



## COMMUNIQUE

16 April 2025

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### Small mine challenges

The Chief Inspector of Mines (CIM) presented an overview of the challenges encountered by small mine operators to comply with statutory position requirements under the *Work Health and Safety Act 2020* (WHS Act).

Statutory position holders have until 30 March 2026 to transition to requirements of the WHS Act. While the transition period was extended a further 12 months, uncertainty remains as whether some small mine operators will be compliant with their statutory positions, risk management and safety management system obligations.

Small mine operations are often limited to a single sand carting truck, with owner/operators running small multiple businesses, such as farms. These operations fall below the threshold of the Mine Safety Levy. There are 300 to 330 identified small mines, mostly open pit.

The WorkSafe Group (WorkSafe) of the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) has had discussions with some peak bodies on options to streamline processes to support stakeholders meet their obligations.

The Mining and Petroleum Advisory Committee (MAPAC) noted many small mine operators find it difficult to attend face-to-face risk management courses. An educative approach to minimise risks associated mining activities was supported to avoid any significant administrative burden be placed on small mine operators.

### WA Silica Plan

The WA Silica Plan addresses specific risks, targets, timeframes, and priorities of the Silica National Strategic Plan developed by the Asbestos and Silica Safety and Eradication Agency (ASSEA) in response to the re-emergence of silicosis and other silica-related diseases in Australia.

The regulations apply to a broad range of general industries that work with silica-containing products, including construction, demolition, tunnelling and manufacturing. It was noted the new silica regulations do not apply to mining operations, as working with silica is regulated in the Work Health and Safety (Mines) Regulations 2022.

WorkSafe will facilitate reporting to ASSEA on progress towards national outcomes, rates of exceedance, and regulatory compliance, as well as progress in areas including health research and support to affected people.

## **Compliance and Regulation System (CARS) Transformation project update**

MAPAC was provided with an update on DEMIRS' Compliance and Regulation System (CARS) transformation project.

The project seeks to implement a new business system to simplify and standardise the way DEMIRS regulates workplace health and safety with a contemporary, fit-for-purpose technology solution, to improve regulatory efficiency, effectiveness and consistency for DEMIRS and its customers.

Proof of concept activities have concluded. A closure report is to be provided to DEMIRS for consideration. Should CARS proceed to full implementation:

- DEMIRS will seek feedback from stakeholder groups to improve its understanding of how it will interact with the new system and to assist in the development of product features.
- Training will be explored once implementation timelines have been established

The CARS project recently received a positive rating (low risk) from the Office of Digital Government.

Outcomes of a transparency audit recently conducted by the Officer of the Auditor General is expected in July 2025.

## **Mine statutory positions**

Under the Work Health and Safety (Mines) Regulations 2022, statutory positions carry out specific functions at mining operations. Statutory positions are classified into several categories, with different functions and obligations, and levels of knowledge, experience and formal qualifications for the appointed persons.

Supervisors are appointed to assist the registered manager to meet their legal duties, with shared responsibility for compliance. These requirements under the WHS Act, are the same as those previously required under the *Mines Safety and Inspection Act 1994*.

The transition period to complete the mining statutory position certification will end on 30 March 2026. After the end of the transition period, a person appointed in a statutory position must meet the eligibility criteria for the position, by having completed the legislation examination and approved risk management units of competency. Statutory certificates are required for some appointments.

Regular messaging continues through WorkSafe newsletters however underutilisation of available examination places is a concern.

A recent message from the Chief Inspector of Mines addressed industry concerns raised by some supervisors about personal liability.



Stakeholders are encouraged to book exams early and access available support where personal circumstances impact exam preparation, noting that adult learning principles of fair access to the examination informs these processes.

### **Member reports and updates**

Australian Mining Exploration Companies (AMEC) held a Work Health and Safety update in March 2025 with 250 attendees. The event was supported by a variety of speakers, including from WorkSafe. AMEC appreciated the support of DEMIRS in presenting at the event.

*The Slip* is being performed on 29 April 2025 as a fundraising event for Lifeline. This is an excellent play with an important safety message based on the Bingham Canyon pit slip and is well worth seeing.

The Chief Inspector of Mines confirmed the information sheet *Cyanide management on mine sites* will be released shortly via email alerts.

DEMIRS continues to engage stakeholders through animations as part of the suite of communications designed to reach different audiences.

WorkSafe is currently developing three more animations: open stopes; aerosol cans exploding; and tooling and Stilson's used on drill rigs.

WorkSafe is also exploring ways to provide a monthly snapshot update that best meets stakeholder needs. While WorkSafe Mine Safety is pursuing a slim-lined approval process for quicker engagement.

Next meeting **18 June 2025**