

# Coal Mining Safety and Health Advisory Committee

Annual report 2018–19





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## FROM THE CHAIR

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After almost 20 years, the Coal Mining Safety and Health Advisory Committee continues to play an important role in protecting the safety and health of coal mine workers. In 2018–19, advisory committee members have provided professional and informed advice to the Minister for Natural Resources, Mines and Energy on a range of ongoing and emergent issues and I would like to thank each member for their contribution.

It has been a sad year for the coal mining industry in Queensland. Three coal mine workers lost their lives while working in 2018–19, and a fourth man suffered fatal injuries at a coal mine shortly after the start of the new financial year. In addition, the industry has experienced numerous serious accidents. On behalf of all advisory committee members, I would like to express my deepest condolences and sympathies to the families, friends and colleagues of these men, and to all others affected by these and other workplace tragedies.

These types of incidents serve to remind the advisory committee of its over-riding mission to ensure that every worker is able to arrive home from work in the same condition, both physically and mentally, in which they started the day. In pursuit of this goal, I can advise that the advisory committee met eight times in 2018–19, taking the average over the last four years to more than seven meetings per year. Given the advisory committee has a requirement to meet twice per year, I commend the members' dedication to improving safety and health outcomes for coal mine workers.

Over the last 18 months, the advisory committee has embarked on a major program of work to review the effectiveness of the current mine safety and health legislative framework. This has been a difficult task as this program of work has not been attempted before and there are no simple benchmarks for what constitutes effective coal mining safety and health legislation. As part of this ongoing project, I entered into a contract in May 2019 on the advisory committee's behalf to conduct an expert legal study of the suite of coal mining safety and health legislation. This expert review, developed by the advisory committee, has since been extended by the Minister to cover the entire mining and quarrying sector.

Members have also provided the Minister with their own expert advice on a range of proposed legislative changes around issues such as industrial manslaughter, dispute resolution, protections from reprisals for reporting safety concerns, requirements for underground mines to employ qualified ventilation officers, statutory notification of mine dust lung diseases, and structural reforms for the resources safety and health regulatory body.

In 2018–19, the advisory committee developed and endorsed new recognised standards for the use and control of polymeric chemicals at underground mines (RS16), the classification and labelling of hazardous chemicals (RS17), heat management in underground mines (RS18), and the design and construction of surface mine roads (RS19). Amendments were also made to the recognised standard on explosion protection of diesel engines (RS03).

The advisory committee has also provided advice to the Minister on a range of issues related to management of mine dust lung disease including the management of respirable dust and respirable crystalline silica in coal mines, and Safe Work Australia's review of workplace exposure levels of airborne contaminants.

Another of the advisory committee's responsibilities is to develop and maintain the competencies which qualify a person to perform the duties of a coal mining statutory position under the *Coal Mining Safety and Health Act 1999*. In 2018–19, the advisory committee reviewed the competencies for supervisors and ventilation officers. These competencies ensure Queensland maintains a workforce with the necessary technical knowledge and qualifications to support a healthy and safe workforce in a rapidly changing industry.

While all members of the advisory committee have contributed equally over the past 12 months, I would like to take this opportunity to highlight the contribution of one member in particular. In June 2019, the longest serving member of the advisory committee, Greg Dalliston, tendered his resignation from the advisory committee due to his imminent retirement from the Construction, Forestry, Mining and Energy Union. I would like to personally thank Greg, or *Dallo* as he is known to his many friends, for his commitment to the advisory committee.



Dallo has been a member of the advisory committee since it was formed on the commencement of the current mining safety and health legislation and attended the very first meeting on 25 October 2000. Since then, he has worked tirelessly in ensuring that the work done by the advisory committee is at the forefront of safety and health initiatives in the coal mining sector.

His commitment has not only been through his attendance at the many advisory committee meetings over the past 20 years, but also through his participation in the advisory committee's recognised standards subcommittee and the many working groups for the development of other technical materials. He has dedicated countless hours to examining the findings of fatality and high potential incident investigations, coroner's inquests, case law and other legal precedents, as well as participating in legislative reviews and the training and development of coal mine workers.

On behalf of the advisory committee, I would like to say thank you Greg and I wish you a long, rewarding and happy retirement.

I would also like to thank all of the members of the advisory committee for their hard work and dedication to coal mining safety and health and their tireless efforts to ensure every person goes home safe and healthy every day. I look forward to working with the committee in 2019–20.

**Mrs Kate du Preez**  
**Commissioner for Mine Safety and Health**

## BACKGROUND

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The Coal Mining Safety and Health Advisory Committee is required to be established under part 6 of the *Coal Mining Safety and Health Act 1999*. Its establishment replaced the Coal Mining Safety and Health Advisory Council that had been in place since the legislation commenced in 2001.

The advisory committee is a tripartite body formed to provide advice to the Minister on coal mining safety and health. The advisory committee is an integral part of the governance arrangements that are in place to manage safety and health

in the industry and to ensure coal mine workers arrive home safe and healthy every day.

Under the *Coal Mining Safety and Health Act 1999*, the chair of the advisory committee must prepare an annual report on the committee's operations for the year. The report must be given to the Minister for Natural Resources, Mines and Energy as soon as practicable, but within four months, after the end of each financial year. The Minister must table the report in the Legislative Assembly within 14 sitting days.

## ROLE OF THE ADVISORY COMMITTEE

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The primary function of the advisory committee is to give advice and make recommendations to the Minister about promoting and protecting the safety and health of persons at coal mines.

The advisory committee must discharge its function by periodically reviewing the effectiveness of the:

- Act, Regulation and recognised standards
- control of risk to any person from coal mining operations.

In periodically reviewing effectiveness, the advisory committee must have regard to:

- the risk management performance of the coal mining industry
- the appropriateness of recognised standards

- education, training and standards of competency within the coal mining industry
- the implementation of recommendations from inspectors' investigations, coroners' inquests, boards of inquiry and other sources
- the promotion of community knowledge and awareness of safety and health in the coal mining industry
- any other matter referred to it by the Minister.

The advisory committee also has the function of establishing, recognising and publishing the competencies accepted by it as qualifying a person to perform the stated tasks, and the safety and health competencies required to perform the duties of a person under the Act.



## MEMBERSHIP

The advisory committee consists of nine members representing the Queensland Government, mine workers and mine operators, and an independent chair. Members are nominated to, and appointed by, the Minister. The chair of the advisory committee is the Commissioner for Mine Safety and Health, Mrs Kate du Preez. Members are appointed for terms of up to three years and there is no limit to the number of terms members can serve.

The advisory committee includes members from the Construction, Forestry, Mining and Energy Union (CFMEU), Electrical Trades Union (ETU), Queensland Resources Council (QRC) and Department of Natural Resources, Mines and Energy (DNRME).

**Table 1:** Coal Mining Safety and Health Advisory Committee members for 2018–19

NAME	MEMBERSHIP	ORGANISATION	NUMBER OF MEETINGS
Kate du Preez <sup>1</sup>	Commissioner for Mine Safety and Health	Independent chair	8
Russell Albury	Queensland Government representative	DNRME	2
Ian Cribb	Operators' representative	QRC	6
Greg Dalliston <sup>2</sup>	Workers' representative	CFMEU	6
Shaun Dobson	Queensland Government representative	DNRME	6
Stephen Evetts	Workers' representative	ETU	6
Jim Randall	Operators' representative	QRC	7
Luca Rocchi <sup>3</sup>	Queensland Government representative	DNRME	4
Stephen Smyth	Workers' representative	CFMEU	5

## Substitute members

Two substitute members were appointed to stand in when members were not available.

**Table 2:** Coal Mining Safety and Health Advisory Committee substitute members for 2018–19

NAME	MEMBERSHIP	ORGANISATION	NUMBER OF MEETINGS
Peter Baker	Operators' representative	QRC	7
Jason Hill	Workers' representative	CFMEU	6

<sup>1</sup> Mrs du Preez was reappointed as the Commissioner for Mine Safety and Health in June 2019 and, as a result of that appointment, as the chair of the advisory committee.

<sup>2</sup> Mr Dalliston resigned his membership of the Coal Mining Safety and Health Advisory Committee on 26 June 2019.

<sup>3</sup> Mr Rocchi joined the Coal Mining Safety and Health Advisory Committee on 4 September 2019 on his appointment as the Chief Inspector of Mines.

## MEETINGS HELD

Under the *Coal Mining Safety and Health Act 1999*, the advisory committee has an obligation to meet at least twice a year. In 2018–19, the advisory committee held eight meetings. Three of the eight meetings were scheduled meetings and four were extraordinary meetings held to

discuss emerging issues referred to the advisory committee by the Minister. The eighth meeting was a strategic planning meeting to prioritise safety and health risks and begin planning for the next three years.

**Table 3:** Coal Mining Safety and Health Advisory Committee meetings in 2018–19

MEETING NUMBER	DATE	LOCATION
Board of Examiners nominations	17 July 2018	Teleconference
Board of Examiners recommendations	19 July 2018	Teleconference
86	5 September 2018	Brisbane
Regulator structure proposal	27 September 2018	Teleconference
87	12 December 2018	Brisbane
Legislative issues proposal–no quorum	25 January 2019	Teleconference
Strategic planning meeting–no quorum	19 March 2019	Brisbane
88–no quorum	20 March 2019	Brisbane





## WORK OF THE ADVISORY COMMITTEE

The advisory committee achieves its primary function by:

- reviewing the effectiveness of the legislation (Act, Regulation and recognised standards)
- reviewing the effectiveness of the control of risk to any person from coal mining operations
- recognising, establishing and publishing
  - the competencies qualifying a person to perform tasks prescribed under a Regulation
  - the safety and health competencies required to perform the duties of a person under the Act.

### Review the effectiveness of the legislation

In reviewing the effectiveness of the coal mining safety and health legislation, the advisory committee examines the *Coal Mining Safety and Health Act 1999*, the *Coal Mining Safety and Health Regulation 2017* and the suite of recognised standards published under the Regulation.

The advisory committee maintains a good working relationship with the Department of Natural Resources, Mines and Energy and will continue to identify amendments that it considers essential to the effectiveness of the suite of legislation and to review new and amended legislation as it is drafted.

### Review of Act, Regulation and recognised standards

In 2016–17, the committee initiated a review of the full suite of coal mining safety and health legislation in accordance with the requirements of the Act to periodically review the effectiveness of the legislation. A formal review of the effectiveness of the legislation had not been undertaken since the inception of the advisory committee.

The multi-phased review, which will continue in 2019–20, aims to advise the Minister on the effectiveness of the Act, Regulation and recognised standards, and the control of any risk to any person from coal mining operations.

As part of the review, the advisory committee is considering:

- the risk management performance of the coal mining industry
- the appropriateness of recognised standards
- education, training and standards of competency within the coal mining industry
- the implementation of recommendations from investigations conducted by mines inspectors, inquests by the Coroners Court of Queensland, boards of inquiry and other sources
- the promotion of community knowledge and awareness of safety and health in the coal mining industry
- any other matter referred to it by the Minister.

The advisory committee has made significant progress on the review and has recently initiated a project to undertake an expert legal assessment of the legislation. This project is the first stage in a multi-phased project and will form a strong foundation on which the advisory committee can base and continue its review in 2019–20.

The first stage is a legal assessment project which aims to conduct a thorough desktop review of each element of the regulatory framework to identify aspects which seem unclear, confusing or open to multiple conflicting interpretations, either within the Act or the Regulation, or across the framework as a whole. This review will also consider if there are *gaps* in the framework, including definitions that should be, but are not presently, provided and will assess the current balance between the Act and Regulation.

In 2018–19, targeted and structured consultations with regulators, industry, and union representatives were carried out to ensure that practitioner issues with the content of the existing framework were captured and considered.

The advisory committee will report on the outcomes of the expert legal assessment and any recommendations from that project to the Minister by the end of December 2019.

## Industrial manslaughter and other legislative amendments for resources safety and health

The advisory committee provided advice to the Minister and feedback to the department on whether a number of provisions in the *Work Health and Safety Act 2011* should be adopted for Queensland's resources safety and health legislation.

The proposed provisions related to:

- industrial manslaughter offences
- dispute resolution processes
- prohibitions on discriminatory, coercive and misleading conduct
- workplace entry by entry permit holders.

These measures were being considered for their potential to strengthen the current approaches under the resources safety and health Acts to discourage breaches of safety and health obligations, improve the effectiveness of the compliance and enforcement frameworks, and improve consistency with the *Work Health and Safety Act 2011*.

Key issues raised in the discussion paper related to the adequacy of:

- penalties under the resources safety and health Acts
- dispute resolution processes under the *Coal Mining Safety and Health Act 1999* and *Mining and Quarrying Safety and Health Act 1999*
- reprisal provisions in the resources safety and health Acts
- union representation of workers under the current frameworks in the *Coal Mining Safety and Health Act 1999* and *Mining and Quarrying Safety and Health Act 1999*
- proposals for inclusion of worker representation provisions in the *Petroleum and Gas (Production and Safety) Act 2004* and *Explosives Act 1999*.

In developing its advice and feedback, the advisory committee reviewed;

- general manslaughter provisions in Queensland and other jurisdictions
- industrial manslaughter provisions in the Australian Capital Territory

- work health and safety legislation for industry in Queensland
- expert opinions in relation to these provisions, and sought expert advice.

The advisory committee also considered submissions and the government's response to the Australian Senate *They never came home—the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia* inquiry; the Worksafe Queensland *Best practice review of workplace health and safety Queensland*; and the Queensland parliamentary inquiry into amendments to the Work Health and Safety Act.

## Amendments to the Coal Mining Safety and Health Act 1999

In 2018–19, the advisory committee analysed and provided advice to the Minister on a range of proposed amendments to the *Coal Mining Safety and Health Act 1999* contained in the Mines Legislation (Resources Safety) Amendment Bill 2018.

The advisory committee discussed with the department the timing of the Bill and transitional provisions and how additional priority statutory amendments might be advanced if they were not in the Bill.

Proposed amendments to the legislation in the Bill included a requirement for an underground mine to appoint a suitably qualified ventilation officer, enhancements to continuing professional development, officer obligations and the notification of diseases. The Bill received assent on 9 November 2018.



## Proposed resources safety and health regulator and funding models

In June 2018, the Project Management Office, which was established by the Minister to advise him on how the Queensland Government might best achieve the intent of a number of the recommendations of the Coal Workers' Pneumoconiosis Select Committee, released its final report on options for the resources safety and health regulator and funding models.

The Project Management Office suggested that additional consultation was key to ensuring that stakeholders have an opportunity to comment on the additional components in the proposed regulatory model.

As a result, in September 2018, the department issued a follow-up information paper *Regulatory framework for resources safety and health in Queensland—additional component recommended by the Project Management Office*.

This information paper contained key recommendations about the formation of a stand-alone regulator, including:

- the creation of a tripartite resource safety and health advisory council supported by subcommittees
- the establishment of a dedicated investigations unit reporting to the chief executive of the regulator
- the establishment of an independent Commissioner for Resources Safety and Health
- use of the Work Health and Safety Prosecutor to prosecute serious offences under the suite of resources safety and health legislation.

The advisory committee reviewed and provided the Minister with advice on this paper in January 2019.

## Updates to recognised standards

In 2018–19, the advisory committee finalised a procedure for consideration and endorsement of any new or amended recognised standards (Figure 1). This procedure will ensure that the advisory committee will assess the need for recognised standards considering four factors:

- there is an unacceptable level of risk
- it is an industry-wide issue
- currently not achieved by the legislative framework
- alternatives have been considered.

Under the procedure, the advisory committee establishes the purpose and scope of every recognised standard and refers it to its recognised standards subcommittee. The subcommittee establishes working groups to develop draft recognised standards for the advisory committee's endorsement.

In 2018–19, the advisory committee worked closely with the department, directly and through the recognised standards subcommittee, on the development of a number of recognised standards.

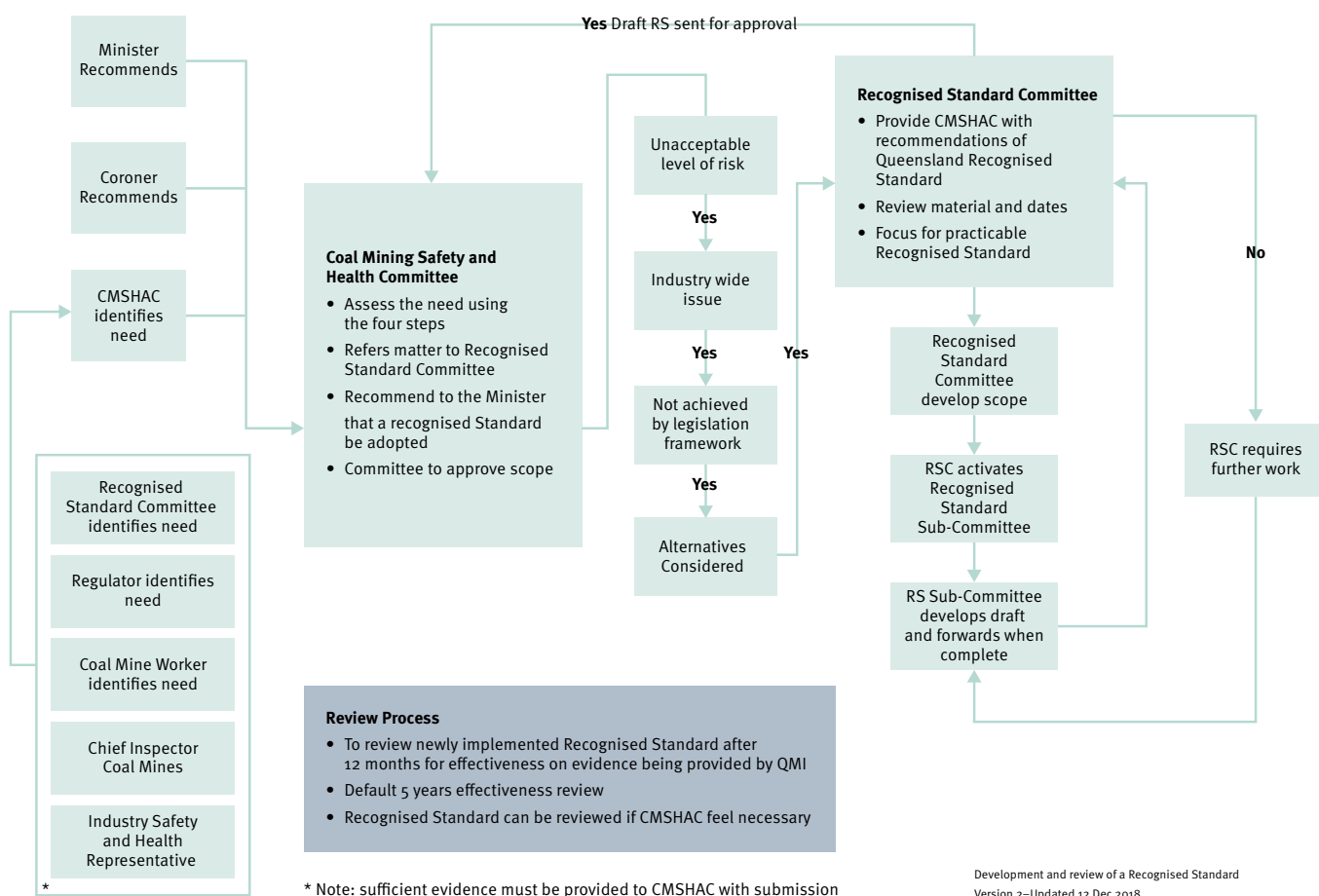


Figure 1: Procedure for consideration of recognised standards

### The use and control of polymeric chemicals at underground coal mines (RS16)

This recognised standard applies to the use of polymeric chemicals at Queensland coal mines. This includes any use of *single use systems*, including but not limited to application for ventilation control device sealing. It does not include the polymeric substance contained in *foam filled* tyres.

The purpose of this standard is to provide information, guidance and direction where required for a mine to develop, establish and maintain systems for the safe storage, transportation, usage and disposal of polymeric chemicals.

This recognised standard was gazetted on 31 May 2019.

### Hazardous chemicals (RS17)

This recognised standard applies to substances, mixtures, and articles used, handled or stored at a coal mine which are defined as hazardous chemicals under the Coal Mining Safety and Health Regulation 2017.

The purpose of this recognised standard is to provide practical guidance to people involved in the manufacture, import, supply, use, handling or storage of hazardous chemicals or how to correctly label hazardous chemicals used, handled or stored at a coal mine.

This recognised standard was gazetted on 19 July 2019.



### **Management of heat in underground coal mines (RS18)**

This recognised standard applies to underground coal mine operations where it is identified that temperatures in an underground operation may exceed 27°C wet bulb temperature.

The purpose of this recognised standard is to outline how to manage working in an underground coal mine in adversely hot and humid conditions, recognise the symptoms of different heat-related illnesses, and support the development of safety and health management systems for ensuring the health of people working in hot conditions.

This recognised standard was gazetted on 9 August 2019.

### **Design and construction of mine roads (RS19)**

This recognised standard applies to the design and construction of all mine roads in surface coal mines, including surface areas of underground coal mines.

The purpose of this recognised standard is to assist mine management and workers at coal mines to achieve an acceptable level of risk to people relating to the design and construction of mine roads.

This recognised standard was gazetted on 9 August 2019.

### **Explosion protection of diesel engines (RS03)**

In 2018–19, the advisory committee endorsed amendments to update and contemporise the recognised standard on explosion protection of diesel engines.

This recognised standard applies to internal combustion engines powering plant in an explosion risk zone 1 of an underground coal mine.

The purpose of this recognised standard is to assist manufacturers and users of plant powered by internal combustion engines to address the requirements of the Regulation when operated in an explosion risk zone 1 in an underground coal mine.

In 2018–19, the advisory committee consulted with industry regarding proposed amendments to the existing recognised standard aimed at bringing it into line with the Australian Standards. Once the additional consultation was completed, the Minister was advised that the amendments to the recognised standard had tripartite support.

### **Draft recognised standards**

The advisory committee has asked the recognised standards subcommittee to prepare new recognised standards on the following topics:

- management structures
- dust control in surface mines
- explosion barriers in underground mines
- mine sealing or sealing parts of mines.

The advisory committee is currently reviewing the recognised standard for monitoring respirable dust in coal mines (RS14).

### **Review the effectiveness of the control of risk to any person**

In reviewing the effectiveness of the control of risk to any person from coal mining operations, the committee provided independent advice to the Minister and department about:

- the management of respirable dust in coal mines
- Safe Work Australia's review of workplace exposure standards for airborne contaminants
- the management of fatigue in coal mines and mineral mines and quarries
- the legal implications of the outcomes of a range of court cases for the interpretation of the coal mining legislation
- the management of diesel particulate matter in open cut and underground mines
- nominations for vacant positions on the Board of Examiners
- the issue of dispute resolution and the protection of workers from retribution when raising safety and health issues
- how mine sites should be operated during electrical storms
- coal mining safety and health matters, including recognised standards, safety alerts and bulletins, and other documentation.

## Recommendations of the Monash University Centre for Occupational and Environmental Health review

Over the past few years, the advisory committee has worked closely with the department to implement responses to address the recommendations of the review by the Monash University Centre for Occupational and Environmental Health.

In 2018–19, the advisory committee was regularly briefed by the department's Occupational Health and Hygiene Unit. This included updates on the Wesley Hospital study into mine dust lung disease commissioned by the department and issues that the department had identified in the implementation of various initiatives.

### Respirable dust

The advisory committee has continued to provide advice to the Minister and department about effective strategies to manage respirable dust at coal mines.

In 2018–19, the advisory committee continued to monitor trends in industry dust results and dust exceedances on a quarterly basis. This quarterly review of dust results has identified that the exposure of miners to coal dust and coal dust exceedances has remained low, with average exposure rates and exceedance rates for the year well below the occupational exposure limits.

Exposure of workers to respirable crystalline silica levels has also remained well below occupational exposure limits. However, while respirable coal dust exceedances continued to drop in 2018–19, it is the first year that respirable crystalline silica exceedances were greater in number than coal dust exceedances.

The department informed the advisory committee that it has been reinforcing the message of the long-term hazards that respirable dust presents. Industry and unions expressed that the educational work that has been done over the last 12 months was exceptional.

Throughout the year, the advisory committee has continued to provide feedback and advice to the department regarding the ongoing development of the respirable dust database.

The advisory committee has also continued to provide advice to the Minister in relation to specific recommendations in the Coal Workers' Pneumoconiosis Select Committee report on approvals of dust abatement plans and ventilation management plans by the Commissioner for Mine Safety and Health.

### Safe Work Australia airborne contaminants review

The advisory committee met regularly with Safe Work Australia on its review of workplace exposure standards for airborne contaminants. The advisory committee provided feedback and advice on proposed changes to occupational exposure limits for coal dust and respirable crystalline silica including providing advice in relation to sources of data.

### Fatigue management workshop

In 2018–19, the advisory committee examined the impacts of fatigue on the health and safety of coal mine workers and provided advice to the Minister on strategies that can be implemented to minimise the risk to workers.

On 18 July 2018, the advisory committee contributed to a workshop held by the Commissioner for Mine Safety and Health and the Occupational Health Mining Advisory Committee which examined the current fatigue management practices in the mining and quarrying industry.

The workshop was attended by a range of mining industry stakeholders from both the coal and mineral mining and quarrying industries. It provided an opportunity to examine the causes of fatigue-related incidents and to further explore strategies that can be implemented to minimise the risk to workers.

Representatives from the Queensland Police Service, National Heavy Vehicle Regulator, and Crown Law presented to attendees and specialist fatigue expert Professor Naomi Rogers discussed the latest fatigue research.

Outcomes of the workshop included a recommendation that Resources Safety and Health revisit the current *Guidance note for fatigue risk management* and a call for greater sharing of information related to fatigue within the industry.



Following on from the workshop, the Commissioner for Mine Safety and Health arranged for Executive Legal Consultant, Crown Law Mr John Tate to brief the advisory committee on the latest case law, regulatory and legal perspectives on fatigue, and fatigue management. Mr Tate also provided a summary of *Kerle v BM Alliance*<sup>4</sup> and the Coroners Court of Queensland inquest into the death of Jo-ann Peta Fuller.<sup>5</sup>

Occupational fatigue, and the management of fatigue (whether off-site or on-site), remains a significant health and safety issue for many industries. The advisory committee will continue to consider and provide advice to the Minister on fatigue management on an ongoing basis.

## Legal implications of court outcomes

In 2018–19, the advisory committee provided the Minister with advice regarding the potential implications of a range of court cases on the interpretation of the coal mining legislation.

Members raised concerns that there were potential legal implications relating to the interpretation of the legislative framework. The advisory committee reviewed nine cases from a safety and health perspective in relation to the *Coal Mining Safety and Health Act 1999*, *Coal Mining Safety and Health Regulation 2017* and associated recognised standards.

The advisory committee sought the advice of Executive Legal Consultant, Crown Law Mr John Tate who provided expert legal advice on the potential effect of the judgments in the nine cases on the interpretation of the coal mining safety and health legislation.

The advisory committee determined that no legislative amendments were necessary. However, the advisory committee will continue to monitor case law to ensure that any potential issues are identified and considered and the Minister is advised on the need for any necessary adjustments to the legislation.

## Diesel particulate matter

The impacts on workers of diesel particulate matter is an ongoing concern for the advisory committee. It will continue to monitor the issue in anticipation of Safe Work Australia releasing its findings related to diesel particulate matter as part of its review of workplace exposure standards for airborne contaminants.

<sup>4</sup> *Kerle v BM Alliance Coal Operations Pty Ltd* (2016) 262 IR 381

<sup>5</sup> Coroner's inquest into the death of Jo-Anne Peta Fuller



## Nominations for the Board of Examiners

The Minister requested advice from both the Coal Mining Safety and Health Advisory Committee and the Mining Safety and Health Advisory Committee regarding nominations for two vacant positions on the Board of Examiners for coal mines and one for mineral mines and quarries.

On 17 July 2018, the advisory committee held a joint meeting with the Mining Safety and Health Advisory Committee to assess the nominations for the positions. The Coal Mining Safety and Health Advisory Committee held an additional meeting on 19 July 2019 to further examine the nominations and subsequently advised the Minister on its recommended appointees.

## Recommendations 20 and 21 of the Coal Workers' Pneumoconiosis Select Committee

In 2017, the Coal Workers' Pneumoconiosis Select Committee made a number of recommendations relating to the management of dust, including a requirement for dust management and abatement plans. Following the government's acceptance of the recommendations, or their acceptance in principle, the Minister referred the recommendations to the advisory committee for advice.

In 2018–19, the advisory committee considered three options:

- to continue using current legislative provisions
- to prescribe respirable dust as a principal hazard for which a principal hazard management plan is required
- require a new plan specific to dust to be established and legislated for.

The committee considered the recommendations and the relative merits of the options and provided advice to the Minister regarding the most suitable option.

## Operation of mines during electrical storms

On 27 November 2018, the department issued a safety bulletin regarding the operation of mines during electrical storms.

Industry members provided a briefing to the advisory committee on how lightning strikes are managed at particular locations, including in New South Wales. Members considered how mine sites should be operated during electrical storms based on this briefing and provided advice to the Minister and the department.

## Establishing, recognising and publishing competencies

The advisory committee is responsible for establishing, recognising and publishing the competencies qualifying a person to perform the duties of a coal mining statutory position under the Act.

The advisory committee maintains a list of approved competencies which is published on the Queensland Government's Business Queensland website. There are currently 29 competencies published for the coal mining industry. This list is periodically updated to ensure that people in coal mining statutory positions have appropriate skills and knowledge to perform their duties.

In setting the competencies, the advisory committee consults broadly, including with tripartite stakeholders, other jurisdictions and training organisations.



In 2018–19, the advisory committee considered new competencies for ventilation officers. It also worked with Skills Australia to consider potential changes to the competencies for supervisors. A decision on whether to implement these competencies is expected to be made in 2019–20.

## Ventilation officers

The *Mines Legislation (Resources Safety) Amendment Act 2018* enacted a requirement for coal mines to appoint a suitably qualified ventilation officer. The advisory committee considered the competencies that these critical positions would be required to hold and consulted with Simtars on suitable training requirements and competencies. Proposed qualifications were mapped against other states' competencies, training requirements, and qualifications. Work to finalise this competency will continue as a priority in 2019–20.

## Supervisor competencies

The advisory committee has worked with Skills Australia to consider potential changes to the competencies for supervisors on coal mines. Skills Australia is responsible for developing competencies on behalf of the Australian Government through the Australian Skills Industry Committee. The advisory committee is working with Skills Australia to ensure the competencies which are mandated for supervisors in the Queensland coal mining industry are suitable and in line with national standards.

## Stakeholder engagement

In 2018–19, the advisory committee consulted extensively with coal mining stakeholders, including:

- the department's Occupational Health and Hygiene Unit
- senior mining industry stakeholders to understand the effectiveness of mine safety and health legislation and regulation from a mine operator and union perspective
- Safe Work Australia in relation to the respirable airborne contaminants occupational exposure standards review project and the impacts that may have on workplace exposure standards in Queensland
- Australian Skills Quality Authority in relation to the multitude of training programs being offered by registered training organisations, and concerns that some training is substandard, and the impact that may have on the effectiveness of coal mine safety and health standards in Queensland
- Occupational Health Mining Advisory Committee in regard to the role of that committee in supporting the advisory committee regarding coal mine health standards and issues
- Glencore Australia and Anglo American Australia in relation to a risk-assessment project on a real-time dust monitoring device to determine if it is safe for use in flammable environments
- PwC in relation to a Skills Australia project examining competency requirements for supervisors.



## FUTURE CHALLENGES

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The mining industry is constantly changing. In order to ensure the advisory committee can continue to provide relevant and useful advice to the Minister, members determined that there was a need to explore the short, medium and long-term priorities for safety and health in the coal mining industry.

In March 2019, the advisory committee conducted a strategic planning session to:

- determine priority actions for the next three years
- ensure members understand their obligations as members of a government advisory committee
- ensure the strategic priorities of the Minister and the advisory committees are aligned.

The advisory committee considered the following mission statement:

*To improve health and safety performance of people in the coal mining industry in Queensland in order to save lives and prevent serious injuries and harm. This is achieved by having oversight of the safety performance of the industry, identifying current and emerging critical safety issues and advising the Minister so that appropriate action can be taken.*

It was determined that in order for the advisory committee to give relevant and useful advice and make recommendations to the Minister about promoting and protecting the safety and health of people at coal mines, the advisory committee would need to be evidence-based in relation to safety and health issues.

The strategic planning process will continue in 2019–20.



## EXPENSES INCURRED

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Members of the committee are not entitled to any remuneration other than the reimbursement of reasonable expenses and travel allowances to attend meetings.

The total advisory committee expenditure incurred by the Commissioner in 2018–19 in relation to the advisory committee was \$20,669.74.

EXPENSE	AMOUNT
Travel and accommodation	\$2105.74
Meetings (venue hire and catering)	\$1219.00
Contractors	\$17,345.00
Total	\$20,669.74



