

Australia & New Zealand Regulatory Environment

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Representing: CMEIG - Construction & Mining Equipment Industry Group



The Construction & Mining Equipment Industry Group (CMEIG) is a non-profit organisation to represent the construction and mining equipment industry and allied equipment and services on issues impacting on the delivery of business.

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Agenda

Images shown here are for illustrative purposes only

- Australia - Synopsis
- Recent Developments and Focus Areas
- Standards & Regulations Development Activities
- New Zealand - Synopsis
- Closing Comments



Australia - Synopsis

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- Australia - a federation of 6 states, 2 major territories
 - States self governing in most aspects
- Numerous national and state-based regulators and interest groups, covering
 - Workplace Health and Safety
 - Mining / Oil & Gas / Resources safety
 - Equipment safety and compliance
 - Electrical (Mains) & Gas safety
 - EMC, Radio & Telecommunications Certification
 - Environmental Protection (incl. Non-road Emissions)
 - Hazardous Chemicals
 - Roding
- A common regulatory aim - **equipment free from risks to health and safety so far as is reasonably practicable**
 - Regulators use *Codes of Practice, Guidelines, Bulletins, Other guidance* to convey expectations
 - May refer to standards as a benchmark, however aim is generally risk-based
 - Significant onus on end users to address health and safety risks



Australia - Synopsis (cont'd)

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- Majority of states & territories have adopted harmonised Work Health and Safety (WHS) Laws
 - Broadened scope, stringent penalties, additional requirements
 - Reinforces risk management objective
 - Emphasis on hierarchy of controls (fig.)
 - State/application-specific underlying guidance material
 - WA finalising adoption, VIC recently confirmed will not adopt
- Mining a key driver for regulatory development
 - World leading safety performance (fig.)
 - Proactive end-user interest groups (e.g. EMESRT)
 - Practices filter down through to non-mining
 - Shifts ongoing – contractor use, safety **& health** transition, WHS awareness



For better/worse, what this can look like in practice...

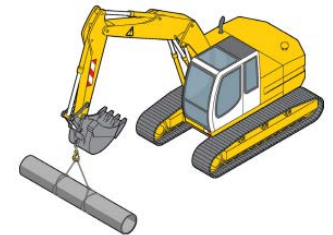
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Recent Developments & Focus Areas

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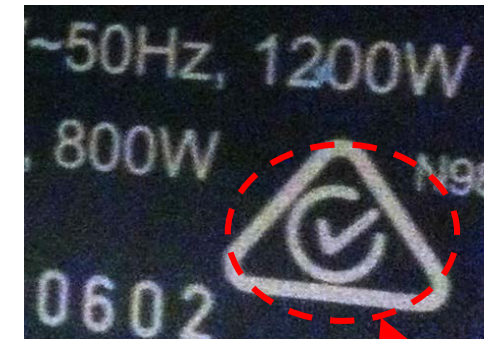
- New South Wales Resource Regulator
 - **Revised MDG 15 – Guideline for Mobile and Transportable Plant at Mines**
 - **(TBR) Revised MDG 41 – Guideline for Fluid Power System Safety at Mines**
 - HME fires and fire risk reduction
- Queensland Resource Regulator
 - **New Guidelines for Electric Drive EMM (QGN 26) and Proximity Detection/Collision Avoidance (QGN 27)**
- SafeWork Australia
 - **Harmonised guidance material (inc. Forklifts, Cranes, EWP's and EMM Lifting)**
 - **Model WHS Law under review (ca. 2019)**
- SafeWork New South Wales
 - **HME Tyres and Rims Guidance, Quick hitches that allow uncontrolled movement disallowed**
- Worksafe Victoria
 - New Regulations in-force, **Developing New Codes – inc. Construction & Quarrying Plant, Occupational Noise**



Recent Developments & Focus Areas

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- Risk Assessment & Functional safety
- Technology & Telematics
- ACMA (Australian Communication & Media Authority) - Radio equipment, EMC certification
 - Labelling harmonised – now **one RCM mark** for in-scope equipment
 - **Revised EMC Certification & Labelling Requirements** - *CMEIG Exemption*
 - **Revised Radio Equipment Certification & Labelling Requirements** - *new CMEIG exemption*
- Diesel Engine Emissions
 - **NSW EPA - 1st Jan 2018 - NSW Govt. Contracts - T4f where available**
 - **NSW EPA - (TBD) 1st Jan 2019 - New Surface coal mine equipment - T4f where available**
 - Fleet emission reduction strategies, PM reduction strategies
 - Some ahead of regulatory drivers
- Department of the Environment & Energy
 - **1st Jan 2018 - HFC R134a phase-down commenced**



Standards (AS & AS/NZS) & Regulations Activities

- Earthmoving and construction machinery (ISO/TC82 and ISO/TC127 aligned)
 - Developing **new Access Systems Standard (ISO 2867 MOD AU)** – CMEIG leading project
 - Developing **new Braking Standard (ISO 3450 MOD AU)** – CMEIG leading project
 - Establishing forestry link (ISO/TC23/SC15) – Chainshot (19-32mm polycarbonate), ISO 808X
 - **Kicking-off realignment with some ISO/TC127, ISO/TC82 and ISO/TC23 portfolio standards**
- Mining electrical safety
 - Harmonisation agenda (AS 300X, AS 4871) - Electric drive equipment, E-stops, isolators etc - *early-stage drafting*
- CMEIG members working closely with regulatory bodies
 - Development of MDG 15, MDG 41, QGN's, MEPIAG, ACMA Labelling notices
 - Mobile equipment fire risk reduction
 - Exemptions/advocacy where reasonable and realistic
 - 'Shared stage' in standards development
- Will continue to retain unique aspects where Australian expectation is higher



New Zealand - Synopsis

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- Reformed health and safety laws
 - Public spotlight – Pike River Coal, high fatality rate
 - Reform agenda (25% incident reduction target)
 - New regulator (Worksafe NZ)
- New Act now in force – *New Zealand Health and Safety at Work Act*
 - Regulations, Codes and other Supporting Documents development ongoing
- Parallels to Australia
 - Codes of Practice, Guidelines and Other guidance to set expectations
 - E.g. New Quarry & Construction ACOP
 - E.g. Safety and Health in Forestry ACOP, Steep slope logging
 - (Some) AU alignment for EMC, Radio certification
- Joint standards participation (AS/NZS)



Closing Comments

- Highly regulated markets in Australia and New Zealand
- General alignment between Australia and New Zealand - shared approach and schemes in some cases
- Rapidly evolving regional safety and regulatory environment - often led by risk owners
- Proactive standards and regulatory development, focused on health and safety risk
- Generally align with global best practice
- In some cases, set global best practice