

Draft Work Health and Safety (Mines) Regulation

Public comment template

Please send submissions by email to consult.minesafety@trade.nsw.gov.au Submissions must be received by 27 June 2014.						
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Whole submiss	ion 🗆	Address and contact	details	Part (please specify) □		
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 This template is divided into two parts: 1. Comments in response to discussion paper 2. Comments in relation to draft regulation Please ensure you include the page, section number or regulation clause number to which your comment relates. Your submission should, wherever possible, include evidence and examples to justify your position. 						
Part 1 - Comments in response to discussion paper						
Page or Section No.	Discussion point and your comment					
P15,S 3.2	Under the WHS Act a PCBU has a primary duty of care to ensure the health and safety of workers, so far as reasonably practicable managing risk. Comment: , A focus on risk management may be unhelpful if it is done at the expense of rigour in identifying hazards and assessing the effectiveness of current and alternative controls. In this respect the often used matrix method of risk management is particularly unhelpful. Uncommon high impact incidents and long-term occupational health disorders need additional attention. There is a need to establish approaches to collect and analyse health outcome data that is missed in the current injury and incident reporting data. This includes death data (Australian Institute of Health and Welfare) and early claims for superannuation					



	for death and total permanent disability held by Australian Tax Office.
S3.5 Also s 3.7.1	Principal Control Plans for Health – The exposure standards protect the majority of the population, but not the small 'at risk ' group. There is a need to develop 'dose-response' relationships for common exposures such as noise, dust, whole body vibration and some chemicals if commonly used. Health monitoring needs to include aspects function that may be adversely affected by exposures in conjunction with cumulative exposure through equivalent exposure groups. Where unexpected (but not necessarily debilitating) adverse health outcomes are detected, risk management strategies are implemented. The management of psychological disorders also needs attention. These disorders may or may not be work related. They have potential to cause dangerous actions or lapses by sufferers that may affect the workers, colleagues, the business or the general public.
3.14	What are stakeholders' views on the inclusion of health assessment provisions in the draft WHS (Mines) Regulation? The 1995 Industry Commission Report on Occupational Health and Safety concluded that for every reported occupational fatality, there were a further 10 unreported deaths that were related to occupational hazards. The registration of miners and the centralised collection of health surveillance and cumulative exposure data is an essential element in developing a picture of the risk of adverse health outcomes. Complementary data on adverse health outcomes is compiled as death data by the Australian Institute of Health and Welfare and early claims for superannuation for death and total permanent disability held by Australian Tax Office Regulation is essential to facilitate the collection of appropriate data.
3.21.1 Practising certificates	There is some overlap between the requirements for practicing certificates, continuing professional development obligations for Chartered Professionals with the Australasian Institute of Mining and Metallurgy and on-going registration requirements for mining sector engineers under Qld Professional Engineers Act. Documentation for all three groups should as far as possible be aligned to minimize the administrative burden on mining professionals. There is also a possibility of developing a common assessment process. Practicing certificates should also have a continuing professional development component to ensure awareness of changes in technology
	Part 2 - Comments in relation to draft regulation



Clause number	Title of clause and your comment or suggestion