 'shall'. The meeting was told that doing so could be construed as legislating by stealth and therefore not acceptable in a code unless specially used in the principal legislation.

#### **Resolutions/Outcomes**

- a) The draft code to include a statement that clarifies its scope advising that equipment used on railways along with that operated remotely are outside of the code's scope.

The guideline is endorsed subject to final feedback from industry.

#### **Action Point Two**

2a) Separate guidance material to be developed for equipment operated remotely.

2b) The draft code to include a statement clarifying its scope.

- b) The Department is to develop separate guidance material for equipment operated remotely.
- c) Mr Price to confer with Mr Wood whether the resolutions a) and b) resolves his concerns. Mr Price is to report back to the Executive Officer.

*[Ms Ho departed the meeting.]*

## 6.0 MIAC STRATEGIC PLAN

The Chair introduced this item by providing background to the previous strategic plan. Members were asked if a planning session should be arranged. While there was no majority support for the proposal, members indicated that an operational plan should be developed to help focus MIAC activities over the next three years.

No objections were raised to the wording of the draft Strategic Plan tabled at the meeting.

Discussion followed on the tripartite nature of MIAC and it was agreed that the term traditionally means industry, unions and government representation.

### **Resolution/Outcome**

The Department to draft an operational plan for consideration by MIAC.

## 7.0 STANDING AGENDA ITEM – WORK HEALTH AND SAFETY (RESOURCES) BILL

The Chair gave an overview of recent developments towards the development of the proposed Work Health and Safety (Resources) Bill (the Bill). Mentioned was made of the current Regulatory Impact Statement on a mock-up of the Bill with the closing date for comments being 14 August 2015.

Sub committees will be formed under MAP to look at the regulations during the drafting process. Committees will also be formed to look at the regulations which overlap those contained in the Occupational Safety and Health Regulations 1996.

The meeting was told that the next twelve months will see the coming together of the safety provisions for petroleum, pipelines, Major Hazards Facilities and mining into one set of regulations. It is anticipated that the Bill will be introduced into the 2015 Spring Sitting of Parliament with the regulations being gazetted by the end of 2016.

### **Resolution/Outcome**

Members noted the information provided.

## 8.0 STANDING AGENDA ITEM – MINES SAFETY STATISTICS

Members considered the statistical information provided and agreed that some older historical material could be removed with more focus being placed on serious incidents and serious injuries.

### **Resolutions/Outcomes**

The Department to amend the data as requested.

2c) Mr Price to report back to the Executive Officer after conferring with Mr Wood.

### **Action Point Three**

The Department is to draft an operational plan for consideration by MIAC.

Noted.

### **Action Point Four**

The Department to amend the statistical data as requested.

## 9.0 OTHER BUSINESS

### Mines Safety Levy

Industry expressed concern over the Department's decision to increase the Mines Safety Levy and the way it was communicated to stakeholders in light of current economic circumstances being experienced by the resources sector. Industry also spoke of uncertainty among constituents as to the levels of variability allowed when reporting the number of hours worked.

The Chair informed members the Department produces an annual report detailing how the levy is used in regulating the mining sector. Industry advised that it will be writing to the Department raising a number of issues about the increase in the levy.

### **Resolution/Outcome**

Members noted the issue.

Noted.

## 10.0 NEXT MEETING

The next scheduled meeting of MIAC (15 October 2015) has been cancelled owing to advance notice that both Government members will be absent. Members will be sent alternative dates for a MIAC meeting to occur in November.

**Action Point Five**  
Send alternative meeting dates to members.

## 11.0 CLOSURE

The Chair closed the meeting at 11:05am.

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