

Inquest into the death of Paul Thomas McGuire

Mr McGuire died on 6 May 2014 whilst employed at the Grasstree Underground Mine in Middlemount, Queensland. Mr McGuire's job card was not appropriately updated and directed him to a sealed area of the mine. He was overcome by severely oxygen-depleted air when he opened an inner hatch seal door.

Coroner David O'Connell delivered his findings of inquest on 22 May 2020.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

The department named in this response will provide implementation updates until the recommendation is delivered. Further information relating to the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

I do accept that this mine has made changes to hatch seals as to how they are manufactured and marked to prevent inadvertent access by a person. There was a suggestion that there should be some mandated standard issued by the Department of Natural Resources, Mine and Energy in relation to this. It was clear to me that there should not be a mandated standard, rather the department at best can only suggest a guideline (or guidance note) as to what may be applicable. The obligation is upon the individual mine operator to assess each individual circumstance to determine what is an appropriate design, and other relevant considerations for their hatch seals. Whilst I recommend that the department establish a guideline of what may be considered, that guideline will not be all-encompassing because there are so many different considerations at different mines, and I note that, as I said, the obligation rests with the mine operator. They cannot abrogate their duty to the department because it is their responsibility under the law to take the appropriate steps to protect coalmine workers. Accordingly, whilst I will recommend that the department develop a guidance note which can be included in the regulations, the mine should prepare a risk assessment of what is being done to prevent any further ingress to the GOAF during sealing up operations. Any consequential regulation refinements should also occur.

Response and action: implementation of the recommendation is in progress.

Responsible agency: Department of Natural Resources, Mines and Energy.

On 15 September 2020 the Minister for Natural Resources, Mines and Energy responded:

The department is progressing an amendment to the Coal Mining Safety and Health Regulations 2017 to prevent unauthorised or inadvertent access to a hatch by a pedestrian or a vehicle. This could include by securing with chains and locks, together with warning signs. A guidance note for industry regarding the securing of hatch seals is also in development.

The guidance note is to be finalised and made available to industry. Amendments to the Coal Mining Safety and Health Regulations 2017 are currently being considered. Both actions are expected to be completed by the end of 2020.