



Government of **Western Australia**
Department of **Mines and Petroleum**
Resources Safety

RESOURCES SAFETY ACHIEVEMENTS AND PERFORMANCE 2014-15

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1 Introduction

The Department of Mines and Petroleum (DMP) Resources Safety Division is the State's specialist regulator for occupational health and safety in the minerals and petroleum sectors, and administers legislation for the safe use of dangerous goods. Resources Safety Division (RSD) is also responsible for implementing the State Government's safety reform strategy (also known as Reform and Development at Resources Safety or RADARS).

The Department's current approach to safety regulation represents a balance between promoting safety outcomes, monitoring compliance and enforcement. Under RADARS, the Department moves beyond compliance monitoring to encourage duty holders to improve their management of risk, independent of the issue of compliance.

To save lives and reduce injuries, industry, employees and the regulator need to work together to bring about important cultural change. While extra safety regulatory resources and legislation are essential, significant reduction in incidents can only be achieved if a resilient safety culture is encouraged and maintained across the mining, petroleum and dangerous goods sectors.

Significant investment and growth within the mining and petroleum sectors over the past decade has required a proportionate response by Government. In order to maintain an appropriate level of safety regulatory service and implement the safety reform strategy for Resources Safety, funding is obtained through cost recovery from the relevant industry sectors.

For the mining industry, this came into effect in May 2010 through a levy imposed under the *Mines Safety and Inspection Act 1994* and the *Mines Safety and Inspection Levy Regulations 2010*. For the petroleum industry, this came into effect in January 2012 through levies imposed under the *Petroleum and Geothermal Energy Safety Levies Act 2011* and regulations. Cost recovery in the dangerous goods sector was implemented through increases in major hazard facility fees and user fees for explosives reserves.

This report details expenditure of the mines safety and inspection levy as well as the petroleum and geothermal energy safety levies. Safety inspectorate performance across the mining, petroleum and dangerous goods sectors; and achievements under the RADARS strategy are also discussed.

The form and content of this report was determined in 2011 in consultation with the Ministerial Advisory Panel on Best Practice Safety Strategies, which comprises representatives from industry, unions and the regulator.

2 Mining safety and health

2.1 Auditing of revenue and expenditure

A Special Purpose Account has been established to hold monies collected via the Mines Safety and Inspection Levy. The monies in this account can only be used for the purpose of paying costs associated with administering the *Mines Safety and Inspection Act 1994*.

Compliance with this requirement and with all other statutory and policy requirements applicable to Government funds is subject to an annual audit by the Office of the Auditor General.

2.2 Income and expenditure statement

The table below shows the income and expenditure against the Mines Safety and Inspection Levy. Full year expenditure figures are reported for the years 1 July 2010 to 30 June 2015.

	2010-11 July-June ACTUALS \$'000s	2011-12 July-June ACTUALS \$'000s	2012-13 July-June ACTUALS \$'000s	2013-14 July-June ACTUALS \$'000s	2014-15 July-June ACTUALS \$'000s	2015-16 July-June BUDGET \$'000s
Opening balance	1,932	2,013	11,352	10,459	7,865	1,779
EXPENSES						
Salaries and Superannuation	11,473	14,346	14,353	15,168	15,702	16,274
Training and development	370	39	316	556	319	436
Supplies and services	4,104	4,621	4,484	4,930	4,653	5,677
Office accommodation	551	660	824	979	1,749	2,276
Depreciation	133	419	209	210	98	107
Other expenses	9	43	151	55	21	25
Corporate costs	3,583	4,651	4,799	5,317	6,677	6,181
	20,223	24,779	25,136	27,215	29,219	30,976
INCOME						
Funds raised by Levy	20,304	34,118	24,243	24,621	23,133	28,247
Surplus for the period	81	9,339	(893)	(2,594)	(6,086)	(2,729)
Accumulated surplus	2,013	11,352	10,459	7,865	1,779	(950)

2.3 Performance

The following table reports on the work of the mining safety inspectorate during 2014-15. Additional functions are undertaken by the Department to meet its obligations as a safety regulator.

Function or activity	Indicator	Activity	Additional comment(s)
Complaints about workplace health and safety	Number of complaints received and resolved	58 formal complaints dealt with	All complaints resolved within agreed timeframes
Notifiable incidents	Number of incident reports received and processed	2375 notifiable incidents received and entered into the Safety Regulation System (reporting database)	All incident reports processed within agreed timeframe
Investigations	Number of Investigations conducted	15 formal investigations undertaken and finalised.	All investigations completed within appropriate timeframes This is the count of closed level 1 & 2 investigations only.
Inspections and audits	Rate of close-out of notices issued by inspectors	2612 site inspections carried out 899 industry contacts carried out 533 Improvement Notices issued and 357 closed out 193 Prohibition notices issued 138 site audits carried out 1394 formal contacts with Safety and Health Representatives by an inspector on site and training presentations	
Approvals	Technical assessments and response concluded within 30 working days for: - Project Management Plans - Radiation Management Plans - Mechanical, Structural and Geotechnical Engineering	802 technical assessments and reviews undertaken This includes: 73 Project Management Plans 21 Radiation Management Plans 44 Classified plant registrations	One RMP not approved within timeframe
Training	Number of inspectors who have completed scheduled training	370 inspectors' training events attended 110 Certificates of Competency awarded	

3 Petroleum safety and health

3.1 Auditing of revenue and expenditure

A Special Purpose Account has been established to hold monies collected from petroleum and geothermal energy safety levies. The monies in this account can only be used for the purposes of administration and enforcement of the OSH laws listed in the *Petroleum and Geothermal Energy Safety Levies Act 2011*.

Compliance with this requirement and all other statutory and policy requirements applicable to Government funds is subject to an annual audit by the Office of the Auditor General.

3.2 Income and expenditure statement

The table below shows the income and expenditure against the Petroleum and Geothermal Energy Safety Levies. Full year expenditure figures are reported for the years 1 January 2011 to 30 June 2015.

	2011-12 Jan-June ACTUALS \$'000s	2012-13 July-June ACTUALS \$'000s	2013-14 July-June ACTUALS \$'000s	2014-15 July-June ACTUALS \$'000s	2015-16 July-June BUDGET \$'000s
Opening balance		425	1,216	1,065	917
EXPENSES					
Salaries and Superannuation	1,287	2,892	3,229	2,776	2,837
Training and development	11	178	134	105	276
Supplies and services	82	727	330	318	540
Office accommodation	14	71	168	339	809
Depreciation	21	5	3	0	0
Other expenses	4	1	0	0	6
Corporate costs	559	1,052	963	1,272	1,174
	1,978	4,926	4,827	4,810	5,642
INCOME					
Funds raised by Levy	2,403	5,717	4,676	4,662	4,671
Surplus for the period	425	791	(151)	(148)	(971)
Accumulated surplus		1,216	1,065	917	(54)

3.3 Performance

The following table reports on the work of the petroleum safety inspectorate during 2014-15. Additional functions are undertaken by the Department to meet its obligations as a safety regulator.

Function or activity	Indicator	Activity	Additional comment(s)
Investigations and reviewed investigations	Number of Investigations and investigations reviewed	5 formal investigations	All investigations reviewed within appropriate timeframes
Audits	Number of audits conducted by inspectors	32 audits completed or reviewed	(See footnote below)
Safety Case	Number of safety documents reviewed/approved	40 Safety documents reviewed / approved	All completed within required timeframes
Liaison Meetings	Number of liaison meetings with stakeholders	53 liaison meetings with stakeholders	
Training	Number of inspectors who have completed scheduled training	138 employees attended training events 46 Certificates of Competency awarded	Completed according to schedule

Note: There are 73 identified operators covered by Critical Risks (Petroleum Safety). During the reporting period, there has been a major organisational restructure including changes to staffing levels. This has affected the number of audits able to be completed.

4 Dangerous goods

4.1 Performance

The following table reports on the work of the dangerous goods safety inspectorate during 2014-15. Additional functions are undertaken by the Department to meet its obligations as a safety regulator.

Function or activity	Indicator	Activity	Additional comment(s)
Investigations	Number of investigations conducted Number of major hazard facility (MHF) investigations reviewed	101 formal incident investigations undertaken and finalised 29 MHF investigations reviewed	All investigations completed within appropriate timeframes
Inspections and audits	Number of inspections conducted Number of audits conducted Number of audits (MHF) reviewed	694 site inspections conducted 18 site audits conducted 1 MHF audit reviewed	(See footnote below)
Technical assessments and reviews	<ul style="list-style-type: none"> - DG licence applications or amendments - Exemption requests - Explosives / fireworks authorisations - Explosive licence applications or amendments (all types) - Explosives management plans - Fireworks display permit applications - MHF screenings - Security plans (SRS) - Port Special berth approvals - Transport container design approvals - Training courses and exemption requests 	560 technical assessments and reviews undertaken	All completed within required timeframes
MHF Safety Report assessments - New/Update	Number of new/updated MHF safety report assessments conducted	7 safety report assessments conducted	All completed within required timeframes
Training	Number of inspectors who have completed scheduled training	112 employees attended training events 109 Certificates of Competency awarded	

Note: Development work of a comprehensive electronic Safety Regulation System (SRS) with the capacity to record and track the lodgement of activities such as licence applications, complaints, reports and notifications, and to assist in the management of these activities is well developed. Much data management remains manual but an operational SRS will streamline and improve business reporting.

5 Achievements

Safety Legislation Reform

While industry increasingly uses a risk-based approach to safety and continues to introduce new technology, legislation needs to keep pace by being less prescriptive and more adaptable to change. Consultation with industry peak bodies and the unions recommended the consolidation of resources safety legislation for mining, petroleum and MHFs. For this reason, Western Australia's current resources legislation, comprising six Acts and associated regulations, is being redrafted to be more efficient and effective to achieve health and safety objectives.

The legislation is being modernised to incorporate the best elements from the national model Work Health and Safety (WHS) legislation and the National Mine Safety Framework, which should result in improved consistency between the different industry sectors, as well as with the Commonwealth.

The Department is committed to a full and open consultation process with industry and union stakeholders. In 2014, the first Decision Regulatory Impact Statement (RIS) recommended consolidation of resources safety legislation for mining, petroleum and MHFs under a single regulator, DMP.

In March 2015, the Minister provided approval for DMP to prepare drafting instructions for the proposed Work Health and Safety (Resources) Bill. A further independent RIS process, in April 2015, presented details of the proposed WHS (Resources) Bill.

It is intended that the legislation will be implemented from 1 January 2017.

Ministerial Advisory Panel on Safety Legislation Reform

The Ministerial Advisory Panel on Safety Legislation Reform (MAP) continues to provide input into the development of the Work Health and Safety legislation for the Western Australian resources sector.

The Panel, comprising representatives from industry, unions and the regulator, met six times in 2014-15. All meeting papers for the Panel can be found on the Department's website: www.dmp.wa.gov.au/19517.aspx

Three working groups were established to perform detailed work on the reforms and provide advice, tools and strategies to the Panel. Each working group developed a set of provisions to ensure safety capabilities of both industry and the regulator in the areas of asbestos, confined spaces and guarding. More information can be found on the Department's website: <http://www.dmp.wa.gov.au/20279.aspx>

A workshop was held to address concerns from industry on the Department's interpretation of the *Mines Safety and Inspection Act 1994* (MSIA) regarding onsite management coverage and supervision requirements. This issue was referred to MAP for advice and to assist DMP in developing the new WHS (Resources) legislation for Western Australia. Papers from the workshop can be found on the Department's website: <http://www.dmp.wa.gov.au/20929.aspx>

Safety Regulation System

During 2014-15, Resources Safety Division (RSD) adopted a vision that the Safety Regulation System (SRS) is to be the core system used by all staff and external stakeholders, enabling them to conduct their business of improving safety outcomes. To support this, RSD reformed its SRS governance framework to place greater responsibility on business areas to ensure that developed systems best meet the needs of the inspectorate and licensing functions, and support reform and improvements in operational effectiveness and efficiency.

In 2014-15, a number of new or enhanced systems were implemented, including upgrades to the investigations, project management plan (PMP) and radiation management plan (RMP) systems. In addition, substantial progress was made on designing new audits, notices and record book entry systems.

For Dangerous Goods and Petroleum Safety branch, development of the electronic SRS tool to assist with online lodgement of dangerous goods licence applications is well advanced. Software will commence User Acceptance Testing in early October 2015 with an in-service date of late 2015 being expected. Initially, the online solution is limited to conducting audits and notices of dangerous goods licence sites, but through 2016 it is expected to cover the full suite of dangerous goods licensing work.

Mining Industry Advisory Committee

The Mining Industry Advisory Committee (MIAC) comprises representatives from industry, unions and the regulator, as well as technical experts. Meeting minutes are available on the Department's website: www.dmp.wa.gov.au/14390.aspx

MIAC met five times in 2014-15 to discuss key projects and issues.

Three guidance documents were endorsed for publication:

- Safe mobile autonomous mining in Western Australia, Code of practice
- Effective safety and health supervision in Western Australian mining operations, Guideline
- Working at heights in underground mines, Guideline

MIAC meetings covered a wide range of subjects, including:

- implications of the proposed work health and safety resources legislation and codes of practice
- simplifying the Mine Safety Levy
- regulatory requirements for rigging on mine sites
- compliance of cranes operating on mine sites
- guidance requirements for Principal Hazard Management Plans
- possible under reporting of working hours in the exploration sector
- working in isolated areas.

MIAC has developed a three year strategic plan for the 2015-2018 period. The Committee will continue to consider matters arising from the proposed work health and safety resources legislation, as well as continue the development of guidance material for the mining and exploration sectors.

Recruitment and training – building competency in safety regulation

The largest branch in RSD, Mines Safety, has moved out of the phase of heavy recruitment and change that has characterised the last four years. The experience of that period is now being utilised in fine-tuning training for inspectors. The emphasis on customised, competency-based training benchmarked to national standards is continuing.

RSD has amalgamated the Petroleum and Dangerous Goods Safety branches, which has allowed for an invigorated approach to training and development for their inspectors.

Building on the Certificate IV in Government (Investigation) course that all inspectors are required to attend, a Diploma course is available to a select group of inspectors who will lead investigations in their sections. The Diploma training has been customised to meet Departmental needs.

WA Hosts International Standards Meeting

In early 2014, the Western Australian Mobile Autonomous Mining Working Group developed guidance material for autonomous mining in WA. This was the first regulator-developed safety guidance covering autonomous equipment for the mining industry in the world.

Following a proposal presented at its London meeting in early 2014, the International Organisation of Standardisation (ISO) Technical Committee 127, developing global safety standards for earth-moving machinery, accepted an invitation from the Department to hold its next meeting in Perth.

The three-day meeting in September 2014 was hosted by the Department and Chamber of Minerals and Energy WA, and attended by Committee members from across the globe. The draft guidance for the safe implementation and operation of autonomous mining systems in Western Australia was discussed during the workshop on the first day.

The workshop provided opportunity for Australian experts to provide input to the development of the global safety standards. Significantly, the Committee altered its focus to autonomous mining systems from simply earth-moving machines, and incorporated substantial sections of Western Australia's draft.

On-road enforcement regime for Dangerous Goods Safety

The Dangerous Goods Safety branch continued its multiagency approach to on-road enforcement in 2014-15. Dangerous Goods inspectors collaborated with WA Police and Main Roads WA to urge dangerous goods transport companies to adhere to high transport safety standards. The branch exceeded its 2014-15 targets for on-road enforcement and has continued in its efforts to provide dangerous goods training to the WA Police and other road enforcement agencies.

During 2014-15, the branch presented a number of 'Six Pillars of Dangerous Goods Transport' presentations to industry groups in an effort to increase awareness of the correct things to do when transporting dangerous goods. This included holding lunchtime training sessions in Kwinana, Belmont and Wanneroo and hosting a stand at the 2015 Perth Truck and Trailer show.

guidance.

Baldivis Explosives Reserve Relocation

The design and development work is almost complete as part of the plan to relocate the Baldivis Explosives Reserve to the Shire of Harvey by December 2016. The new McLarty Reserve site is in the final stages of development before being signed off. It is expected that both reserves will be open concurrently to allow site users a seamless relocation.

Know your hazards video series

Resources Safety released the first three titles in its Know Your Hazards video series. These videos, developed by the Department for the Western Australian resources industry, aim to assist supervisors and work teams recognise common workplace hazards that have injured or killed people.

The videos are available on the Department's website at: www.dmp.wa.gov.au/20908.aspx, and may be downloaded and distributed for educational purposes. A supporting toolbox presentation is also available.

Information and education forums

Resources Safety staff were involved in 98 seminars, roadshows, presentations and expos for the resources sector, attended by 3,753 people.

Crane Registration Forum

Little improvement in the quality of crane registrations had been observed following the first industry crane information session held in July 2013. It was decided to run a second information session in July 2014 to reiterate the Department's concerns, raise awareness of the issues, and advise industry how compliance may be sought through means other than the registration process.

Seventy-five industry representatives heard Mike Dean, EUC Engineering, discuss the legal obligations for designers and suppliers of mining machinery, and Lex McCulloch, WorkSafe WA Commissioner, discuss his agency's role and approach to crane registration. RSD staff covered a number of topics including the Department's plans for the following year.

Diesel Particulate Forum

Resources Safety hosted the Diesel Particulate Forum in July 2014 to discuss the challenges associated with reducing diesel emissions and workers' exposure to diesel particulate matter (DPM). Issues associated with ventilation in underground mines were discussed in this context, and included presentations from industry, interstate regulatory bodies and DMP inspectors of mines.

2014 Mines Safety Roadshow

The 2014 Mines Safety Roadshow, during the month of October, was the tenth in an annual series presented by RSD. The program provided an update on mines safety and health in Western Australia from both a regulatory and industry perspective. The main focus was on improving hazard awareness, adopting appropriate risk management strategies, and supporting effective leadership and positive cultural change.

2014 ALARP Forum

On 14 November 2014, RSD's new Critical Risks Group hosted the inaugural industry forum aimed at providing operators with an overview of the requirements to ensure risks are driven to as low as reasonably practicable.

It is considered that a better understanding of the ALARP process will help industry improve safety and the ongoing mitigation of risk. The forum represented the regulator's expectations regarding safety, including demonstrating and documenting the process.

Toolbox presentations from the industry forum are available on the Department's website: www.dmp.wa.gov.au/21100.aspx

2015 Risk-based Hygiene Management Planning

Two industry-based information sessions were held in May to support industry transition occupational health and hygiene to a new risk-based approach. Sessions in Kalgoorlie and Perth attracted around 200 safety personnel, consultants and managers.

Risk-based hygiene management planning (RBMP) and changes to the contaminant monitoring (CONTAM) procedures were discussed. The sessions also focused on ventilation, noise management and diesel emission management plans.

2015 Exploration Industry Forum

The Forum was jointly presented by the Resources Safety and Environment Divisions in Perth in June, and replaced the annual Exploration Safety Roadshows. As well as an update of the safety and environmental reform processes, the event provided information and guidance on safety and environmental management associated with mineral exploration.