		Review of Draft Work	Health and Sa	afety (Mines) Regulation 2014
			Oppose	
Subdivision	Clause	Description	Yes/No Part 1 - Preli	Comments/Recommendations
				ot Work definition Includes soldering in this definition. Also - does not
				include poly welding.
Part 1	3	Definitions		Recommendataion - insert words : "soldering with a naked flame"
	5	Meaning of principle mining hazard		
		Appointment / notification of mine		
		operator		
		•	art 2 - Manag	ing Risks
		Divisio	on 1 - General	requirements
				Record keeping - what documents need to be kept for 7 years? Large
				volume of documents eg: take 5's, Risk Assessments, Work Authorisation
Subdivision 1 -		Management of risks to Health &		Permits, other work permits. Consider clarifying what documents need
Control of risk	9	Safety		to be kept.
	10	Review of control measures		
		Record of certain reviews of control		
		measures - mine operator		
		Record of certain reviews of control measures - PCBU		
	12			
Subdivision 2 -				
Safety				
Management				
Systems	13	Duty to establish & implement		
				After "the contractor health and safety management plan prepared by
				the contractor under clause 26" insert "if the operator determines a separate contractor health and safety management plan is required for a
	14	Content	No	contractor"
		Performance Stds and audit		
				Onerous requirement to give notice prior to all changes in the site SMS,
				impractical unless extent of change is defined. Modify clause 16 to "(1)
				The mine operator of a mine must, before any change to the safety
				management system for the mine is implemented: (a) conduct an adequate review of the controls and appropriate consultation; (b) if
				requested to do so by the regulator, give the regulator a copy of any
	16	Changes	Yes	relevant part of the safety management system document."
	17	Maintenance		
	18	Review		
Culo di stata de				
Subdivision 3 - Information to		duty to provide information to mine		
adjoining mine		operator of adjoining mine - on		
operators		request		
Subdivision 4 -				
Information to				
and from	20 & 21			
contractors	20 & 21	Division 2 - Princ	ipal mining ba	azard management plans
Subdivision 1 -				
Identification of				
hazards	22			
Subdivision 2 -				
Principal mining				
Principal mining hazard				(3) Why are reasons required for adopting or rejecting each control
Principal mining hazard management	23	Preparation		(3) Why are reasons required for adopting or rejecting each control measure- this is not practical
Principal mining hazard	23	Preparation		(3) Why are reasons required for adopting or rejecting each control measure- this is not practical

		C	vivision 3 - Otl	ner plans
Principal control				
plans	25	Health		
				25(4) b) - Mechanical Engineering Control plan
				uses the words "must ensure".
	25	Mech Eng		Recommendation: review for more appropriate wording possibility.
				25(5) b) - Mechanical Engineering Control plan
				uses the words "must ensure".
		Elec Eng		Recommendation: review for more appropriate wording possibility.
	25	Explosives		
				Is a Contractor H&S MP only required if the contractor is conducting
	26	Contractor H&S management plans		mining operations?
		Division 4 - Sp	ecific Control	measures - All mines
				Remove the clauses "(b) the supervisor of the outgoing shift signs the report, and (d) the supervisor of the incoming shift acknowledges in
				writing on the report that the content of the report has been
				communicated to workers on the incoming shift and the supervisor signs
				that acknowledgement." After "The mine operator of a mine at which
				more than 1 shift is worked each day must implement" insert "an
Subdivision 1 -				effective communication".
Operational		Communication between outgoing		Additionally, Shift report is not the forum for state of plant - defect
controls	27	and incoming shifts	Yes	management system
	28	movement of mobile plant		
				29(2)(d)(i) Reason: for surface operations and with technology in place
				eg: monitoring cameras and temperature and VA monitor monitoring
				feedbacks, no need to inspect at 8 hour frequency.
				Propose reword ing : "Risk based inspection scheme shall be
				implemented for underground or surface installations." If not risked
				based nominate shiftly for underground or 24hr inspection for surface
	20	operation of belt conveyors		operations. 29(2)(d)(ii) Operation of Belt Conveyors - Shut Down Inspections
		ground or strata failure		
				Should be included in Schedule 1 Part 1 Principal Mining Hazard
				Management Plan for Ground or Strata Control, not stand alone clause.
				The Operator of a mine should determine if seismic activity is a risk to
				health and safety at the mine and if seismic activity is determined to be a
	31	seismic activity	Yes	risk to health and safety at the mine, the mine operator must manage risks to health and safety associated with seismic activity at the mine
		Explosives and explosive precursors		
	33	Electrical safety		
	24	notification of high risk activities		
		notification of high risk activities Prohibited uses		
		closure, suspension and		
	36	abandonment of mine		
		minimum age to work in mine		
	38	inspection plan		
Subdivision 2 - Air				
quality and				
monitoring	39	Temperature and moisture content		
		Ensuring exposure standards for		
┞────┤	40	dust not exceeded		
	11	monitoring exposure to airborne dust		
		air monitoring - use of devices		
		air monitoring - signage		
Subdivision 3 -				
Fitness for work		Fatigue		
	45	Alcohol & drugs	ļ	

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81that are not explosion protectedImage: Constraint of the section of the sec	ļ	80	use of cables in hazardous zone	
81that are not explosion protectedImage: Constraint of the section of the sec				
electrical safety - testing circuits in hazardous zoneelectrical safety - testing circuits in hazardous zoneelectrical safety - testing circuits in hazardous zone83electrical safety - static charges84persons required to be on duty1000			-	
82hazardous zoneImage: Construction of the section of the sect		81		
83electrical safety - static chargesImage: static charges84persons required to be on dutyImage: static charges84persons required to be on dutyImage: static charges11 <td>I T</td> <td></td> <td></td> <td></td>	I T			
84persons required to be on duty684persons required to be on duty685858585inspection program8585inspection program8586sampling and analysis of airborne dust868686868686		82	hazardous zone	
84persons required to be on duty684persons required to be on duty685858585inspection program8585inspection program8586sampling and analysis of airborne dust868686868686		83	electrical safety - static charges	
Image: Subdivision 4 - all coal minesImage: Subdivision 4 - all inspection programImage: Subdivision 4 - all inspection programImage: Subdivision 5 - Specific control measures - underground mines. They relate to all minesSubdivision 4 - all coal minesSubdivision 5 - Specific control measures - underground mines. They relate to all minesSubdivision 4 - all coal minesSubdivision programWhy are these clauses under Division 5 - Specific control measures - underground mines. They relate to all minesSubdivision 4 - all coal minesSubdivision 6 airborne underground mines. They relate to all mines				
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coal mines85inspection programunderground mines. They relate to all minessampling and analysis of airborneWhy are these clauses under Division 5 - Specific control measures -86dustunderground mines. They relate to all mines				
coal mines85inspection programunderground mines. They relate to all minessampling and analysis of airborneWhy are these clauses under Division 5 - Specific control measures -86dustunderground mines. They relate to all mines	Subdivision 4 - all			Why are these clauses under Division 5 - Specific control measures -
sampling and analysis of airborneWhy are these clauses under Division 5 - Specific control measures -86 dustunderground mines. They relate to all mines		85	inspection program	
86 dust underground mines. They relate to all mines				
		86		
			<u></u>	

Subdivision1 -				
Emergency plans for all mines	87	duty to prepare emergency plan		
for un miles		consultation in preparation		
		implementation		
	90	copies to be kept and provided		
		resources for emergency plan		
		testing of plan		
		review		
	94	training of workers		
Subdivision 2 -				
Underground				
mines	95	Emergency exists		
		safe escape and refuge		
	97	signage for refuge		
		signage for caches, refill stations		
		and change over stations		
		self rescuers		
		PPE in emergencies		
	101	competent person at surface Division 7 - In	formation tr	aining and instruction
	102	duty to inform workers about SMS		
		duty to provide information,	1	
	103	training and instruction		
		duty to provide induction for		Giving all aspects of the SMS is not practical - employees only require
		workers		relevant info
	105	information for visitors		
		review of information, training and		
		instruction		
	107	record of training	rt 3 - Health N	Achitaring
		Fa	nt 5 - Health N	Does this mean that all contractors are required to do health
				monitoring? When is this not required? Not practical to do all.
				"Hazard in Mining" is broadly termed and could expose mines to future
	108	Health monitoring of worker		impractical directions to comply with.
	109	duty to inform of health monitoring		
		duty to ensure health monitoring		
		supervised or carried out by register		
		medical practitioner		
	111	duty to pay costs duty to provide medical prac with		
	112	information		
	112			
	113	health monitoring report		
		PCBU to obtain health monitoring		
	114	report		
		PCBU to give health monitoring		
	115	report to operator	ļ	
	-	duty to give health monitoring		
├		report to worker		
		duty to give health monitoring		
├		report to regulator reports kept as records	ł	
	110		sultation and	workers' safety role
I				
		safety role for workers in relation to		
	119	principle mining hazards		
	120	operator to consult with workers		
			ine survey pla	ns and mine plans
	4.5.4	Survey plan of mine must be		
	121	prepared	No	Clarification as to whether this replaces six monthly record tracings?
	100	plans of mine with less than 20		
├		workers review of survey plan	ł	
		survey plan to be available		
		security of survey data		
	125			

	survey plan to be provided to		
126	regulator		
		ision of infor	mation to regulator
	Duty to notify regulator of certain		
	incidents		
	Duty to notify regulator of other		
	matters		
	Quarterly reports Duty to notify operator of notifiable		
	incident		
130	incluent	1	
		Part 7 - Mine	Record
131	Mine record		
	mine record must be kept and		
	available		
	Par	t 8 - Statutory	y functions
	C	Division 1 - Pre	liminary
133	Definition		
	Division 2 - A	ppointment t	o statutory positions
134	Statutory positions and functions		
			Appointing an alternative Mining Surveyor of an Open Cut after 7 day
			absence of the incumbant is not practicle. Recommend Mining Surveyor
135	Obligations on mine operator	Yes	of an Open Cut be extended to 28 days.
136	Obligation on holder of stat position		
	Divisio	on 3 - Practisir	ng certificates
137	Eligibility for practising certificates		
	Application for practising certificate		
	Grant of practising certificate		
	Interstate practising certificates		
	Conditions		
	Suspension and cancellation of		
142	practising certificate		
1/13	Register of practising certificates		
143		4 -Certificates	of competency
	Eligibility for certificate of		
	competence		
	Application for certificate of		
	competence		
146	Grant of certificate of competence		
	Condition of certificate of		
147	competence		
	Cancellation of certificate of		
	competence		
	Register of certificate of		
149	competence		
		art 9 Licenced	activities
	Activities to which part applies		
	Activities not to be carried on		
	without a licence		
	eligibility for licence		
	application for licence		
	grant of licence		
	conditions		
	Suspension and cancellation of		
156	licence	Mino Cofety	Advisory Council
157	Part 10 - Definitions	while salety /	
	Membership		
	functions		
	procedure		
100		- Mining Com	petency Board
161	Definition		
	Membership		
	Chairperson		
	functions	1	
	committees		
	Part 12 - Sa	fety and Heal	th Representatives

		Parts of coal mine excluded from		
	166	application of Part 5 of Act		
	167	Qualifications		
	168	procedures for election		
	169	PCBU not to delay election		
		Mine SHRs taken to be HSRs		
		Pa	art 13 - Misce	llaneous
	171	Tourist mines		
	172	Government officials		
		Reviewable decisions		
		Qualifications of inspectors		
		Registration of plant designs and		
	175	items of plant		
		Serious injury or illness		
		Dangerous incidents		
		Prohibition notices		
		Corresponding WHS laws		
		Fees		
	100	Mines where only non mechanical		
	181	exploration occurs		
	101	Exemptions granted by regulator		
	182	during first 12 months		
	102		management	plans - additional matters to be considered
		Ground and strata instability	management	
┣─────┨		Inundation and inrush		
├				
		Mine shafts and winding systems		
		Roads and other vehicle operating		
		areas		
		Air quality, dust and other airborne		
		contaminants		
		Fire and explosion		
		Gas outburst		
		Spontaneous combustion		
		Subsidence		
			al control plan	s - matters to be addressed
		Health control plan		
		Mech Eng control plan		
		Elec Eng control plan		
		Explosives control plan		
		Sched	dule 3 - High r	isk activities
Part 1 - All mines		Emplacement areas		
		Electrical work on energised		
		electrical equipment		
Part 2 -				
Underground				
mines		Working in inrush control zones		
		Development of new mine entry		
		Connected voltage becoming		
		greater than 12,000 volts		
Part 3 -				
Underground coal		Roadway or drift without		
mines		intersection for 250 metres		
		Shot firing		
		Sealing		
		Polymeric process		
		driving underground roadway wider		
		than 5.5 metres		
		widening underground roadway		
		wider than 5.5 metres		
		use of high voltage plant and cables		
		in hazardous zone		
		formation of non-conforming pillars		
		secondary extraction by longwall		
		secondary extraction by longwall,		
		shortwall, miniwall or pillar		
		shortwall, miniwall or pillar extraction		
		shortwall, miniwall or pillar		
		shortwall, miniwall or pillar extraction		

	first applications of explosion
	inhibitors
	use of explosives designed for use in
	coal mines
	use of explosives not designed for
	use in coal mines
	first use of a diesel engine that is
	not flameproof
Part 4 - Coal	
mines other than	
underground coal	
mines	Highwall mining, entry of persons
Part 5 - All coal	
mines	Highwall mining
	Barrier mining
	Schedule 4 - Prohibited uses in mines
	Item and prohibited use
	Schedule 5 - Water barriers in underground coal mines
	Obligation of mine operator
	must only use distributed or
	concentrated barriers
<u>├</u> ──┤	trough design standards
	distributed barriers
├	
├	concentration barriers
└─── └ ─	loadings
	installation and other requirements
	Schedule 6 - Sampling and analysis of airborne dust
Part 1 -	
Preliminary	definitions
	sampling and analysis - general
	requirements
Part 2 -	
Underground coal	
mines - sampling	longwall mining area
	continuous miner operating area
	area where cement products being
	applied
	other areas
Part 3 - other coal	
	other areas
mines - sampling	Schedule 7 - Matters to be included in emergency plan for a mine
	Schedule 7 - Matters to be included in emergency plan for a mine Site and hazard detail
├	
	command structure and site
	personnel
	notifications
	resources and equipment
	procedures
	Schedule 8 - Information to be included in notification of mining incident
	Person injured
	incident
	consequences of incident
	Schedule 9 - Information to be included in mine guarterly report
	one date of a mornation to be included in mine quartery report
-	
	information fields to be reports
Part 1 -	information fields to be reports Schedule 10 - Statutory functions
Underground coal	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat
	information fields to be reports Schedule 10 - Statutory functions
Underground coal	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat
Underground coal	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat
Underground coal	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat
Underground coal mines Part 2 - Coal	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat
Underground coal mines Part 2 - Coal mines other than	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat
Underground coal mines Part 2 - Coal mines other than underground	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat positions
Underground coal mines Part 2 - Coal mines other than	information fields to be reports Schedule 10 - Statutory functions list of underground coal mine stat

Part 3 -				
Underground coal				
mines other than				
coal or small		list of underground mine stat		
gemstone mines		positions		
0				
Part 4 - Mines				
other than				
underground, coal				
or gemstone		list of other mine stat positions		
Part 5 - Small				
		list of gemstone mine stat positions		
gemstone mines		ist of genistone mine stat positions		
Part 6 -				
Exploration sites				
and tourist mines		list of other stat positions		
			bership of Mi	ine Safety Advisory Council
		members, deputies,vacancy, filling		
		vacancy		
	-		Savings and t	ransitional provisions
		Preliminary		
				Safety Management Plans, Contractor Health & Safety Management
		Alternative compliance		Plans should be extended to 2 years
		high risk activities		
		statutory functions and licenced		
		activities		
				Clause 30 - in consideration of comments for Part 2 Division 4 Clause 31
		miscellaneous		of the Regulations and extend to 2 years
	1	Add	itions / Other	comments

Yes	
No	