

Public comment template for Draft Mining Work Health and Safety Codes of Practice

Please send submissions by email to consult.minesafety@trade.nsw.gov.au

Submissions must be received by the due date for each code of practice. Due dates are written in the 'How to make a submission' chapter and on our website at www.resourcesandenergy.nsw.gov.au/safety

Confidentiality: Any information that you do not wish to be made available to the public should be clearly marked 'IN CONFIDENCE'. Submissions are subject to all relevant laws such as the Government Information (Public Access) Act 2009 and the Privacy and Personal Information Protection Act 1998. NSW Trade & Investment may provide extracts of submissions to other stakeholders for comment during the review of public submissions. Please indicate here by a tick if this submission or any parts of it are provided in confidence:

Whole submission Address and contact details Part (please specify)

Name: **Shane Turner** **Title and/or organisation (if applicable):** **Mechanical Engineer (stat)**

For each code, general feedback is sought on whether it:

- is helpful and easy to understand
- reflects current state of knowledge and technological developments in relation to managing various risks
- has an appropriate level of information or is too detailed including whether the information would be better dealt with in specific guidance
- requires additional examples or case studies to provide clarification. Please provide relevant examples and case studies that should be included.

Further to the general feedback, comment on specific guidance in each code is sought for whether they are adequate and clear (refer to public comment overview for each code).

Title of code:		
Page or section number	Number and/or title of section	Comments and suggestions
2.1.5	Existing plans and procedures	Question about the last sentence as to how far the review should extend. Advise to check that the current system aligns with the new legislation, not just a rebadge and then cut and paste. Will clarify code on this point with additional guidance in this section.
2.1.7	Responsibilities for plant and structures at the mine	Clarify that contractors should be included in the MECP content if they are part of the management structure. Also clarify how interaction issues are to be resolved as this is at a high level when technical oversight is required, not individual questions from tradesman on a day to day basis.
2.2	Who can develop and review a MECP?	Clarify that it should be documented including consultation undertaken and how the statutory person will carry out the role.



2.3.2	Mechanical Engineer	Need interpretation of what is involved in supervising and may be need to link to 4.3.3.1 Mechanical Supervision. Peter clarified that there needs to be a line of supervision which enables mechanical engineering matters to be referred up to the appropriate person including the mechanical engineer. 3 dot points need to be 'ands'. Include link to Engineers Australia.
2.3.3	Qualified mechanical tradesperson	Need clarification on what is an equivalent qualification. Clarify that non mechanical people can do mechanical work but not the statutory function eg. Supervise. Also need to address that a person may have certificate III but not have a trade Certificate of Proficiency. This needs to be clarified. Also the range of trades that should be accomodated under the legislation such as diesel fitters etc should be addressed in any legislative amendment.
4.3.1	Lifecycle	Add disposal of plant for lifecycle. Also clarify the duty for lifecycle relates to PCBUs at mine, including mine operator ie. not the OEM off site.
4.3.3	Mechanical engineering practices	4.3.3.1 Include statement that the mechanical supervisor can be part of the working crew as well as supervising. Also need to tidy up to include surface coal so it applies in all examples. This would also need to address any change in legislation if forthcoming for who is eligible to be a qualified mechanical tradesperson. Also need to address supervision versus just technical support ie. how the job is carried out, not technical issues. Peter advises that past incidents have involved procedures and the on the job changes that were not considered from a mechanical perspective thereby causing an incident or injury. The expectation is that the person with the appropriate mechanical is consulted beforehand.
4.4.1	Injury to persons	Add tyres
4.5.1	Acquisition and operation of plant or structure	Need to address major overhaul of legacy plant that is taken off site and returned with retro fitted equipment or brought up to current standards . Is it acquisition?
4.5.2	Installation, commissioning, operation, maintenance, repair and alteration	Include note on chane management requirements
4.5.3	Introduction of plant or structures into the mine	Need to clarify which person can do inspections eg. contract companies off site do the inspections. Suggest "competent person."
4.5.4	Safe systems of work	Clarify safe systems for who is to check SOPs and their competence required. Isolation needs to cover magnets as an energy source. Question on what constitutes a structure eg. Foundations, steel tranportable bridges. Need to clarify scheduling of inspections wording ie. outside of 2 yrly
4.5.5	Inspection and testing of plant	Need to clarify person with appropriate mechanical engineering competence to assess defects
4.5.8	Risks associated with plant	Add for stability for mobile plant and for drilling, refer to WA Drilling Code
4.5.14	Hot work	Add clarification again that MECP and EECF should jointly cover it given its nature.
4.6	Specific risk controls – WHS (Mines) Regulations	Correct is that it is for a Roads plan in sch 1 cl 4
4.7	Other specific risk controls – WHS Regulations	Clarify for vibration, what constitutes whole body, as it also involves other emissions for noise etc