

## Neville Wran Heading Mine Safety Review

The New South Wales Minister for Mineral Resources, Kerry Hickey MP, has recently announced the appointment of former Premier Neville Wran AC QC to head a new mine safety review for the State. Mr Wran will be assisted by Ms Jan McClelland and advised by a panel of three experts including Professor Jim Joy – Director Minerals Industry Safety and Health Centre (MISHC), Professor Michael Quinlan, University of NSW, and Peter Wilkinson, Project Manager – National Offshore Petroleum Safety Authority.



Neville Wran AC QC

The review will provide a fresh, independent and innovative perspective on mine safety and the next step to see NSW achieve zero mine fatalities and serious injuries.

In 1996 the State Government commissioned an independent mine safety review by ACIL Pty Ltd. Shortly after the review started, the Gretley tragedy occurred in which four miners lost their lives. As a result of this tragedy the State Government immediately commissioned a judicial inquiry, headed by Justice James Staunton. The total outcome of both events was 87 recommendations, including 44 from the mine safety review and 43 from the Gretley Inquiry. All of the recommendations were accepted by the State Government.

These recommendations led to many achievements including, but not limited to:

- ✓ New legislation – the *Coal Mine Health and Safety Act* and the *Mine Health and Safety Act*, which was passed by Parliament in September 2004;
- ✓ The establishment of the Mine Safety Advisory Council as the peak advisory group;
- ✓ Information via website safety alerts and the quarterly newsletter *Mine Safety Update*;
- ✓ 958 safety assessments, including reviews, audits and inspections (30% unannounced);
- ✓ Major improvements in electrical and mechanical engineering standards;
- ✓ The Small Mine Campaign, which covered 308 mines, and development of the Small Mine Safety Management Kit; and

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## New Maitland & Thornton Buildings



At the new Mine Safety Technology Centre at Thornton – Kerry Hickey MP, Minister for Mineral Resources assisted by Barry Buffier (left), Director General, Department of Primary Industries and Alan Coutts, Deputy Director General Primary Industries – Mineral Resources (right).

**INSIDE THIS ISSUE: Contact details for Mine Safety staff relocated to the new Thornton and Maitland buildings.**





The New South Wales Government is targeting improved safety in all sectors of the mining industry.

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Editors please note: any articles in this issue of NSW Mine Safety Update can be reproduced with suitable acknowledgment of their source.

Information is provided in this newsletter to promote the enhancement of the safety culture of NSW mining and to alert a wide range of people to potential risks and to potential risk controls. Each site must manage its own risks according to its own hazard identification, risk assessment, control systems and monitoring process. Whereas all care is taken in producing NSW Mine Safety Update, NSW Department of Primary Industries accepts no responsibility for accuracy of information supplied. Inclusion of any product, service or company in NSW Mine Safety Update does not imply NSW Government or NSW Department of Primary Industries endorsement.

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## New OHS Consultation Trainers Guide for safe mining

The NSW Department of Primary Industries, the NSW Minerals Council, WorkCover and unions have worked together to develop and endorse OHS training materials specifically tailored for OHS consultation training in the mining industry.

One course has been designed for use in the coal industry, the other for training in the metalliferous and extractive industries.

The 'OHS Consultation Trainer's Guidelines – Coal Mining' and 'OHS Consultation Trainer's Guidelines – Metal and Extractive Mines' have been designed to assist trainers with supplementary information about OHS consultation in the mining industry. Course materials contain information on a variety of topics including mining health and safety regulations, OHS legislation and consultation and practical exercises in mining risk management.

Electronic versions have now been posted onto the DPI website for use by WorkCover accredited trainers. The website address is <http://www.minerals.nsw.gov.au>, follow the links to Safety Publications.

The Department has recently written to accredited trainers encouraging them to familiarise themselves with the material tailored to the needs of mining.

The guidelines will be reviewed when the *Coal Mine Health and Safety Act* and the *Mine Health and Safety Act* come into effect, planned for 2005.

For future selection of accredited trainers it is important to ensure training is in accordance with the customised package. A list of accredited trainers can be found on the WorkCover website: [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

## Survey on employment, hours and safety at NSW mines

The NSW Department of Primary Industries in conjunction with the University of NSW Injury Risk Management Centre have recently asked large mines to complete a short survey which aims to gather some preliminary information about the way people are employed in the NSW mining industry.

The survey that has been sent to mine managers includes questions relating to employment type, hours of work, and safety issues and injuries in the workplace. The survey is anonymous and is directed at collecting information about the general sectors of the industry, not individual mines.

The outcomes of the survey will benefit the NSW mining industry by contributing toward the development of improved/updated mine safety policy and practice for the mining industry.

For more information contact A/Professor Ann Williamson, NSW Injury Risk Management Centre, UNSW, on email [a.williamson@unsw.edu.au](mailto:a.williamson@unsw.edu.au) or telephone (02) 9385 4599.

## The mining industry contributions to the NSW economy

Mining is a major employer and contributor to the NSW economy. The NSW mining industry directly employs around 15,000 people, the majority of whom are in rural areas of the state. In the 2002–2003 year, the industry produced coal and minerals valued at \$6.8 billion and contributed \$234 million to the people of NSW through royalties paid to the NSW Government.

The latest available figures, from the 2002–2003 financial year, showed there were 29 underground and 27 open cut coal mines directly employing 9,758 people. They produced 111.5 million tonnes (Mt) of saleable coal valued at \$5 billion. Royalties of over \$200 million were paid to the NSW Government for the coal produced. Out of the total coal production, 79 Mt valued at \$3.9 billion was exported.

In the 2002–2003 year the metalliferous/clays/extractive industries sector of mining produced \$1.8 billion worth of materials and contributed \$28 million to the NSW Government in the form of royalties.

The value of processed minerals exported was \$2.1 billion. This included minerals mined in other states and processed in NSW, such as iron, steel and aluminium.

There are about 12 major metalliferous mines and a similar

number of major industrial mineral operations in NSW, together with many small operations. The term metalliferous includes such minerals as copper, gold, silver and zinc.

During 2002–2003, metalliferous mines provided NSW and export markets with copper, gold, silver, zinc and other metals valued at \$1.3 billion. The construction mineral sector produced sand, gravel, crushed stone and dimension stone (used for such purposes as the facing and flooring of buildings) valued at \$400 million.

Industrial mineral production, including mineral sand, limestone, clay and gemstones was valued at \$118 million during the 2002–2003 year.

Approximately 4,800 people were employed in the larger operations in the metalliferous/clays/extractive industries sector of mining.

Several thousand more people worked in smaller mines including quarries and opal or sapphire mines. It is impossible to accurately determine the employment of all smaller mines, some of which may be worked intermittently by just one or two people. ■■■

## Neville Wran Heading Mine Safety Review

*(continued from page 1)*

- ✓ The Lightning Ridge Mines Safety Course – 4000 attendees. No fatalities recorded in the last seven years compared with one a year for the preceding 10 years.

Mr Hickey said while these achievements had proved effective, there was still much to be done. The recently announced mine safety review will examine what has been accomplished since the 1996/97 review and see what can be improved. The NSW Government sees the review as a chance to provide a fresh, independent and innovative perspective on mine safety. To guide the review the following terms of reference have been prepared.

### NSW Mine Safety Review – Terms of reference

- (1) Review the progress with the implementation of the recommendations of the Mine Safety Review and the Gretley Report.
- (2) Consider whether any change in the implementation of these recommendations is required.
- (3) Review the operation of the Mine Safety Advisory Council and the supporting consultative process.
- (4) Review and make recommendations in relation to:
  - (a) The safety performance of contractors; and
  - (b) The broad practice of hours of work and fatigue management in the NSW mining industry.
- (5) Review the enforcement policy and the processes used by the Department to implement the policy.
- (6) Consider ways and make recommendations as to how the NSW mining industry safety culture could be improved.

The review group has requested written submissions from key stakeholders and consulted with members of the Mine Safety Advisory Council in formulating their recommendations and response for the Minister.

The review panel is expected to report back to the Minister early in 2005. For further information on the review contact Executive Officer Jon Hawke on (02) 8289 3917, email: jon.hawke@minerals.nsw.gov.au . ■■■

### NSW MINING INDUSTRY SUMMARY 2002–2003 YEAR

**TOTAL EMPLOYMENT:**  
**15,000 plus**

**TOTAL PRODUCTION VALUE:**  
**\$6.8 billion**

**TOTAL ROYALTIES PAID:**  
**\$234 million**

## Two prosecution cases upheld in Industrial Relations Commission Appeal Court

### WALLARAH COLLIERY

A roof fall accident at Wallarah colliery on 6 July 1998 resulted in the death of one employee and the serious injury of a second. The accident happened while the two employees were in the process of supporting the roof with roof bolts at the Wallarah Colliery underground mine.

Following a long judicial process the Industrial Relation Commission Appeal Court, on 10 November 2004, upheld the appeal by prosecution and held that the alleged offences had occurred, being that under section 15 (1) *Occupational Health and Safety Act 1983* the defendant failed to provide a safe system of work in relation to the erection of roof support and assessment of the stability of the roof. The Court asserted that the respondent had complete control of the causes of the accident and failed to take all practicable steps to prevent the accident.

The proceedings will be listed before the Full Bench, on a date to be fixed, to make directions for the finalisation of proceedings.

### AWABA COLLIERY

On 17 July 1998 a roof collapse accident at Awaba Colliery resulted in the death of one employee. The accident happened during the removal of pillars of coal in the Awaba State Coal Mine. Pillar mining is the process of extracting residual coal from roof support pillars, established during initial mining development.

On 18 November 2004, the Industrial Relations Commission Appeal Court upheld the appeal by the prosecution against dismissal. The Appeal Court held that the alleged offences had occurred, being that under section 15 (1) of the *Occupational Health and Safety Act 1983* the defendant failed to provide an adequate system for assessing the roof and not implementing an adequate system of recording and notifying of roof problems and roof history. The Court found that there was a clear indication pointing to the existence of risk from earlier incidents during the pillar mining process.

The matter has been listed to go before Justice Boland for directions on 9 December 2004. ■■

## Matters before the court

### Baal Bone Colliery

Hearing set from 7 November 05

### Bellambi West

No date set

### Cooranbong Colliery

Decision on Appeal reserved

### CSA Mine

Hearings set for April 05

### Elura Mine

Hearing set for April 05

### Gretley Colliery

Matter reserved for sentencing (Prosecution by Workcover)

### Lightning Ridge, Dead Bird Opal Field

Hearing set for December 04

### Ridgeway Gold mine

Decision reserved

### United Colliery

Awaiting appeal decision. Further hearing set for March 2005

### Wye Colliery

Matter to be referred to the full bench ■■

## Stay out – Stay alive

Each year, children and adults are injured or killed from accidents at active, inactive and abandoned mines. In the past five years in NSW, two children and one teenager have died in accidents on mine sites. With the school holidays upon us it is timely to issue a warning to children and parents about the dangers of being on mine property. Any place with active or abandoned mines, quarries or pits can become the scene of another tragedy. Anyone noticing a dangerous opening near or around a mine site, is encouraged to report it to NSW Department of Primary Industries on 1300 736 122 or, if in the coal fields, contact the Mine Subsidence Board on 1800 248 083. ■■

*Uralla 1989. This photo of a child above an abandoned mine shaft clearly demonstrates the dangers of playing around abandoned mine sites.*



## Important changes to the NSW mine safety legislation

New legislation to better protect the health and safety of mine and quarry workers across NSW has been passed by the NSW Parliament. The new legislation is due to commence during 2005 when the supporting regulations have been finalised. At this time the following will occur:

- The *Mine Health and Safety Act 2004 and Regulation* will repeal (replace) the *Mines Inspection Act 1901* and the *Mines Inspection General Regulation 2000*.
- The *Coal Mine Health and Safety Act 2002 & Regulation* will repeal (replace) the *Coal Mines Regulation Act 1982 and Regulations*.
- The *Explosives Act 2003* will repeal the *Dangerous Goods Act 1975* (note: the *OHS Regulations 2001* cover Dangerous Goods & Major Hazard Facilities.)

The most important part of the changes is the improved alignment between the OHS Act and the new legislation. Furthermore, the new legislation is to the OHS Act which requires a general duty of care. Other key elements of the new legislation include a systematic approach to mine safety and risk management incorporating all relevant legislation, more clearly defined safety responsibilities for contractors and a requirement for mines to have a designated Mine Operator, emergency procedures and greater flexibility in maintaining competency standards. ■■

**Be aware!**  
The Occupational Health and Safety Act 2000 will remain the key legislation governing health and safety in the mining industry, as with any industry. The new legislation has been designed to be read in conjunction with the OHS legislation.

## Lessons learnt – ‘Safety of visitors on any mine site’

### Lessons learnt from a tragedy

In August 1999, a 2½ year old boy accompanied his father to work at the small Fort Bourke gypsum mine near Bourke. The child’s father was a truck driver contracted to transport gypsum at the mine. While his father was working, the boy wandered a short distance and was killed when hit by another truck. This incident was outlined in a Safety Alert, SA 99-17.

Issues highlighted by the incident are:

- the common practice of children accompanying parents in trucks to small mining operations exposes those children to danger;
- a lack of clarity in small operations that the owner or manager has a duty of care to ensure the safety of site visitors; and
- a lack of planning, procedures or instructions developed in small operations to minimise the possibility of risks to site visitors, especially children.

### Protecting children from danger

Generally accepted *cultural* issues around children appear to have played a major part in this accident:

- a historical tradition of children being involved in work activities
- acceptance of children in the workplace as normal; and
- over-estimation of a child’s ability to identify and manage hazards.

As a guideline, children should not be permitted to routinely visit mine sites. If, on occasions, visits are permitted they should be planned and carefully controlled.

The control should include close personal supervision by a competent person for the whole time the children are on the mine site. A child in the custody of a parent who is at the mine to carry out any task is unlikely to be adequately supervised.

**The Department of Primary Industries does not endorse the presence of children on mine sites.**

### Obligation to ensure the health and safety of persons (other than employees) at places of work

In medium and large businesses there is a clear expectation in the community that work places will be safe and that every reasonable effort will be made to ensure a safe work place. For some reason many people seem to view small operations as exempt from those duties.

This lack of expectation and understanding of the effort required by even small operations appears to have contributed to this accident. This is characterised by:

- underestimation of the manager’s responsibility for the safety of everyone on the site; and
- lack of hazard identification at the site.

The *Occupational Health and Safety Act 2000*\* specifies the duty to ensure that site visitors are not exposed to risks to their health or safety arising from the mining work.

### Assessing and minimising risks for site visitors

The lack of risk assessment appears to have played a major part in this accident.

Risk assessment involves identifying potential hazards, assessing their significance and then implementing appropriate precautionary measures tailored to suit the circumstances at individual mines.

Examples of risk assessment procedures can be accessed from the minerals website at: [www.minerals.nsw.gov.au/prodServices/publications/reference/MDG1010](http://www.minerals.nsw.gov.au/prodServices/publications/reference/MDG1010) and MDG1014.

\* This Act has replaced the *Occupational Health and Safety Act 1983* which was in force at the time of this incident. ■■

## Safety Alerts

### SA 04-17 NEAR MISS INVOLVING CONTINUOUS MINER POD

An operating 12CM12 continuous miner had a piece of roof stone being conveyed up the centre chain. The stone contacted a one tonne materials pod on the side of the machine and lifted it off the location lugs causing the pod to fall off one end of the machine.

### SA 04-18 MINER KILLED IN UNDERGROUND SHAFT (Updated Alert)

An employee was travelling in a man-riding cage, operated by a winder driver when he was caught between a cage component and the shaft platform at one of the levels underground. The employee died as a result of his injuries.

### SA 04-19 BYPASS OF ANTICLIMB BARRIER TO OVERHEAD POWER LINE

A person was killed when he came in contact with live electrical conductors on an overhead power line.

### SA 04-20 FALL FROM TRUCK WHEN TARPING

A truck driver was concussed when he fell from the top of a loaded truck while manually installing the tarpaulin. This incident may have resulted in serious, multiple or fatal injuries.

### SA 04-21 MACHINE MOUNTED METHANE MONITORS

Departmental offices have found several instances of automatic methane monitors in bypass mode or unlocked.

### SA 04-22 SCRAPER DRIVER INJURED IN COLLISION WITH HAUL TRUCK

A large rear dump truck collided with a scraper at a large surface mine. The scraper cabin was extensively damaged. The scraper driver sustained moderate injuries and the truck driver was uninjured.



SA 04-22

### SA 04-23 UNSAFE FLAMEPROOF ENCLOSURE

A recently overhauled shuttle car was found in service in a hazardous zone with the main electrical enclosure not flameproof. The mine did not carry out detailed commissioning inspections, relying solely on the quality system and accreditation in place at the overhaul workshop.

### SA 04-24 HAUL TRUCK TIPS ON BACK WHILE DUMPING AT STOCKPILE

A dump truck rolled over and landed on its tray while reversing on top of a sub-base material stockpile to dump its load. The truck slid approximately 2 metres down the side of a stockpile then landed on its back. The operator exited the cabin and jumped from the truck before the truck rolled over the edge. ■■■



SA 04-24

## Safety alerts by email

If you would like to receive safety alerts by email and you haven't contacted us already, all you have to do is email us at [safetyalert@minerals.nsw.gov.au](mailto:safetyalert@minerals.nsw.gov.au) with the details of each person wanting to receive the safety alert emails. The information should include:

- name
- title and company details
- email address

Note that:

- Safety Alerts will also continue to be sent through the post.
- You will receive an email every six months, asking you to confirm that your email details are still correct.
- You can unsubscribe from this service at any time.

Safety alerts can also be viewed on the website at <http://www.minerals.nsw.gov.au/safety> ■■■

## Calendar of Events

### Safety Awareness Course

**Location:** Lightning Ridge  
**Date:** Various (contact coordinator)  
**Contact:** David Howell  
Phone (02) 6829 0678  
**Email:** david.howell@minerals.nsw.gov.au

### OHS Conference

**Location:** Leura  
**Date:** 15–18 May 2005  
**Contact:** Minerals Council  
**Phone:** (02) 82027207

### Mechanical Engineering Safety Seminar

**Location:** Penrith  
**Date:** August 2005  
**Contact:** Gordon Jervis  
**Phone:** 1300 736 122  
**Email:** gordon.jervis@minerals.nsw.gov.au

### Electrical Engineering Safety Seminar

**Location:** Penrith  
**Date:** November 2005  
**Contact:** John Waudby  
**Phone:** 1300 736 122  
**Email:** john.waudby@minerals.nsw.gov.au



The above group are visiting the Cadia Valley Operations Copper and Gold Mine and standing beside one of the largest SAG (semi-autogenous) mills in the world. The photo was taken in the Cadia Concentrator, a part of the processing plant at the surface of the mine. From left: Tim Lehany – General Manager, Cadia Valley Operations, John Moss – Area Manager Central West, Mine Safety Operations, NSW DPI. Phil Anquitel – Director, Executive Support NSW DPI. Alan Coutts – Deputy Director-General, NSW DPI Mineral Resources. Barry Buffier – Director-General, NSW DPI. Renata Brooks – Executive Director, Biosecurity Compliance & Mine Safety. Richard Sheldrake – Deputy Director-General, NSW DPI Agriculture & Fisheries.

## Mine rescue skills on show

The skills of mine employees throughout NSW were demonstrated recently at the 2004 NSW Mine Rescue Challenge at Cobar.

Unlike previous mine rescue competitions held over the years, the focus of the three days was to develop team members' skills, provide coaching opportunities and to help teams better equip themselves for future roles. Throughout the three days, sharing of ideas and expertise was very evident between team members and minerals industry organisations.

The Chief Inspector of Mines, Rob Regan, said the challenge weekend was "a first class series of events that enabled the nine participating teams to show their skills, but also learn in a very high context environment. Team members worked together with adjudicators to address issues during events and networked with others while observing teams in action to improve their capability. The overall effect was to raise standards and promote cooperation between teams that will benefit the local Cobar mines and the mining industry."

The events challenged participants and also provided an excellent insight for the community into the preparedness of mines to meet unplanned events.

Particular mention should be made of the excellent work by the three coordinating mines – CSA, Endeavor and Peak who are part of a newly developed Joint Mines Rescue Agreement. ■■■



Participants from the mine safety challenge with Kerry Hickey MP, Minister for Mineral Resources (from left to right): Derek McManus, Phil Gilligan, Craig Surtees, Kerry Hickey MP, Daniel Torlach and Gavin Schiller.

# NSW DPI Mineral Resources Offices

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## BROKEN HILL

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## COBAR

62-64 Marshall Street, Cobar NSW 2835  
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Phone: (02) 6836 4392, Fax: (02) 6836 4395

## THORNTON

Mine Safety Technology Centre  
8 Hartley Drive, Thornton NSW 2310  
(PO Box 343, Hunter Region Mail Centre, NSW 2310)  
Phone: (02) 4924 4000, Fax: (02) 4924 4089

## LIGHTNING RIDGE

Lot 60 Morilla Street, Lightning Ridge NSW 2834  
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Phone: (02) 6829 0678, Fax: (02) 6829 0825

## LITHGOW

The Hartley Building  
184 Mort Street,  
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Phone: (02) 6351 3052, Fax: (02) 6352 3876

## LONDONDERRY

Core Library  
947-953 Londonderry Road,  
Londonderry NSW 2753  
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## ORANGE

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After hours - emergency only - (02) 6392 6358

## SINGLETON

1 Civic Avenue, Coal Services Building, Singleton NSW 2330  
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DX 7071  
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Phone: (02) 6572 4200 (Geology)  
Fax: (02) 6572 1201

## WOLLONGONG

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(PO Box 674 Wollongong NSW 2520)  
Phone: (02) 4227 1699, Fax: (02) 4226 3851

# Mine safety staff relocation details

## MINE SAFETY OPERATIONS AND PERFORMANCE GROUPS

The following Mine Safety units and staff are now located at the **MAITLAND HEAD OFFICE** see above:

- **Office of the Director of Mine Safety Operations, Chief Inspector of Coal Mines, Chief Inspector of Mines.**
- **Mine Safety Operations - North-East Region:** Inspectors, Mine Safety Officers (from 15 January 2005).
- **Office of the Director of Mine and Forest Safety Performance.**
- **Mine Safety Performance Branch:** Industry Standards & Practice Unit, Performance Measures Unit, Competency & Process Unit (Incl. Examinations Board), Consultation & Communication Unit.

## MINE SAFETY INVESTIGATION UNIT

### Location 1: Mine Safety Technology Centre Thornton

Street: 8 Hartley Drive, Thornton, NSW, 2322.  
Post: PO Box 343, Hunter Region Mail Centre, NSW, 2310.  
Telephone: (02) 4924 4018  
Fax: (02) 4924 4089

### Location 2: Mine Safety Investigation Unit - Pennant Hills

Street: State Forests Building, 423 Pennant Hills Road, Pennant Hills.  
Postal: Locked Bag 23, Pennant Hills, NSW, 2120  
Telephone: (02) 9980 4573  
Fax: (02) 9980 4502

**Note:** The Gateshead Office of NSW DPI Minerals will close on the 15th of January 2005.

## Do the right people in your organisation read Mine Safety Update?

**NSW Mine Safety Update and Safety Alerts are only of assistance if read by the widest possible cross-section of people who can influence safety performance in mining. If you want to get Mine Safety Update or Safety Alerts mailed directly to you at home or work, or want them to go to someone else, please fill in the form, fax it to us and we will add the name to the mailing list.**

TO: Tracey Lee Smith, Mine Safety Performance, NSW Department of Primary Industries, fax: (02) 4931 6790

Please send me by mail  MINE SAFETY UPDATE  SAFETY ALERTS

Name: .....

Position: .....

Mine / Company: .....

Address: .....

..... Postcode: .....