

Minutes

NSW Mine Safety Advisory Council

Details

Location:

Mining and Energy Union
67a Aberdare Road
Cessnock NSW 2325

Date/time:

1 June 2023
9am to 12pm

Secretary:

Mr Tony Linnane
Mining, Exploration and Geoscience,
Department of Regional NSW

Members

1. **Chairperson:** Hon. George Souris AM, Independent Chair
2. Prof. Deborah Yates, Independent
3. Ms Julie Armour, Independent
4. Mr James Collings, Cement Concrete and Aggregates Australia
5. Mr Ian Cribb, NSW Minerals Council (coal)
6. Ms Kylie Harris (representing Aaron Brannigan, NSW Minerals Council (metalliferous))
7. Mr Peter Day, Resources Regulator, Department of Regional NSW
8. Mr Robin Williams, Mining and Energy Union
9. Mr Graeme Osborne, Mining and Energy Union

Observers

10. Mr Ron Cowdrey, Australian Workers' Union, New South Wales Branch
11. Mr Garvin Burns, Resources Regulator, Department of Regional NSW
12. Mr James Barben, NSW Minerals Council
13. Mr Jason Kuchel, Cement Concrete & Aggregates Australia
14. Ms Lucy Flemming, Coal Services
15. Mr Anthony Margetts, Resources Regulator, Department of Regional NSW

Apologies

1. Mr Aaron Brannigan, NSW Minerals Council (metalliferous)

Secretariat

- A. Ms Anna Ormerod, Mining, Exploration and Geoscience, Department of Regional NSW
- B. Ms Vanessa Cleary, Mining, Exploration and Geoscience, Department of Regional NSW

Presenters

Nil

Meeting minutes

Paper	Agenda item
1	<p>Welcome and Chair’s report</p> <ul style="list-style-type: none">• The Chair opened the meeting at 9am.• The Chair delivered an Acknowledgement of Country. <p>Outcomes</p> <ul style="list-style-type: none">• Members noted the apologies, delegates and observers attending the meeting.• Members noted the member appointments expiring in 2023.• Members noted the events attended by the Chair since the last meeting.• Members noted the key stakeholder event planned for 2023.
2	<p>Declaration of interests</p> <ul style="list-style-type: none">• No conflicts of interest were declared.• Mr Osborne advised that he is not paid as a member of the Royalties for Rejuvenation Fund Expert Panel but that his membership should be reflected in the ‘Memberships of Boards and Committees’ column.• Ms Yates advised she has been appointed to the Royal Australasian College of Physicians Board. <p>Actions</p> <p>A. Secretariat to update the pecuniary interests table for Mr Osborne and Ms Yates.</p>
3	<p>Acceptance of previous minutes and actions</p> <p>Outcomes</p> <ul style="list-style-type: none">• MSAC endorsed the minutes of the last meeting on 2 March 2023.• Members noted the status of actions arising from the last meeting.
4	<p>Correspondence</p> <p>Outcomes</p> <ul style="list-style-type: none">• Members noted the incoming and outgoing correspondence since the last meeting.

Paper	Agenda item
5	<p data-bbox="260 208 1426 286">Update on report on the Review of coal industry health surveillance scheme</p> <p data-bbox="260 327 429 360">Outcomes</p> <ul data-bbox="260 383 1461 801" style="list-style-type: none"> • Members discussed the recommendations of the final report and their implementation, the Coal Services submission, feedback from the NSW Minerals Council representatives, further information from the University of Illinois and the Department’s summary of findings and proposed actions. Members noted that scope and oversight of delivery of future projects be a priority for regular review by MSAC. • MSAC agreed the review steering committee oversee the implementation of the recommendations from the report. • MSAC agreed that the implementation of recommendations be finalised by December 2023. • MSAC endorsed the additional actions in the report be included as part of the overall recommendations. <p data-bbox="260 842 384 875">Actions</p> <ul data-bbox="260 898 1458 1167" style="list-style-type: none"> B. Department to prepare advice to the Minister on the report on the review of coal industry health surveillance scheme and seek the Minister’s approval to publish the report. C. Department to coordinate a meeting of the review steering committee to discuss the implementation of the recommendations from the report. D. Department to prepare a paper for the next meeting detailing timelines of actions for the implementation of recommendations.
6	<p data-bbox="260 1227 1115 1261">Development of MSAC Strategic Plan 2023-2026</p> <p data-bbox="260 1301 429 1335">Outcomes</p> <ul data-bbox="260 1357 1422 1890" style="list-style-type: none"> • Members agreed to change the heading of the strategic direction from ‘proximity detection systems’ to ‘vehicle interactions’. • MSAC agreed to the strategic priorities for the 2023-2026 strategic plan: <ul data-bbox="312 1491 1422 1809" style="list-style-type: none"> – addressing recommendations from the independent review of the NSW health surveillance scheme for coal mine workers – airborne contaminants workplace exposure standards – psychosocial hazards – monitor relevant major incidents, incident statistics and inquiries – vehicle interactions – cultural reporting survey. • MSAC agreed that the Department develop a draft strategic plan for member consideration at the next meeting. <p data-bbox="260 1930 384 1964">Actions</p>

Paper	Agenda item
	<p>E. Department to update the strategy by moving the dot points under ‘Psychosocial hazards’ to ‘Airborne contaminants workplace exposure standards’.</p> <p>F. Department to draft a strategic plan to 2026 for consideration at the next MSAC meeting.</p>
7	<p>Collision Avoidance Discussion Paper</p> <p>Outcomes</p> <ul style="list-style-type: none"> MSAC endorsed the proximity detection and collision avoidance discussion paper.
8	<p>Member updates</p> <p>Outcomes</p> <ul style="list-style-type: none"> Members noted the report tabled by Coal Services.
9	<p>National Dust Disease Task Force</p> <p>Outcomes</p> <ul style="list-style-type: none"> Members noted that the draft National Silicosis Prevention Strategy and accompanying National Action Plan were released for consultation and the NSW Resources Regulator provided feedback via the online survey.
10	<p>Legislative framework update</p> <p>Outcomes</p> <ul style="list-style-type: none"> Members noted that Safe Work Australia released its Report: Workplace Exposure Standard (WES) for diesel particulate matter for a four-week public consultation ending 4 June 2023. Members noted that the Report recommends an 8-hour time weighted average (TWA) of 0.015mg per cubic metre (or 15µg REC/m³) for diesel particulate matter as respirable elemental carbon. Members noted that the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 prescribes a WES of 0.1mg per cubic metre (or 100µg REC/m³) measured as sub-micron elemental carbon, for diesel particulate matter. Members noted the presentation by Mr Cribb.
11	<p>NSW Resources Regulator report</p> <p>Outcomes</p> <ul style="list-style-type: none"> Members noted the Quarterly safety report – January to March 2023.
12	<p>Mine safety levy report</p> <p>Outcomes</p>

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	<ul style="list-style-type: none"> Members noted the correspondence from the Resources Regulator to MSAC regarding the 2023/24 Levy determination. Members noted the Mine Safety Levy Fund report – Actuals and Forecast April 2023. Members noted the Internal Audit Report – Mine Safety Levy.
13	<p>2023 meeting dates and venues</p> <p>Outcomes</p> <ul style="list-style-type: none"> Members noted the next meeting will be held in Orange. Members noted that the December meeting may be held in Sydney subject to the Minister’s attendance. <p>Actions</p> <p>G. Secretariat to confirm the location and start time for the December meeting.</p>
14	<p>Additional business</p> <ul style="list-style-type: none"> Mr Williams asked for clarification on whether MSAC members can seek advice from someone outside of MSAC. The Chair advised that if it is someone employed at the same organisation as the member then it is appropriate. Mr Linnane commented that members are bound by code of conduct and confidentiality. There is no issue seeking advice within a member’s organisation but it must be done so in the context of maintaining confidentiality and code of conduct requirements and ensuring that extends to anyone from advice is sought.
	<p>The meeting closed at 12pm.</p>

Summary of actions

AGENDA ITEM	ACTION
2. Declaration of interests	A. Secretariat to update the pecuniary interests table for Mr Osborne and Ms Yates.
5. Update on report on the Review of coal industry health surveillance scheme	B. Department to prepare advice to the Minister on the report on the review of coal industry health surveillance scheme and seek the Minister’s approval to publish the report.
	C. Department to coordinate a meeting of the review steering committee to discuss the implementation of the recommendations from the report.
	D. Department to prepare a paper for the next meeting detailing timelines of actions for the implementation of recommendations.
6. Development of MSAC Strategic Plan 2023-2026	E. Department to update the strategy by moving the dot points under ‘Psychosocial hazards’ to ‘Airborne contaminants workplace exposure standards’.
	F. Department to draft a strategic plan to 2026 for consideration at the next MSAC meeting.
13. 2023 meeting dates	G. Secretariat to confirm the location and start time for the December meeting.