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Australia & New Zealand Regulatory Environment

28th Joint Technical Liaison Meeting

Incheon, South Korea

March 18th-20th 2018

Presented by: ***Osama*** *ALI*

Company name: Caterpillar of Australia

Representing: CMEIG - Construction & Mining Equipment Industry Group

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Agenda

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

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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
  - Roading

- 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

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Australia - Synopsis (cont'd)

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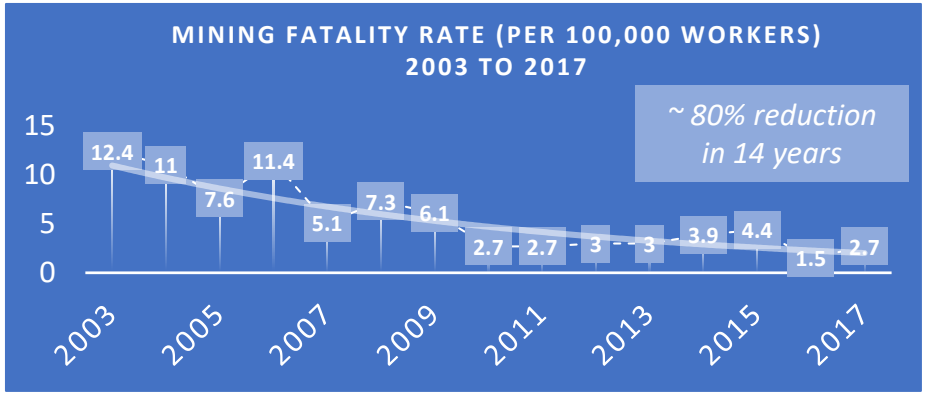
- Majority of states & territories have adopted harmonised Work Health and Safety (WHS) Laws
  - Broadened scope, stringent penalties, additional requirements
  - Reinforces risk management objective
  - Emphasis on hierarchy of controls (fig.)
  - State/application-specific underlying guidance material
  - 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



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

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Recent Developments & Focus Areas

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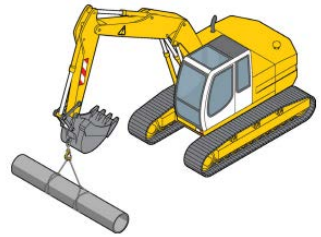
- New South Wales Resource Regulator
  - **Revised MDG 15 – Guideline for Mobile and Transportable Plant at Mines**
  - **(TBR) Revised MDG 41 – Guideline for Fluid Power System Safety at Mines**
  - HME fires and fire risk reduction

- 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**

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Recent Developments & Focus Areas

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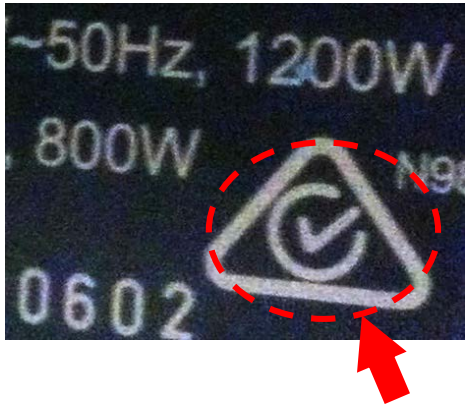
- Risk Assessment & Functional safety
- Technology & Telematics
- ACMA (Australian Communication & Media Authority) - Radio equipment, EMC certification
  - Labelling harmonised – now **one RCM mark** for in-scope equipment
  - **Revised EMC Certification & Labelling Requirements** - *CMEIG Exemption*
  - **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**



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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

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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)

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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

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