

# Mining Industry Advisory Committee

## COMMUNIQUE

A summary of the 9 February 2022 meeting

### 1. Department of Health – COVID-19 and vaccine roll-out

A January presentation by the Industry Liaison Group (ILG) detailed the latest vaccination coverage figures from the WA Country Health Service. The current focus of the ILG is the Pilbara and Goldfields vaccination rates. Department of Health (DoH) has advised that the vaccination data may be outdated, as the data relies on a Medicare address and some card holders don't update their addresses.

Members noted that the scope of future ILG meetings will likely broaden to include other key stakeholders (e.g. Chief Health Officer).

The Chair advised members that Department of Mines, Industry Regulation and Safety (DMIRS) inspectors are authorised to inspect a worker's vaccination status if required, as delegated by the Chief Health Officer under the *Public Health Act 2016*.

Members discussed the issue around transporting close contacts and potential COVID-19 positive cases from mine sites, as current DoH advice is unclear on the correct protocols. Members will seek to draft a letter to DoH seeking clarification.

### 2. Work Health and Safety (WHS) legislation update

A DMIRS officer presented on the WHS (Mines) Regulations 2022 that DMIRS has been delivering throughout the State. The presentation advised members that:

- the Minister has committed to undertake a review of the dangerous goods legislation within two years of proclamation of the WHS Act. The Minister will then decide if dangerous goods will continue to be covered under separate legislation or fall under the WHS Act;
- the WHS (Mines) Regulations will be governed by the definition of the term 'mining operation', which is generally unchanged from the current definition in *Mines Safety and Inspection Act 1994*, except that it excludes operations at a public port which is managed and controlled by a port authority;
- some licensing and registration provisions will not be replicated in WHS (Mines) Regulations;
- the regulations prescribe requirements for persons to be appointed to statutory positions;

- the most important new requirement under WHS (Mines) Regulations is that a mine operator must prepare, implement and maintain a Mine Safety Management System (MSMS) for the mine/exploration operation; and
- the prescriptive requirements in the current regulations will be replaced with risk-based requirements and regulatory approvals will be minimised.

### **3. Mines Safety Management System and contractor safety management systems**

A DMIRS officer advised members that eight consultation submissions were received for the MSMS Code of Practice (MSMS Code) stakeholder review, which are currently being reviewed. A second draft of the MSMS Code will then be produced to seek final approval from key stakeholders, prior to MIAC review.

A general comment in the eight submissions was that WA should just adopt the NSW MSMS Code, rather than produce a WA version. However, the NSW Code focuses on the content of a MSMS, but does not focus on the processes followed to establish controls, which is the key distinction in WA's version.

DMIRS is preparing a workshop for small mine operators on the MSMS Code, ideally in April 2022, after proclamation of the WHS Act.

### **4. Psychosocial codes of practice launch**

Members were advised that that three psychosocial codes of practice, Workplace Behaviour Code of Practice, the Violence and Aggression at Work Code of Practice and the Psychosocial Hazards in the Workplace Code of Practice, would be launched on 15 February 2022 under the current general industry *Occupational Safety and Health Act 1984*, and therefore would not apply at mining operations.

Once the WHS laws are implemented the Minister's intention is that the WHS versions of the codes would be launched and the OSH versions revoked simultaneously. The WHS versions of the codes will then apply at mining operations.

### **5. Mines Safety Directorate: Upcoming events 2022**

Members were advised that the DMIRS Critical Risk Branch will be holding a Major Hazard Facilities Operators Forum on 24 February 2022, and a webinar for Registered Medical Practitioners in March 2022.

### **6. Mental Health**

Members were advised that:

- Mines Safety officers have developed information sheets on the management of gendered violence as a psychosocial hazard; and
- the Mentally Healthy Workplaces Grant Program was launched on 17 January 2022.

Members will also receive a briefing in the upcoming April MIAC meeting on the progress on the Mental Awareness, Respect and Safety DMIRS program.

## **10. Significant incident reports**

One Significant Incident Report was issued since the December meeting. The format is still being considered by DMIRS.

## **11. Mines Safety Statistics**

The statistics indicate that since December 2021, the top three notifiable incident types were fire, electrical and trucks/mobile equipment, which shows lot of overheating incidents (e.g. bins). COVID-19 also generated much reporting and enquiries.

## **12. Commission Report**

The Commission report provided information from the January and February meetings, which can be viewed on the DMIRS website.

## **13. *Beyond 2020* Commitments**

An update was provided on the progress in achieving the *Beyond 2020* commitments, noting the continued use and focus on four key focus areas of hazardous manual tasks, repeat hazard exposure, contractor management; and mentally healthy workplaces.

## **14. Next meeting: 13 April 2022**

For information, please refer to the DMIRS website:

<http://www.dmp.wa.gov.au/Safety/What-is-the-Mining-Industry-8578.aspx>.