

Mine Safety Advisory Council



Minutes

9:00am-1:00pm 22 April 2010 Boardroom, NSW Minerals Council Level 3 / 12 O'Connell Street, Sydney

No.	Item	Attachment	Action
1.	Welcome and apologies		
	Present:		
	Members: 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).		
	Secretariat: Tim Crakanthorp (Acting EO), Bruce Jones (Acting SPO) Observer: Andrew McMahon (NSWMC)		
	Apologies: Wayne McAndrew (CFMEU), Ian Murray (CFMEU), Alan Coutts (I&I NSW)		
	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.		
2.	Business arising from the minutes		
	Adoption of Minutes from last meeting		
	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.	1	Minutes adopted.
	Business arising from the Minutes		
	 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. 		Chairman to write again to the Minister about matters outstanding.

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	Update on conflict of interest The Chairman took members through the document prepared by the Secretariat. Henoted 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.	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.	NSW Mining Industry Health Working Party (HWP)		
	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: 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 	3	
	 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. 		Members support the direction of the Health Working Party.
	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.		All documents coming from MSAC initiatives to have MSAC logo
	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) –		on it.
	 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. 		I&I NSW to discuss the ANTS program
	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 wondsered whether MSAC was aware of this.		with CSPL.
	 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. 		

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4.	Industry Assistance Unit Update		
	The Chairman brought members' attention to Attachment 4 on the work of the Industry Assistance Unit (IAU):	4	Members are
	 I&I NSW briefed members on the IAU's current workshop program and stated that MSAC was acknowledged as the driver of the IAU health workshops and that the workshops are proceeding well with continual fine-tuning. 		pleased IAU workshops are being received positively
	Members were encouraged to attend and give feedback.		and to communicate
	 CCAA's member advised that she is aware of other organisations, such as the Institute of Quarrying Australia, that are interested in participating in these workshops and in using their format. 		this to the IAU. Members agreed that I&I NSW facilitate workshop packages being made available on the Web.
	 I&I NSW advised it is intending to put these workshops as packages on the web so mine sites can run them themselves and these could also be accessed by others. Members agreed. 		
	 NSWMC suggested that the filming of sessions at their conference could provide additional material for any web-based workshop material. 		
	 The Chairman summarised that the IAU is producing worthwhile material and he was encouraged by the work they are doing and asked that MSAC's apprecation be conveyed to them. 		
5.	World-leading OHS Culture Working Party The Chairman brought members' attention to the part item of business and Attention to 1.5. 6. 7 and 8 regarding underes on the		
	The Chairman brought members' attention to the next item of business and Attachments 4, 5, 6, 7 and 8 regarding updates on the work of the World Leading OHS Culture Management Working Party (CWP).		
	OHS Culture Project update	5	Cusan Fields to be
	 The Chairman informed members that since the last Council meeting the CWP had selected a a consultant to deliver the Culture Project and a contract has been signed with Shaw Idea Pty Ltd 	3	Susan Fields to be CCAA rep on CC PSG. MSAC members to be advised of major announcements before they are made public.
	The Project is now moving steadily forward and is scheduled to take 40 weeks		
	Susan Fields advised she will be the CCAA representative on the Culture Change Project Steering Group (CC PSG)		
	 Independent Member McPhee requested that members be informed when events such as the awarding or signing of the contract with Shaw Idea for the Culture Project are made. The Chairman agreed this was a good point and advised that MSAC members will be emailed about announcements in the future prior to them being made public. 		
	ANTS Project	6	
	The Chairman briefed members on the ANTS workshops conducted in March		Noted
	A draft report is currently being reviewed and will be considered by CWP next month		
	He expects that a final ANTS report will be ready for the Summit event		

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•	It is important this report feeds into the Culture Project		
•	The consultant David Caple will give a paper at Minerals Council conference in May without undermining anything that requires consideration by MSAC and the CWP		
•	The ANTS process is on track to meet the original timelines		
•	The Acting Executive Officer expressed appreciation for the Chairman's participation in the ANTS workshops and showing leadership to those attending on this issue – which is one of the key ANTS issues. The Minerals Council observer congratulated the consultant for keeping people on track in the workshops.	7	Noted.
Mark	eting Project		
The C	Chairman summarised the marketing activities since the last meeting:		
•	A Request for Proposal had been sought from three companies and all were expensive		
•	The selection panel decided not to accept any but, as all had a base fee, the panel decided to consult further with Peach as the best one to develop a concept strategy		
•	Since the panel met, the Communications Unit has had discussions with Peach about a more detailed proposal that can be discussed at the next CWP meeting.		
The A	cting Executive Officer advised of further discussions in the following week and that the matter is progressing.		
	Chairman thanked Andrew McMahon for his assistance in this process and invited members to continue to support the work of ng party. Members concurred.	8	
Educ	ating mining communities strategy		Further information
•	The Acting Executive Officer advised that letters had been sent to Bathurst and Blayney Councils about their community road safety program and that the Chairman will also be raising Cobar region company involvement at the Metalifferous Industry Safety Advisory Committee next month for Cobar mines;		from NSWMC to be provided to the Secretariat on the Cadia Road Safety
•	NSWMC member, Tony McPaul, offered to provide documentation of the program developed by Newcrest apprentices for the Cadia road safety project. He also advised that the program results haven't been reviewed but will be over the next 2 years.		program. Members support the direction of the
•	The Secretariat will advise the Communications Unit of this information.		Culture Working Party.
NSW	minesafety Website	9	Noted.
•	The Chairman expressed again his concern that this key initiative is still waiting ministerial approval. Nonetheless, the CWP has discussed quotes for further web site development and work that is needed on the linkages to the planned site, and reported that a further meeting is being held next week regarding the web site		
•	The Chairman thanked Andrew McMahon for the expertise he is providing in this area		
•	The Acting Executive Officer confirmed to members that their comments from last meeting about the web site have been		

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	incorporated into the latest design		
6.	NSW Mine Safety Performance Report		
	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:	10	
	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		Members to provide
	The Chairman invited comments and suggestions for improvement.		feedback to the
	Discussion followed regarding: 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		Secretariat on this report by close of business 6 May 2010 after which it would be
	Whether the categories equate to agreed standards from other agencies		published on the
	 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. 		website and distributed to the I&I NSW mining
	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.	database.	database.
7.	Programmed Work		
	Wran Schedule		
	Members were updated on progress on work under the Wran Mine Safety Review recommendations. The update included the following:	11	Noted.
	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. 		

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	Summary Matrix of MSAC Programmed Work	12	Noted.
	The Acting Executive Officer advised the following:		
	 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. 		
	Programmed work schedule for 2010/11		
	The Acting Executive Officer advised members on matters from the work schedule.	13	Noted
	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.		
	MSAC Business		
	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.		
	Mine Safety budget update - Quarterly Report (Q3)	14	Noted
	 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. 		
	MSAC 2009-10 Budget update		
	The Acting Executive Officer took members through the MSAC budget update:	15	Noted
	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. 		
	National Mine Safety Framework (NMSF) update		
	I&I NSW advised that the NMSF steering group meets on monthly basis and is working on recommendations for drafting		

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	instructions for consistent OHS mine legislation:		
	The plan is to have something complete from the next meeting in May for the next ministerial council meeting on this issue		NSW is seeking the
	 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 		same level of protection in underground coal
	While the legislation will be consistent, it is not clear that all states will enact the same instruments.		mining as currently
	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.		exists.
9.	Other Business		
	 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. 		Next MSAC meeting to be held in Wollongong – venue to be advised.
	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.		
10.	Close Meeting closed at 1.15 pm		
	Next Meeting – 24 June 2010 in Wollongong – venue to be advised.		