



MINUTES

MEETING	Mining and Petroleum Competence Board (the Board)		
MEETING NO.	2 for 2017	DATE	Tuesday 23 May 2017
LOCATION	NSW Minerals Council, 12 O'Connell Street, Sydney	TIME	10.03 am – 1.30pm
CHAIR	Ruth Mackay		
MEMBERS ATTENDING	Greg Shields – alternate for Mick Cairney (NSWMC), Ron Cowdrey (AWU), Leanne Parker (CCAA), Andy Honeysett (CFMEU), Tony Linnane and Dave McLean (Resources Regulator), Bob Gibbons (Independent)		
OBSERVERS			
SECRETARIAT	John Flint, Andrew Palmer		
APOLOGIES	Nick Strong and Mick Cairney (NSW MC), Keith Shaw and Dave Simm (CFMEU), Tony Ingram (Independent), Ruth Scott – Department of Planning and Environment)		

Welcome and preliminary business

No.	Item	Status
1	INTRODUCTION	
1.1	Welcome and apologies <ul style="list-style-type: none">The Chair welcomed all in attendance and noted apologies including from Mick Cairney, who was to attend his last meeting as the NSW Minerals Council member	Secretariat to write a letter of thanks on behalf of the Board to thank Mick Cairney for his service, including being an examiner.
1.1	Declaration of conflict of interest No declarations made	
1.2	Acceptance of previous minutes and actions arising (paper 1) Tony Linnane moved that the minutes be accepted pending an amendment to item 2.9 for	Minutes accepted, pending Tony Linnane finalising revised

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	<p>approval of examiners. The amendments are to better reflect that the Andy Honeysett (CFMEU) raised his concerns about what matters the Board should consider when determining whether an applicant is suitable against the criteria for the Expressions of Interest, including concerns that members' organisations may wish to raise. In response the Resources Regulator is looking into what matters the Board must take into account and what matters it must not take into account in determining whether a person is appointed as an examiner. Input it to be obtained from Andy.</p> <p>The status of action items for attachment A were noted as complete or ongoing, with most addressed in the agenda or an up-date provided, including:</p> <p>1.1 Mine Safety Advisory Council is now part of the Resources Regulator</p> <p>2.11 The Secretariat met with the Quarry Manager examination panel members on 5 May 2017 to discuss setting exam questions and marking. Discussions were positive and beneficial.</p>	<p>wording for item 2.9 (paper 1). Secretariat to circulate amended minutes out of sessions for Board approval.</p> <p>1.1 Organisational charts for Department of Planning and Environment and Resources Regulator to be circulated to the Board out of sessions by Secretariat</p> <p>2.11 Resources Regulator to meet with all examination panels on 27 June 2017 to discuss examining.</p>
1.3	<p>Correspondence (paper 2)</p> <p>Letter of thanks to those who made submissions for the Maintenance of competence discussion paper and to Appin Mine for hosting the last Board meeting.</p>	Correspondence noted
2	FOR DISCUSSION AND/OR DECISION	
2.1	<p>Practising certificate system and maintenance of competence scheme (paper 3)</p> <p>The Board endorsed the following recommendations to the Regulator in paper 3 tabled:</p> <ol style="list-style-type: none"> 1. Noted progress with implementation <p>The commencement of the system/scheme on 1 September 2017 was announced by the Department via an email newsletter to subscribers and on the Department website. Presentations have been made to the Mine Managers Association executive and the Mining Industry Safety Advisory Committee at Dubbo on 17 May 2017.</p> <ol style="list-style-type: none"> 2. Endorsed 90 total learning hours for electrical and mechanical engineer type practising certificates over the five-year period (excepting Managers Underground Coal Mine) 3. Endorsed the proposed amendment to the maintenance of competence scheme for in-house formal training course learning to be claimed for actual hours completed, with this type of learning not accounting for more than half (50%) of the total formal hours required over the five years 	The Resources Regulator to accept the recommendations of the Board to change the standards by updating the Guide to the Maintenance of competence scheme.

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	<p>The Board discussions clarified that in-house formal training course learning does not include communication as part of toolbox talks. All formal training courses conducted as part of meetings claimed must meet the three criteria in order to qualify (refer to guidance on Department website).</p> <p>Informal learning types that may be claimed in relation to toolbox talks or pre start meetings include people claiming for delivering in house formal training courses (eg. covering safety alerts).</p>	
2.2	<p>Development of statutory function descriptions (paper 4)</p> <p>The Board:</p> <ol style="list-style-type: none"> 1) noted the progress made by the Secretariat to revise the descriptions as planned, with metalliferous and extractive mines related function descriptions being completed 2) noted no feedback had been received from the Mining Industry and Safety Advisory Committee meeting on 17 May 2017 or subsequently in relation to the four metalliferous and extractive related descriptions tabled 3) Endorsed the proposed amendments to the statutory functions in Schedule 10 of the WHS (Mines and Petroleum Sites) Regulation for: <ol style="list-style-type: none"> a) Underground Supervisor: to amend wording of function from ‘middle manager’ type function to ‘front line supervisor’ b) Mechanical Engineer for Coal Mines except underground coal mines: wording to be consistent with that of other electrical and mechanical engineering functions 4) Endorsed the five revised draft descriptions, pending regulatory amendments: <ol style="list-style-type: none"> a. Underground Supervisor b. Electrical Engineer for Mines other than Underground mines or Coal mines c. Manager of Mining Engineering for Underground Mines other than coal mines d. Electrical Engineer for Underground Mines other than Coal Mines e. Quarry Manager (circulated out of sessions by email to the Board prior to the meeting) <p>Board discussed the difference between the statutory function descriptions and descriptions of roles at a mine. The function descriptions are for the stated requirements in legislation. This should not be confused with their role at a mine that includes operational and other matters.</p> 	<p>The Department will take forward the amendments to Schedule 10 of the WHS (Mines and Petroleum Sites) Regulation for consideration as part of its consultation process. The Underground Supervisor and Mechanical Engineer descriptions that reflect the proposed amendments will not be finalised until the outcome of the proposed amendments is known.</p> <p>The Secretariat is to organise publishing of the endorsed descriptions on the Department website (except Underground Supervisor and Mechanical Engineer). Persons who attended consultation workshops will be emailed to advise them of the finalisation of the process.</p> <p>All descriptions when finalised will be reviewed by the Board in approximately 12 months.</p>
2.3	<p>Draft plans for Board activities to 2020 (papers 5 and 5A)</p> <p>The Board endorsed the following documents, with reference to the Progress Report (paper 7):</p> <ol style="list-style-type: none"> 1. the operational plan for the Strategic Plan to 2020, with amendments: 	<p>Secretariat to:</p> <ol style="list-style-type: none"> a) revise the operational plan with the agreed amendments

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	<p>a) to commence the identification of competencies in August 2018</p> <p>b) include emerging issues to be addressed through the Industry Reference Committees for the RII Training Package</p> <p>c) include benchmarking using information gained from participation in the Australasian Mining Competency Advisory Council</p> <p>It was noted the Board is on schedule for progressing the strategic plan to date, with the exception of the Department entering into a Memorandum of Understanding with the Australian Skills Quality Authority (ASQA). ASQA are no longer entering into Memorandums.</p> <p>2. the Board's Communication Plan for the Strategic Plan, with the focus on the Board consulting and communicating with the Regulator</p> <p>Tony Linnane clarified that the Regulator will publish material developed with the Board and communicate it to industry. The Regulator will provide ongoing progress reports for the Board to consider and advise upon.</p>	<p>b) table a proposal for the project to identify competencies from the function descriptions at the August meeting,</p> <p>c) facilitate a progress report from the Resources Regulator on the implementation of the Practising Certificate System and other relevant matters at each meeting</p> <p>d) investigate providing a visual report on Board progress with its plans and activities on the Department webpage</p>
2.4	<p>Approval of examiner appointments for Underground Supervisor Panel</p> <p>The CFMEU (Andy Honeysett) raised the question of what is sufficient experience in the mining industry for applicants. The Board discussions clarified that the criteria for appointment is extensive industry experience in a range of mining operations which has been previously interpreted as a minimum of five years experience.</p> <p>The Board approved the appointments of:</p> <ul style="list-style-type: none"> • Robert Jay (Convenor) • Gavin Hoskins (Panel member) • Allan McKellar (Panel member) • Rob Cunningham (Panel member) • Angus McDouall (Reserve) • Geoff Hender (Reserve) • John Miller (Reserve) • Rob Mallinson (Reserve) • Xavier Hill (Reserve) • Andrew Hill (Reserve) 	<p>Ruth Mackay signed brief on behalf of Board approving the appointments.</p>

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3	Business for noting	
3.1	<p>Update of Australasian Mining Competency Advisory Council – AMCAC (paper 8)</p> <p>The Board noted the planned meeting dates for AMCAC:</p> <p>a) Thursday 29 June 2017, Sydney</p> <p>b) Wednesday 18 October 2017, Hobart</p>	Greg Shields and Ron Cowdrey to confirm they will attend as the employer and employee members for the 29 June 2017 meeting. Ruth Mackay invited to the October 2017 meeting in Hobart.
4.	Other Business	
4.1	Next meeting Tuesday 22 August 2017, 10am – 2pm at Hanson’s Quarry, Kulnura.	Secretariat to send update calendar invitations with location of meeting details
	<p>Closed meeting</p> <p>1.30 pm</p>	

Actions arising from 23 May 2017 Board meeting

Item	Action	Current Status
1.1	Welcome and apologies	
	Secretariat to write a letter of thanks on behalf of the Board to thank Mick Cairney for his service, including being an examiner.	With Chairperson for finalising
1.3	Acceptance of previous minutes (paper 2)	
	a) Minutes accepted, pending Secretariat revising wording for item 2.9 and circulate amended minutes out of sessions for Board approval	Circulated revised minutes 5 June 2017 with no feedback
	b) Organisational charts for Department of Planning and Environment and Resources Regulator to be circulated to the Board out of sessions by Secretariat	To be provided after Regulator Director rotation recently
2.1	Practising certificate system and maintenance of competence scheme (paper 3)	
	a) The Secretariat to arrange the recommendations of the Board to the standards that were accepted by the Regulator to be made by updating the Guide to the Maintenance of competence scheme.	Completed
	b) The Secretariat is to prepare a paper on the issue of maintenance of competence for auditor functions	Not commenced. Plan to table at meeting 21 November 2017
2.2	Development statutory function descriptions (paper 4)	
	The Secretariat is to organise:	
	a) publishing of the endorsed descriptions on the Department website (except Underground Supervisor) and	With Communications for publishing on website.
	b) persons who attended consultation workshops to be emailed to advise of finalisation.	Email when documents published.
2.3	Draft plans for Board activities to 2020	
	Secretariat to:	Refer to papers for – 25 August meeting:
	a) revise the operational plan with the agreed amendments	Refer paper 12
	b) table a proposal for the project to identify competencies from the function descriptions at the August meeting,	Refer paper 6
	c) facilitate a progress report from the Resources Regulator on the implementation of the Practising Certificate System and other relevant matters at each meeting	Refer paper 4
	d) investigating providing a visual report on Board progress with its plans and activities on the Department webpage	Refer paper 3

Item	Action	Current Status
3.1	Update on Australasian Mining Competency Advisory Council	
	Greg Shields and Ron Cowdrey to confirm they are able to attend the next meeting on 29 June 2017	Completed.
21 February 2017 meeting outstanding action items		
2.8	Emergency preparedness units requirements for electrical and mechanical engineers certificates of competence - Paper 10	
	Resources Regulator to report to August meeting on the review of emergency preparedness units of competency as pre-requisites for electrical and mechanical engineers certificates of competence	Refer paper 9 for 25 August 2017 meeting.