

# Minutes

## NSW Mine Safety Advisory Council

### Details

**Location:** NSW Minerals Council  
Level 3, 12 O'Connell Street  
Sydney

**Date/time:** 7 September 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. Mr 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
10. Mr Ron Cowdrey, Australian Workers' Union, New South Wales Branch

### Observers

11. Ms Georgina Beattie, Mining, Exploration and Geoscience, Department of Regional NSW
12. Mr Anthony Margetts, Resources Regulator, Department of Regional NSW (via videoconference)
13. Mr James Barben, NSW Minerals Council
14. Mr Jason Kuchel, Cement Concrete & Aggregates Australia
15. Ms Lucy Flemming, Coal Services

### Apologies

Nil

### 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

### Attendee

The Hon Courtney Houssos MLC, Minister for Finance, Minister for Domestic Manufacturing and Government Procurement and Minister for Natural Resources (Minister attended for the meeting opening and address only).

## Meeting minutes

Paper	Agenda item
1	<p><b>Welcome and Chair’s report</b></p> <ul style="list-style-type: none"> <li>• The Chair opened the meeting at 9am.</li> <li>• The Chair delivered an Acknowledgement of Country.</li> <li>• The Chair welcomed:                             <ul style="list-style-type: none"> <li>– The Hon Courtney Houssos MLC, Minister for Finance, Minister for Domestic Manufacturing and Government Procurement and Minister for Natural Resources to the meeting as an attendee. Minister Houssos only attended the meeting opening and to deliver to her address.</li> <li>– Mr Cowdrey to his first meeting as a member.</li> </ul> </li> <li>• The Minister addressed the meeting. The Minister:                             <ul style="list-style-type: none"> <li>– acknowledged the paramount importance of work health and safety in the mining industry and the key role that the Council plays</li> <li>– thanked the Council for its recent work regarding the review of the coal mine worker health surveillance scheme and regarding airborne contaminants</li> <li>– congratulated the Council on its collaborative approach.</li> </ul> </li> </ul>
2	<p><b>Declaration of interests</b></p> <ul style="list-style-type: none"> <li>• No conflicts of interest were declared.</li> <li>• The Chair advised that an amendment to his declaration has been provided to the secretariat.</li> </ul> <p><b>Actions</b></p> <p>A. Secretariat to update the pecuniary interests register with changes requested by the Chair.</p>
3	<p><b>Acceptance of previous minutes and actions</b></p> <p><b>Outcomes</b></p> <ul style="list-style-type: none"> <li>• MSAC endorsed the minutes of the last meeting on 1 June 2023.</li> <li>• Members noted the status of actions arising from the last meeting.</li> </ul>

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4	<p data-bbox="260 219 547 259">Correspondence</p> <p data-bbox="260 304 429 340"><b>Outcomes</b></p> <ul data-bbox="260 365 1437 400" style="list-style-type: none"> <li>• Members noted the incoming and outgoing correspondence since the last meeting.</li> </ul>
5	<p data-bbox="260 461 831 501"><b>MSAC Strategic Plan 2024-2026</b></p> <p data-bbox="260 546 429 582"><b>Outcomes</b></p> <p data-bbox="260 607 536 642">Members agreed to:</p> <ul data-bbox="312 667 1453 987" style="list-style-type: none"> <li>– include the word ‘tripartite’ in the introduction on page 5</li> <li>– change the wording from ‘addressing recommendations’ to ‘overseeing implementation of recommendations’ in the MSAC priority focus areas on page 6</li> <li>– change the wording from ‘collision avoidance’ to ‘collision awareness’ in the MSAC priority focus areas on page 6</li> <li>– remove the word ‘revised’ from the workplace exposure standards for airborne contaminants strategy on page 7.</li> </ul> <ul data-bbox="260 1012 1453 1267" style="list-style-type: none"> <li>• Members noted that four emerging trends have been added since the draft plan was presented at the last meeting: isolation of energy, fatigue, sedentary work and use of progressive technology in safety control systems. Members agreed to the changes.</li> <li>• MSAC endorsed the draft MSAC Strategic Plan 2023 – 2026 subject to the above modifications.</li> </ul> <p data-bbox="260 1312 384 1348"><b>Actions</b></p> <p data-bbox="260 1373 1386 1453">B. Department to update the MSAC Strategic Plan with the changes requested by members and present to the Minister.</p>
6	<p data-bbox="260 1518 1192 1559"><b>Review of the coal worker health surveillance scheme</b></p> <p data-bbox="260 1603 429 1639"><b>Outcomes</b></p> <ul data-bbox="260 1664 1453 1991" style="list-style-type: none"> <li>• MSAC noted that the Minister has requested an update on progress in January 2024.</li> <li>• MSAC requested that the steering committee provide quarterly updates to MSAC on the implementation of the recommendations.</li> <li>• MSAC noted the updates with the Ministerial approval and publishing of the report on the MSAC webpage on the Department’s website.</li> <li>• MSAC noted the timelines of actions for the implementation of recommendations provided by Coal Services. MSAC requested that Coal Services provide a scope of</li> </ul>

Paper	Agenda item
	<p>review and a list of recommended panel members (recommendations 9 and 11) at the December 2023 MSAC meeting.</p> <p><b>Actions</b></p> <p>C. Steering committee to provide a quarterly progress update report at each MSAC meeting.</p> <p>D. Coal Services to provide a scope of review and list of recommended panel members (recommendations 9 and 11) at the December 2023 MSAC meeting.</p> <p>E. Steering Committee to meet prior to the December 2023 MSAC meeting.</p>
7	<p><b>Vehicle interaction and collision avoidance</b></p> <p><b>Outcomes</b></p> <ul style="list-style-type: none"> <li>Members noted the update on the vehicle interaction and collision avoidance discussion paper.</li> </ul>
8	<p><b>MSAC Annual Report 2022-2023</b></p> <p><b>Outcomes</b></p> <ul style="list-style-type: none"> <li>MSAC agreed the Department: <ul style="list-style-type: none"> <li>reword the section on the MSAC survey under ‘Nature of employment and the impact this may have on safety reporting culture’ (page 8)</li> <li>circulate the update to MSAC members out of session for approval.</li> </ul> </li> <li>MSAC approved the MSAC Annual Report for the 2022-2023 financial year subject to the above modification.</li> <li>MSAC noted the Annual Report will then be progressed to the Minister once approved out of session.</li> </ul> <p><b>Actions</b></p> <p>F. Department to reword the section on the MSAC survey under ‘Nature of employment and the impact this may have on safety reporting culture’ (page 8). Secretariat to then circulate the update to MSAC members out of session for approval.</p>

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9	<p data-bbox="260 219 555 259"><b>Member updates</b></p> <p data-bbox="260 304 427 340"><b>Outcomes</b></p> <ul data-bbox="260 367 1460 539" style="list-style-type: none"> <li data-bbox="260 367 1460 483">• MSAC requested that the Department prepare a paper on the airborne contaminants management and reporting framework for the metalliferous and quarries sectors for the next MSAC meeting.</li> <li data-bbox="260 506 959 539">• MSAC noted the report tabled by Coal Services.</li> </ul> <p data-bbox="260 584 384 620"><b>Actions</b></p> <p data-bbox="260 647 1398 719">G. Department to prepare a paper on the airborne contaminants management and reporting framework for the metalliferous and quarries sectors.</p>
10	<p data-bbox="260 835 839 875"><b>National Dust Disease Task Force</b></p> <p data-bbox="260 920 427 956"><b>Outcomes</b></p> <ul data-bbox="260 983 1426 1234" style="list-style-type: none"> <li data-bbox="260 983 1426 1137">• MSAC noted that the Australian Department of Health is yet to discuss with the states the outcomes from the public consultation on the 2023 – 2028 National Silicosis Prevention Strategy (NSPS) and associated National Action Plan (NAP).</li> <li data-bbox="260 1160 1406 1234">• MSAC noted the information from the Lung Foundation on the occupational lung disease research network and silicosis research forum.</li> </ul>
11	<p data-bbox="260 1352 778 1393"><b>Legislative framework update</b></p> <p data-bbox="260 1438 427 1473"><b>Outcomes</b></p> <ul data-bbox="260 1500 1418 1890" style="list-style-type: none"> <li data-bbox="260 1500 1418 1617">• MSAC noted that there have been no substantive developments on workplace exposure standards (WES) for airborne contaminants, including diesel particulate matter (DPM) since the June MSAC meeting.</li> <li data-bbox="260 1639 1378 1794">• MSAC noted that the NSW Treasurer has declared a 12-month exemption from automatic mutual recognition of interstate practising certificates eligible for statutory functions in Schedule 10 of the Work Health and Safety (Mines and Petroleum’s Sites) Regulation 2022 that require a practising certificate.</li> <li data-bbox="260 1816 1401 1890">• MSAC noted the amendments to the Model Work Health and Safety Act by Safe Work Australia.</li> </ul>

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12	<p data-bbox="260 219 842 264">NSW Resources Regulator report</p> <p data-bbox="260 304 432 342"><b>Outcomes</b></p> <ul data-bbox="260 365 1142 400" style="list-style-type: none"> <li>• MSAC noted the Quarterly safety report – April to June 2023.</li> </ul>
13	<p data-bbox="260 456 663 501">Mine safety levy report</p> <p data-bbox="260 542 432 580"><b>Outcomes</b></p> <ul data-bbox="260 602 1374 638" style="list-style-type: none"> <li>• MSAC noted the Mine Safety Levy Fund report – Preliminary 2022-23 Results.</li> </ul>
14	<p data-bbox="260 698 817 743">2023 meeting dates and venues</p> <p data-bbox="260 784 432 822"><b>Outcomes</b></p> <ul data-bbox="260 844 1393 1202" style="list-style-type: none"> <li>• MSAC noted the next meeting will be held in Maitland on Thursday 7 December 2023.</li> <li>• MSAC endorsed the dates for the 2024 meetings: <ul data-bbox="312 999 975 1202" style="list-style-type: none"> <li>– Thursday 7 March 2024 (mine site)</li> <li>– Thursday 6 June 2024 (MEU office, Aberdare)</li> <li>– Thursday 5 September 2024 (TBC)</li> <li>– Thursday 5 December 2024 (Maitland).</li> </ul> </li> </ul>
15	<p data-bbox="260 1263 601 1308">Additional business</p> <p data-bbox="260 1348 432 1386"><b>Outcomes</b></p> <ul data-bbox="260 1408 1417 1525" style="list-style-type: none"> <li>• The Board noted that Julie Armour presented at the Queensland electrical mining conference and will also present at the Resources Regulator’s 2023 electrical engineering conference.</li> </ul>
	<p data-bbox="260 1583 488 1621"><b>Next meeting</b></p> <ul data-bbox="260 1644 1010 1680" style="list-style-type: none"> <li>• The next meeting will be held on 7 December 2023.</li> </ul>
	<p data-bbox="260 1738 496 1776"><b>Meeting close</b></p> <ul data-bbox="260 1798 1206 1892" style="list-style-type: none"> <li>• The Chair thanked NSW Minerals Council for hosting the meeting.</li> <li>• The Chair closed the meeting at 11.58 am.</li> </ul>

## Summary of actions

AGENDA ITEM	ACTION
2. Declaration of interests	A. Secretariat to update the pecuniary interests register with changes requested by the Chair.
5. MSAC Strategic Plan 2024-2026	B. Department to update the MSAC Strategic Plan with the changes requested by members and present to the Minister.
6. Review of the coal worker health surveillance scheme	C. Steering committee to provide a quarterly progress update report at each MSAC meeting.
	D. Coal Services to provide a scope of review and list of recommended panel members (recommendations 9 and 11) at the December 2023 MSAC meeting.
	E. Steering Committee to meet prior to the December 2023 MSAC meeting.
8. MSAC Annual Report 2022-2023	F. Department to reword the section on the MSAC survey under ‘Nature of employment and the impact this may have on safety reporting culture’ (page 8). Secretariat to then circulate the update to MSAC members out of session for approval.
9. Member updates	G. Department to prepare a paper on the airborne contaminants management and reporting framework for the metalliferous and quarries sectors.