



MINUTES

Mining and Petroleum Competence Board (the Board)

MEETING NO.	4 for 2017	DATE	Tuesday 21 November 2017
LOCATION	Department of Planning and Environment – Mine Safety Technology Centre, 8 Hartley Drive, Thornton	TIME	10.02am – 2.10pm
CHAIR	Ruth Mackay		
MEMBERS ATTENDING	Jason Floyd (NSW Minerals Council), Leanne Parker (CCAA), Steve Barrett – alternate for Andy Honeysett and Tony Watson – alternate for Keith Shaw (CFMEU), Ron Cowdrey (AWU), Tony Linnane and Mel Brown – alternate for Dave McLean (NSW Resources Regulator), Bob Gibbons (Independent)		
OBSERVERS	Ruth Scott (NSW Resources Regulator – Mining Competence Team)		
SECRETARIAT	Andrew Palmer, John Flint		
APOLOGIES	Andy Honeysett, Keith Shaw, Dave McLean, Greg Shields (NSWMC)		

No.	Item	Status / Actions
1	Introduction <ul style="list-style-type: none"> Chair provided overview of site facilities and emergency arrangements The Chair acknowledged country for the Wonnarua people. 	
1.1	Welcome and apologies <ul style="list-style-type: none"> The Chair welcomed all in attendance, including Jason Floyd as the new member for the NSW Minerals Council (metalliferous). Apologies noted. Chair also acknowledged the passing of former member, Tony Ingram, and his extensive contribution to the Board, the Quarry Manager Examination Panel and the quarrying industry. 	
1.2	Declaration of conflict of interest <ul style="list-style-type: none"> No declarations were recorded 	
1.3	Acceptance of previous minutes and actions arising – Paper 1 <ul style="list-style-type: none"> Steve indicated that the CFMEU still have concerns about the 	1. Moved by Leanne, seconded Bob that previous minutes without amendment be endorsed by Board. Agreed. 2. Status of action items noted by Board as completed, or being

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	<p>appointment of an examiner. The Chair confirmed that the person had been appointed in the absence of any further information being provided by the CFMEU to the Secretariat since the last meeting. Steve thought the proposed examiner training in paper 12 may benefit the examiner.</p>	<p>progressed, most through papers to be tabled at the meeting</p>
1.4	<p>Correspondence – Paper 2</p> <ul style="list-style-type: none"> • Tony spoke about the letter to him from John McKendry, CPD Administrator of the Mine Managers Association of Australia (MMAA) advising of development of their CPD scheme and online system to satisfy the NSW Maintenance of Competence Scheme and requesting amendments for: <ul style="list-style-type: none"> • In common starting dates for the members • Set figures for the amount of hours that must be satisfied for formal learning type instead of varying percentages. <p>Board agreed that scheme cannot be amended for one organisation and that the scheme is designed to be flexible so the individual chooses how they will comply.</p>	<ol style="list-style-type: none"> 1. Letter from Minister Harwin to Chair of Board advising the appointment of Jason Floyd as the NSW Minerals Council member noted <p>ACTION ITEM 1 – Letter from Director Mine Safety Performance in response to Mine Managers Association of Australia letter advising of no change to the maintenance of competence scheme.</p>
2	For Discussion and/or Decision	
2.1	<p>Update on practising certificates and maintenance of competence scheme – Paper 3</p> <ul style="list-style-type: none"> • Andrew gave an overview of report in paper 3 with 52 practising certificates being issued since 1 September to 10 November for certificate of competence holders. The Regulator thinks implementation is progressing well with the preparations made by their Mining Competence Team. 	<ol style="list-style-type: none"> 1. The Board supports the progress with implementation of the practising certificates and maintenance of competence scheme
2.2	<p>- Amendments to certificate of competence pre-requisites – Paper 4</p> <ul style="list-style-type: none"> • Tony explained that the amendments are proposed by the Regulator as 	<p>The Board:</p> <ol style="list-style-type: none"> 1. Endorsed broadening the existing prerequisite specification for Mechanical Engineering Certificates of Competence to

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	<p>an action from the last board meeting to consider alternative equivalent qualifications for the Mechanical Engineer of coal mines other than underground mines certificate of competence, in particular the Bachelor of Engineering (Mechanical Engineering) issued by an Australian university as a pre-requisite. The review was prompted by an application from a candidate being rejected as the degree qualification was not mechanical.</p> <ul style="list-style-type: none"> • During discussions of the proposed amendments, it was agreed to add engineering qualifications recognised under the international accords of Washington, Sydney and Dublin to be equivalent qualifications to that of a Bachelor or Engineering relevant to the discipline eg. mining. • Members agreed to remove the prerequisite qualification option of three years working in a position superior to an Open Cut examiner in lieu of a minimum qualification of Diploma of Surface Operations Management for the Mining engineering manager of coal mines other than underground mines Certificate of Competence. The option is a legacy issue from a time that the qualification was not readily obtainable but it is no longer relevant to remain as an option. 	<p>automatically include Engineering Degrees that that are accepted as Accredited Programs eligible to be within the Engineers Australia Mechanical Engineering Area of Practice in the disciplines of:</p> <ol style="list-style-type: none"> Mechanical Mechatronics Manufacturing Maintenance Aeronautical Avionics Refrigeration Automotive <p>or equivalent commencing in 2018. The candidate must also be eligible to be registered as an Engineer in the Engineering Australia Mechanical College.</p> <p>2. Endorsed from 2018 to remove prerequisite qualification option of three years working in a position superior to an Open Cut examiner in lieu of a minimum qualification of Diploma of Surface Operations Management for the Mining engineering manager of coal mines other than underground mines Certificate of Competence.</p> <ul style="list-style-type: none"> ○ Board endorsed to add to the pre-requisites for all certificates of competence requiring an engineering discipline type degree to accept engineering qualifications related to the discipline and recognised under the international accords of Washington, Sydney and Dublin <p>ACTION ITEM 2 – Secretariat (Andrew) to initiate endorsed amendments for 2018 examinations</p>

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		<p>ACTION ITEM 3 – Mining Competence Team (Ruth) to send letter advising candidate, whose application to sit the 2017 Coal Mine Mechanical Engineer Certificate of Competence was rejected, of the expanding of degree qualification recognised as pre-requisites</p>
2.3	<p>Procurement planning for identifying competencies– Paper 5</p> <ul style="list-style-type: none"> Board advised Regulator to release tender in the week after the long weekend in January 2018. Regulator will additionally publicise request for tender in email to mine safety subscribers. Stephen raised the issue of underground coal mines not auditing their dust explosion control measures and standards with a person holding a practising certificate for this function as per schedule 10 of the WHS (Mines and Petroleum Sites) Regulation. Issue referred to Tony as a potential education and compliance issue for the Regulator, with Steve to provide further details of possible mines not complying 	<p>The Board:</p> <ol style="list-style-type: none"> endorsed the procurement plan developed by the Resources Regulator to procure a consultancy to identify competencies from the descriptions (paper 5 for deliverables and attachments A to D for tendering) nominated Board members Leanne Parker, Keith Shaw and Jason Floyd for the tender evaluation committee <p>ACTION ITEM 4 – Secretariat to organise tender action as per procurement plan and operate evaluation committee</p>
2.4	<p>Underground mine supervisor: gazetting and examiner feedback – Paper 6</p> <ul style="list-style-type: none"> Noted memo from casual examiners on the conduct of oral examinations for underground mine supervisor certificate of competence candidates 2017 and recommended change for experience pre-requisite to include stoping operations In noting memo from examiners, the Board did not agree that candidates need to be competent in all methods of mining eg. in coal mining, candidates are not expected to be competent in pillar extraction but to have an awareness. The mine operator is to ensure the certificate holder is competent for the mining methods used. Board agreed that it is appropriate for underground mine supervisors to have a unit of competence for managing blasting operations. This is consistent with the minimum Deputy Certificate of Competence pre 	<p>The Board:</p> <ol style="list-style-type: none"> Endorsed the Regulator gazetting holders of the practising certificate for Underground Mine Mining Engineering Manager (other than coal) to practise in the Underground Mine Supervisor function Endorsed for 'Manage blasting operations' unit of competence (RIIBLA401D – attachment B) be a prescribed elective for the Certificate IV in Metalliferous mining operations (Underground) to satisfy the qualification pre-requisite for underground mine supervisor certificate of competence from 2019 examinations Advised the regulator to: <ol style="list-style-type: none"> Inform the underground mine supervisor examination panel

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	<p>requisite Certificate IV qualification (RII40415) that requires persons to choose one elective unit of competence for underground shotfiring operations (Support RIIBLA202E or Conduct coal RIIBLA302D)</p>	<p>that the assessment of candidates is for generic WHS supervision and competencies eg. how to manage/supervise an emergency like misfires of explosives.</p> <p>b) Consult with the Metalliferous Industry Safety Advisory Committee at their 29 November 2017 meeting on the proposed amendments to the Underground Supervisor Certificate pre-requisite qualifications</p> <p>ACTION ITEM 5 – Secretariat (Andrew) to organise gazetting</p> <p>ACTION ITEM 6 – Mining Competence Team Secretariat to inform underground mine supervisor examination panel of generic WHS assessing</p> <p>ACTION ITEM 7 – Secretariat (John) to consult MISAC on proposed changes to underground mine supervisor certificate requirements</p>
2.5	<p>Review of scheduling exams – Paper 7</p> <ul style="list-style-type: none"> • At the 22 August 2017 meeting, the Board raised the issue of candidates for the Quarry Manager certificate of competency completing their oral examination during the 2017 written examination. • Tony advised that the Regulator wants all oral examinations for certificates of competence to be conducted after the candidate passes the written examination, as is the case for coal mining examinations. 	<p>The Board endorsed the Regulator’s proposal to schedule oral examinations of candidates after they pass the written examination for the certificates of competence for mines other than coal mines (including underground) from 2018.</p> <p>ACTION ITEM 8 – Mining Competence Team to communicate change to practise of conducting oral examinations for Quarry Manager and Mining Engineering Manager for Underground Mines (other than coal)</p>
2.6	<p>Review of certificate of competence experience pre-requisites – Paper 8</p> <ul style="list-style-type: none"> • The Board noted: <ul style="list-style-type: none"> ○ review being undertaken by the Australasian Mining Competency Advisory Council (AMCAC) of certificate of competence pre-requisites 	<p>ACTION ITEM 9 – Board members and their organisations to provide feedback to the Secretariat by 22 December 2017 on paper 8 for the proposed experience pre-requisites by the Regulator and the current</p>

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	<p>for consistency between jurisdictions (attachment A). The NSW Resources Regulator position at the 18 October 2017 AMCAC meeting was to have a tiered entry structure where the length of experience increases for each higher function in the management structure, including supervisory roles held.</p> <ul style="list-style-type: none"> ○ proposed Queensland coal certificate of competence experience pre-requisites for experience from 2018 (attachment B), which are to increase the length of experience requirements and require additional training ○ extracts from the NSW Guide to Certificates of Competence for practical experience pre-requisites that vary in the length and nature of experience required (attachment C) ● Stephen raised the issue of individuals not being able to obtain the necessary supervisory experience but discussions revealed that individuals could work to obtain it. He also raised concerns about the wording of the proposed experience pre-requisite wordings that would enable individuals to claim experience at the face when a mine is not cutting coal on maintenance backshifts. Board members are to provide feedback on the proposed wordings to the Secretariat (Andrew). ● Board discussed making the experience pre-requisites general and allow the examinations to assess whether the person has the experience to be competent, versus being very specific. Specific details could be set out in guidance like they are expressed in the Qld proposed requirements. 	<p>NSW and proposed Qld requirements.</p> <p>ACTION ITEM 10 – Secretariat to finalise and table proposed changes to NSW Certificate of Competence experience pre-requisites at the Board February 2018 meeting</p>
2.7	<p>Standards for conditioned practising certificate Mining Engineering Manager for Underground Mines other than coal - Paper 9</p> <p>The Regulator has developed a scheme for the Mining Engineering Manager Underground Mine other than coal Conditioned practising certificate, based on adapted version of the Quarry Manager scheme, where individuals are restricted</p>	<p>The Board endorse the competence standards for the Mining Engineering Manager for Underground Mines other than coal conditioned practising certificate for a specific mine recommended by the Resources Regulator:</p> <ol style="list-style-type: none"> 1) Hazard profiling tool to determine mine eligibility 2) Pre-requisites for applying for the practising certificate: <ol style="list-style-type: none"> a) Current first aid certificate b) One year's experience working in mining operations at a

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	to practising at a specific mine(s). The schemes are based on the former Production Manager Permit system conducted by the Resources Regulator.	mine, or equivalent experience working in civil works ACTION ITEM 11 – Mining Competence Team (Ruth Scott) to effect Board amendments to the experience requirements for details sought for: a) 'site rehabilitation' to be removed for both Underground Mine Mining Engineering Manager and Quarry Manager b) 'Ventilation' to be added for the Underground Manager certificate
2.8	Annual Report 2016/17 – Paper 10	Board endorsed 2016/17 annual report with editorial amendments that include acknowledging the passing of Tony Ingram ACTION ITEM 12 – Secretariat to effect Board amendments to the Annual Report and submit to the Minister by the end of 2017.
	Revised standards for Cable Repair Signatory Certificate of Competence - General Business Paper <ul style="list-style-type: none"> • Additional paper from the Resources Regulator seeking Board endorsement of revised competence standards to be applied for the Cable Repair Signatory certificate of competence. Revisions were made in consultation with two major cable repair organisations. 	Board endorses the competence standards set out in the revised Cable Repair Signatory certificate of competence assessment documentation: <ul style="list-style-type: none"> a) Modules (attachment A) b) Guide (attachment B) c) Application form (attachment C) ACTION ITEM 13 – Mining Competence Team (Ruth Scott) to implement Cable Repair Signatory certificate of competence assessment documentation.
3	Business for Noting	
3.1	Finalisation of statutory function descriptions <ul style="list-style-type: none"> • Andrew advised the 11 descriptions endorsed at the last Board meeting are to be published shortly and workshop participants are to be notified. 	ACTION ITEM 14 – Secretariat to draft remaining outstanding descriptions, including auditor functions, for Board February 2018 meeting
3.2	Confirmation of out of session appointments for examiners - Paper 11 <ul style="list-style-type: none"> • Ruth Scott advised the Board members had indicated their agreement to an appointment brief circulated by email out of sessions in October 2017. 	Ruth Mackay signed brief on behalf of Board to document the appointment of reserve members to the Underground Mine Supervisor panel:

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		<ul style="list-style-type: none"> • Christopher Hamilton • Giorgio Dall'armi
3.3	<p>Update on examination panel member 1 day assessment workshop – Paper 12</p> <ul style="list-style-type: none"> • In discussing the proposed content of the workshops in attachment A, John advised that Associated Non-Technical Skills will be covered as part of assessment so it is interwoven into the assessment and not treated separately. 	<p>The Board noted upcoming specialised assessment workshops for NSW Certificate of Competence examiners and their content (attachment A) to be held on 13 December 2017 at Tocal and 13 February 2018 in Sydney.</p> <p>ACTION ITEM 15 – Secretariat to organise an invitation for Stephen Barrett to attend the 13 February 2018 examiners training day.</p>
3.4	<p>Update on Australasian Mining Competence Advisory Council – Paper 13</p> <p>Tony summarised from the paper the outcomes of the 18 October 2017 meeting attended by himself, Ruth Mackay and Dave McLean:</p> <ul style="list-style-type: none"> • overview of the Skills Service Organisation for Resources and Infrastructure Industry (RII) Reference Committees and the four year work plan to review all units of competence and qualifications in the RII package, plus cross package initiatives to promote standardization. • Queensland Department of Natural Resources and Mines remains the only jurisdiction to require applicants to pass a legislation exam in order for their certificate to be recognised. All other states mutually recognise certificates without additional requirements, if they are for equivalent occupations, as per Mutual Recognition legislative requirements. • NSW presented paper mapping requirements for five coal production certificates of competency. The meeting generally agreed with the NSW Regulator proposal that experience requirements be tiered from three years for supervisor functions to five years for managers. 	
3.5	Independent member recruitment – Paper 12	ACTION ITEM 16 – Secretariat (John) to organise tripartite

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	<ul style="list-style-type: none"> John advised that applications had closed. He will be in contact with the members who volunteered to be part of the selection panel so there is tripartite representation. 	<p>selection panel for recruitment of independent from members who volunteered:</p> <ul style="list-style-type: none"> Andy Honeysett and Brock Skelton Leanne Parker and Jason Floyd Tony Linnane or Melanie Brown
4	<p>Other Business</p> <p>Andrew gave an update on the work of the Coal Industry Reference Committee which he is a member of:</p> <ul style="list-style-type: none"> The reviews of the following areas of units of competence is progressing with reports and/or endorsement of changes to units of competence: <ul style="list-style-type: none"> First emergency response Mobile Plant Operation and Materials Handling Tyre fitting Shotfiring Traffic management Cross sector projects for Cyber Security, Big Data and Teamwork & Communication are progressing with drafting for cases for change A review of assessment requirements for RII Units of competence is recommending to reduce the experience requirement for assessors for all AQF levels 	
4.2	<p>Meetings for 2018</p> <p>Board agreed to proposed meeting dates on agenda.</p> <p>Leanne offered to host the February 2018 meeting at Hanson offices, Sydney CBD.</p>	<p>ACTION ITEM 17 – Secretariat (Andrew) to send calendar meeting invitations for the following dates in 2018:</p> <ul style="list-style-type: none"> 20 February (Hanson offices, Sydney CBD) 22 May (Department of Planning, Sydney) 21 August (CFMEU National Office, Sydney) 20 November (Sydney – to be advised)

Actions arising from 22 August 2017 Board meeting

Item	Action	Current Status
1.4	Correspondence	
2	Regulator to provide the Board with explanation on why the National Engineers Register with Engineers Australia qualification is equivalent to the Regulator's certificate of competence.	Paper 11
2.5	Outcomes from meeting with examination panels (Paper 8)	
	<p>Recommendations 2 c) and d) from examiners Meeting to be considered at November board meeting after examiner workshop:</p> <p>a) consider removing open book exams (except perhaps copy of WHS legislation)</p> <p>b) questions should be scenario based application of requirements and not requiring quoting legislation.</p>	<p>Paper 6</p> <p>To be covered in report of outcomes from examiner training for May meeting</p>

Actions arising from 21 November 2017 meeting

Item	Action	Current Status
1.4	Correspondence	
	ACTION ITEM 1 - Secretariat writing response to Mine Managers Association of Australia letter advising of no change to the maintenance of scheme	Completed – see correspondence Paper 2
2.2	Amendments to certificate of competence pre-requisites	
	ACTION ITEM 2 - Secretariat (Andrew) to initiate endorsed amendments for 2018 examinations, including Mechanical Engineering; Mining engineering manager of coal mines other than underground mines; and international accords.	Completed (amendments to Guide made and to be published - awaiting CM9)
	ACTION ITEM 3 - Mining Competence Team (Ruth Scott) to send letter advising candidate, whose application to sit the 2017 Coal Mine Mechanical Engineer Certificate of Competence was rejected, of the expanding of degree qualification recognised as pre-requisites	Completed
2.3	Procurement planning for identifying competencies	
	ACTION ITEM 4 – Secretariat to organise tender action as per procurement plan and operate evaluation committee	Item 3.3 on agenda
2.4	Underground mine supervisor: gazetting and examiner feedback	

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	<p>ACTION ITEM 5 – Secretariat (Andrew) to organise gazetting of requirements</p> <p>ACTION ITEM 6 – Mining Competence Team Secretariat to inform underground mine supervisor examination panel of generic WHS assessing</p> <p>ACTION ITEM 7 – Secretariat (John) to consult MISAC on proposed changes to underground mine supervisor certificate requirements</p>	<p>Gazettal published and publicised in Mine Safety News update</p> <p>Completed with written response to memo senders and convenor</p> <p>Completed at November meeting of MISAC. Nil feedback</p>
2.5	Review of scheduling exams	
	ACTION ITEM 8 – Mining Competence Team to communicate change to practise of conducting oral examinations for Quarry Manager and Mining Engineering Manager for Underground Mines (other than coal)	Completed – Mine Safety News Update and in examination calendar. Panel advised.
2.6	Review of certificate of competence experience pre-requisites	
	<p>ACTION ITEM 9 – Board members and their organisations to provide feedback to the Secretariat by 22 December 2017 on paper 8 for the proposed experience pre-requisites by the Regulator and the current NSW and proposed Qld requirements.</p> <p>ACTION ITEM 10 – Secretariat to finalise and table proposed changes to NSW Certificate of Competence experience pre-requisites at the Board February 2018 meeting</p>	<p>Feedback provided by CFMEU and Bob Gibbons.</p> <p>Paper 5</p>
2.7	Standards for conditioned practising certificate Mining Engineering Manager for Underground Mines other than coal	
	ACTION ITEM 11 – Mining Competence Team to effect Board amendments to the experience requirements for details sought	Completed
2.8	Annual report 2016/17	
	ACTION ITEM 12 – Secretariat to effect Board amendments to the Annual Report and submit to the Minister by the end of 2017	Completed and report approved by Minister and published
	Revised standards for Cable Repair Signatory Certificate of Competence	
	ACTION ITEM 13 – Mining Competence Team (Ruth Scott) to implement Cable Repair Signatory certificate of competence assessment documentation	Completed with publishing
3.1	Finalisation of statutory function descriptions	
	ACTION ITEM 14 – Secretariat to draft remaining outstanding descriptions, including auditor functions, for Board February 2018 meeting	Underway
3.3	Update on examination panel member 1 day assessment workshop	
	ACTION ITEM 15 – Secretariat to organise an invitation for Stephen Barrett to attend the 13 February 2018 examiners training day.	Invite sent
3.5	Independent member recruitment	

Item	Action	Current Status
	<p>ACTION ITEM 16 – Secretariat (John) to organise tripartite selection panel for recruitment of independent from members who volunteered:</p> <ul style="list-style-type: none"> • Andy Honeysett and Brock Skelton • Leanne Parker and Jason Floyd • Tony Linnane or Melanie Brown 	<p>Agenda item 3.5</p> <p>(awaiting probity brief then Minister approval)</p>
4.2	Meetings for 2018	
	<p>ACTION ITEM 17 – Secretariat (Andrew) to send calendar meeting invitations for the following dates in 2018:</p> <ul style="list-style-type: none"> • 20 February (Hanson offices, Sydney CBD) • 22 May (Department of Planning, Sydney) • 21 August (CFMEU National Office, Sydney) • 20 November (Sydney – to be advised) <p>ACTION ITEM 18 – Secretariat (Andrew) to organise meeting locations for the 2018 meetings</p>	<p>Completed for 1st three meetings</p>