

**OHS CULTURE CHANGE SUMMIT**  
**25 November 2010**  
**STAKEHOLDER EXPECTATIONS AND PERSPECTIVES**  
**Dr Nikki Williams, CEO, NSW Minerals Council**

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Thank you James – great to see you again.

To the Minister for Primary Industries The Honourable Steve Whan, Chairman of MSAC Norman Jennings and other MSAC members, NSW Minerals Council Chairman Mick Buffier and other executives of mining and extractive companies, General Secretary – CFMEU Mining and Energy Division Andrew Vickers and Greater NSW Branch Secretary of the AWU Russ Collison, Director General of Industry & Investment NSW Richard Sheldrake, union colleagues, industry regulators and other stakeholders. That's a long list. We are a broad church. Coming together in the name of the industry's number one priority, the safety of its people. Thank you and welcome to this important event.

The minerals industry in NSW has a simple approach to safety. It is committed to zero harm. In 2009/10 we again saw continued improvements in the industry's performance – a testament to the commitment of all stakeholders involved in the industry – from those in this room to the guys and gals sitting in the crib rooms underground – it takes all of us to make this happen.

But as Pike River in NZ has reminded us, we can never ever take our eyes off the goal – zero harm. Our best wishes and sincere condolences go out to the families, friends and colleagues of the 29 men now confirmed dead in one of this region's worst mining tragedies.

We came together two years ago to craft a vision of what the industry's health and safety culture will look like in ten years time. Today, we are here to celebrate some

considerable achievements, to scope the journey ahead and to tackle a few of the blockages that still impede us from achieving that vision.

Firstly, I think it is worthy and important for us to take time to acknowledge the achievements of the last two years. Under the Chairmanship of Norman Jennings, MSAC has been able to work on and deliver many initiatives. Norman has highlighted all of these considerable achievements, but I would especially like to acknowledge the tripartism that exists. It is the envy of other states and the output makes a mockery of '*all talk and no action*' – an impediment we identified two years ago.

Another significant step forward has been the development of the Work Health and Safety regime. The Model Act development is a once in a generation opportunity to establish best practice workplace health and safety legislation throughout Australia – but particularly in NSW. The relative speed and efficiency with which all stakeholders have dealt with this reform is worth noting. However, there remain impediments that need to be addressed by stakeholders as we approach the final stages of this generational reform.

An area in which we believe there has been no progress is the development of the regulator culture and in particular the development of an effective enforcement mechanism. To say the industry was disappointed at the delay in releasing the findings of the Macken and Jennings reports would be an understatement. Industry feels dismayed that our concerns around investigations and enforcement issues have been dismissed, condemned to history and deemed unworthy of further consultation.

Industry will be seeking further consultation on this issue and we will be writing to you Minister seeking the development of a Code of Conduct, a mechanism to measure the performance of the Inspectorate, a review of the enforcement guideline and the development of an industry wide approach to attract and retain appropriate Inspectorate personnel.

We are encouraged to see the development of the new regulator culture project and look forward, along with other stakeholders, in contributing to this important project.

We have had some successes and failures in the past two years, though our journey has only just begun. As for the road ahead, industry looks forward to continued work with the unions and regulators as well as all of our employees to implement and further develop the areas of focus Norman has outlined in particular.

The outcomes of the Associated Non-Technical Skills Project and the Culture project – two important areas that will bolster the industry’s capacity to affect a culture change process.

When we join together in two years time I look forward to celebrating further successes with you and envisage a clearer journey ahead. The NSW mining industry believes in the vision of a world leading OHS culture and is committed to ensuring every effort is made to achieve it.

Thank you.