## Public comment template for Draft Work Health and Safety (Mines) Regulation

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

**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  $\mathbf{\nabla}$  if this submission or any parts of it are provided in confidence:

	Whole	submission	
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Part (please specify)

Name: Ashley McLeod	Title and/or organisation (if applicable): Mt Owen Pty Ltd (Glencore)
This template is divided into two parts	
~ comments in response to the discussion paper	
~ comments on the draft regulation	

Please ensure you include the page, section number or regulation clause number to which your comment relates.

Address and contact details  $\Box$ 

Your submission should, wherever possible, include evidence and examples to justify your position.

		Review of Draft Work	Health and Sa	afety (Mines) Regulation 2014
Subdivision	Clause	Description	Oppose Yes/No	Comments/Recommendations
	•		Part 1 - Preli	minary
Davit 1	2			
Part 1	3	Definitions		
	5	Meaning of principle mining hazard		
		Appointment / notification of mine		
	6	operator		
		•	Part 2 - Manag	zing Risks
			-	requirements
				9(2) A person conducting a business or undertaking at a mine must
				ensure that a risk assessment(s) is conducted by a competent person(s)
Subdivision 1 -		Management of risks to Health &		for the purposes of subclause (1) in accordance with this clause.
Control of risk	9	Safety		
				9 (5) This clause is not practical to administer on a site. To keep every
				Take 5, Contractor JHA that is completed on site for the nominated time
				period is too onerous. Risk Assessments for the purpose of controlling
				Principal Mining Hazards are more appropriate documents to keep
				under this clause.
	10	Review of control measures		
		Record of certain reviews of control		
	11	measures - mine operator		
	10	Record of certain reviews of control		
	12	measures - PCBU		
Subdivision 2 -				
Safety				
Management				
Systems	13	Duty to establish & implement		
	14	Content		
	15	Performance Stds and audit		
				16 (1) (a) The mine operator of a mine must, before any material change
				to the safety management system for the mine is implemented:
				(a) give notice of the proposed change to the regulator and industry
				safety and health representative in accordance with this clause, and
				It would be better to define the materiality of any change the SMS.
				Stating "any" change and attaching a \$6k and \$30k penalty for non compliance is too restrictive.
	16	Changes		
		Maintenance		
		Review		

Subdivision 3 - Information to		duty to provide information to mine		
adjoining mine		duty to provide information to mine operator of adjoining mine - on		
operators	19	request		
•				
Subdivision 4 -				
Information to				
and from	20 & 21			
contractors	20 & 21	Division 2 - Princin	al mining ha	zard management plans
	T		-	22 (3) (b) consider the principal mining hazard individually and also
				cumulatively with other <b>principal mining</b> hazards at the mine.
Subdivision 1 -				
Identification of				There would be far too many iterations if you had to consider
hazards	22			cumulatively with all other hazards.
Subdivision 2 -				
Principal mining				
hazard				
management plans	23	Preparation		
ματισ	23			
	24	Review		
			vision 3 - Oth	er plans
Principal control				
plans		Health		
	_	Mech Eng		
	-	Elec Eng Explosives		
	25			
	26	Contractor H&S management plans		
	-	Division 4 - Spe	cific Control	measures - All mines
Subdivision 1 -				
Operational	27	Communication between outgoing		
controls	27	and incoming shifts		
	28	movement of mobile plant		
	20			29 (2) (c) must have regard to all matters relevant to risks associated
				with
				the operation of belt conveyors including the following:
				(i) risks arising <del>across the whole lifecycle</del> from operation of the belt
				conveyor,
				The reason for removing lifecycle is that by having regard to all relevant
	29	operation of belt conveyors		risks you have already complied.
	1			29 (2) (d) must ensure that belt conveyors are regularly inspected by a
	1			competent person, including but not limited to:
	1			(i) an inspection of each operating belt conveyor at least once
	1			every <del>8</del> <b>12</b> hours, and
	1			Proforably this should be rick brood in an one out an income of
	1			Preferably this should be risk based in an open cut environment. Some places have a current practice to only inspect weekly. If there has to be a
	1			mandatory number then 12 hours to align with shift lengths would be
	1			more practical than 8 hours.
	30	ground or strata failure		
	1			
	1			
	1			
	1			
	31	seismic activity		
	1			
		Explosives and explosive precursors		
	32			33 (f)(vii) the location of all <b>known</b> buried electrical services at the mine
	32			
	32			and
	32			and
	32			and There are already procedures dealing with identification of electrical
				and
		Electrical safety		and There are already procedures dealing with identification of electrical

	35	Prohibited uses		
		closure, suspension and		
		abandonment of mine		
		minimum age to work in mine		
	38	inspection plan		
Subdivision 2 - Air				
quality and monitoring	30	Temperature and moisture content		
monitoring		Ensuring exposure standards for		
	40	dust not exceeded		
		monitoring exposure to airborne		
	41	dust		
	42	air monitoring - use of devices		
				This clause appears to be attached to Clause 50 which seems to be
				applicable to underground mines only. It should state in Clause 43 that
	43	air monitoring - signage		this is for underground mines.
Subdivision 3 -				
Fitness for work	44	Fatigue		
	45	Alcohol & drugs		
		Division 5 - Specific	control meas	sures - underground mines
Subdivision 1 - all				
underground				
mines -				
operational	16	lorush		
controls		Inrush		
		connecting workings winding systems		
		ropes		
		operation of shaft conveyances		
		dust explosion		
		communication systems		
		ground and strata support		
		exhaust emissions and fuel		
	54	standards		
Subdivision 2 - All				
underground				
mines - air quality and ventilation		airbarna contaminants		
	55	airborne contaminants minimum standards for ventilated		
	56	air		
		air monitoring		
	0,	requirements if quality and		
	58	standards not met		
		standards not met		
	59	standards not met records of monitoring ventilation system - further requirements		
	59 60	standards not met records of monitoring ventilation system - further requirements monitoring and testing of		
	59 60	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system		
	59 60 61	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent		
	59 60 61	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system		
	59 60 61 62	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control		
	59 60 61 62 63	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan		
	59 60 61 62 63 64	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan		
	59 60 61 62 63 64	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan		
Subdivision 3 -	59 60 61 62 63 64	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan		
Subdivision 3 - Underground coal	59 60 61 62 63 64	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan		
Subdivision 3 - Underground coal mines	59 60 61 62 63 64 65	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan ventilation plan		
Underground coal	59 60 61 62 63 64 65 65 66	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan		
Underground coal	59 60 61 62 63 64 65 65 66 66 67	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan ventilation plan coal dust explosion		
Underground coal	59 60 61 62 63 64 65 64 65 66 67 68	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan ventilation plan coal dust explosion spontaneous combustion		
Underground coal	59 60 61 62 63 64 65 66 67 68 69	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan ventilation plan coal dust explosion spontaneous combustion subsidence		
Underground coal	59 60 61 62 63 64 65 64 65 64 65 64 65 69 70	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan ventilation plan coal dust explosion spontaneous combustion subsidence sealing light metal alloys atmospheric contaminants from		
Underground coal	59 60 61 62 63 64 65 64 65 64 65 64 65 67 68 69 70 70 71	standards not met records of monitoring ventilation system - further requirements monitoring and testing of ventilation system modelling before changes to vent system duty to prepare ventilation control plan review of vent control plan ventilation plan coal dust explosion spontaneous combustion subsidence sealing light metal alloys		

		control and monitoring of methane		
		levels		
		gas monitoring		
	75	portable gas detectors		
	70	requirements if quality or safety		
		standard not met		
		post incident monitoring		
	/8	use of plant in hazardous zone		
	70	exceptions to explosion protection		
		requirements use of cables in hazardous zone		
	80			
		use of internal combustion engines		
	81	that are not explosion protected		
		electrical safety - testing circuits in		
	82	hazardous zone		
		electrical safety - static charges		
	84	persons required to be on duty		
Subdivision 4 - all				85 (2) (iii) This clause is not applicable to open cut mines
coal mines	85	inspection program		
		sampling and analysis of airborne		
	86	dust		
		Division	6 - Emergeno	y Management
Subdivision1 -				
Emergency plans				
for all mines	87	duty to prepare emergency plan		
				88(2) The mine operator must ensure that the emergency plan
				addresses considers any recommendation made by the emergency
	88	consultation in preparation		service organisations consulted under subclause (1) in relation to:
		implementation		
		copies to be kept and provided		
		resources for emergency plan		
		testing of plan		
		review		
	94	training of workers		
Subdivision 2 -				
Underground				
mines		Emergency exists		
	96	safe escape and refuge		
	97	signage for refuge		
		signage for caches, refill stations		
		and change over stations		
		self rescuers	ļ	
		PPE in emergencies		
	101	competent person at surface		
		Division 7 - Inf	ormation, tra	aining and instruction
				102 (5) This clause is extremly difficult to meet with respect of all
				persons entering the mine especially with respect to itinerent contractors
				that may only come to site once a month. The SMS is covered in induction and underted periodically but not to the degree that is required
	102			induction and updated periodically but not to the degree that is required
	102	duty to inform workers about SMS duty to provide information,		under this clause.
	102			
	103	training and instruction		The mine operator of a mine must ensure that before a worker
				commences work at the mine, the worker is given information, training
				and instruction on the safety management system for the mine that is
				designed to provide the worker with knowledge of <del>all <b>the key</b> aspects of</del>
		duty to provide induction for		the safety management system.
	104	workers		
		information for visitors		
		review of information, training and		
	106	instruction		
		record of training		
			rt 3 - Health N	Aonitoring
	108	Health monitoring of worker		
		-		
	109	duty to inform of health monitoring		

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110 medical practitioner     111 (2) if the mine operator of a mine has not engaged a worker at the mine, the mine operator must ensure that the person conducting the busines or undertaining the engaged the worker pays all expenses we letting to health monitoring.       111		duty to ensure health monitoring		
11 (2) If the mine operator of a mine has not engaged a worker at the mine operator of a mine has not engaged a worker and the mine operator of a mine has not engaged a worker pays all expenses evolution in the mine operator of a mine has not engaged a worker pays all expenses evolution in the compary of the ERU's worker. Worket has a former of the employer of the ERU's worker. Worket has a former of the employer of the ERU's worker. Worket has a former of the employer of the ERU's worker. Worket has a former of the employer of the ERU's worker. Worket has a former of the employer of the ERU's worker. Worket has a former of the employer of the ERU's worker. Worket has a former of the employer of the ERU's worker. Worket has a former of the employer of the erubation in the employer of the ERU's worker. Worket has a former of the employer of the erubation in the employer of the erubation is a former of the employer of the erubation is a former of the worker in reduction is a former of for worker in reduction is a former of for worker is streter of the erubation is a former of for worker is streter of the erubation is a former of for worker is streter of the erubation is a former of for worker is streter of the erubation is a former of for worker is streter of the erubation is a former of for worker is streter of the erubation is a former of for worker is streter of the erubation is a former of for worker is streter of the erubation is a former of for worker is a former of the erubation				
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and the employer of the PCUS worker. Would it not be more appropriate to write this clause as:       111 duty to pay costs       112 duty to pay costs       113 duty to provide medical prex with       113 duty to provide medical prex with       113 duty to provide medical prex with       114 duty to provide medical prex with       115 metric to operator       116 duty to grow de medical prex with       117 experiment       118 metric to operator       119 metric to operator       110 metric to outlet       111 duty to grow costs       111 duty to grow costs       111 duty to grow costs       112 metric to outlet       113 metric to outlet       114 metric to outlet       115 metric to outlet       116 metric to outlet       118 metric to outlet       119 protis kept at record       110 metric to outlet       111 metric to outlet       112 metric to consult with workers       113 metric to outlet on workers       114 metric to outlet to outlet on workers       115 metric to outlet to the submation to mise glans       116 metric to outlet to the submation to mise glans       117 metric glan minie must be       118 metric to outlet workers       119 protis kept at record       111 metric dut to be available       112 metric to a consult with workers				mine, the mine operator must ensure that the person conducting the business or undertaking that engaged the worker pays all expenses
the worker must pay all expenses relating to health monitoring.  the worker must pay all expenses relating to health monitoring.  the worker must pay all expenses relating to health monitoring.  the worker must pay all expenses relating to health monitoring.  Delta to provide medial prac with  Delta to practice medial prac medial practice median pr				not the employer of the PCBU's worker. Would it not be more
111     duty to pay costs				111 (2) The person conducting the business or undertaking that engaged
112     Information       113     health monitoring report       PGEU to obtain health monitoring     Image: Consultation of the construction       114     report       115     report to operator       116     report to operator       117     reports worker       118     reports worker       119     reports worker       111     reports worker       112     reports worker in relation to       113     preports kept as records       114     preports kept as records       115     preports kept as records       116     preports kept as records       117     preports kept as records       118     preports kept as records       119     principle mining hazards       111     principle mining hazards       112     principle mining hazards       113     preparts kept as records       114     principle mining hazards       115     preparts kept as records       116     presert and known at the minic       117     preparts kept as records       118     principle mining hazards       119     principle mining hazards       111     principle mining hazards       112     principle mining hazards       113     preparts k	111	1 duty to pay costs		the worker must pay an expenses relating to health monitoring.
PCBU to obtain health monitoring     PCBU to obtain health monitoring       113     Peport       114     Peport       115     Seport to operator       116     duty to give health monitoring       117     Peport to vorker       118     report to regulator       119     reports key health monitoring       111     Teport to regulator       112     reports key health monitoring       113     Reports key health monitoring       113     Reports key health monitoring       111     report to regulator       112     reports key health monitoring       113     Reports key health monitoring       111     reports key health monitoring       112     reports key health monitoring       113     Reports key health monitoring       114     reports key health monitoring       115     report to regulator       116     reports key health monitoring       117     reports key health monitoring       118     report key health monitoring       119     report key health monitoring       110     perator key health health weak health and health monitoring       112     review of survey hant health and health monitoring       112     preview of survey hant heavilable       112     preview of	112			
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PCBU to give health monitoring       115 report to operator       duty to give health monitoring       115 report to regulator       118 reports to regulator       119 reports kept as records       Part 4 - Consultation and workers' safety role       119 principle mining hazards       120 operator to consult with workers       121 operator to consult with workers       122 operator to consult with workers       123 principle mining hazards       124 operator to consult with workers       125 security previous previous and mine plans       126 operator to consult with workers       127 prepared       128 reports very plan of mine must be       121 (4) (h) This is on unusual term for an open cut mine to have entry and exit points       128 report of survey plan       129 prepared       121 are yorkers       121 are yorkers       122 workers       123 report to survey plan       124 survey plan to be available       125 security of survey data       126 prepalator       Part 5 - Norking of information to regulator       Duty to notify regulator of or their       129 matters       1212 (2 uanterly reports       122 (2 uanterly reports       123 petraitor       Part 8 - Statutory functions       Duty to notify ceparator of notifiable       129				
115       Report to operator         116       report to worker         117       report to worker         118       report to worker         117       report to regulator         118       report to egulator         119       principle mining hazards         120       operator to consult with workers         121       principle mining hazards         120       operator to consult with workers         121       principle mining hazards         121       parts 5 - Mine survey plans and mine plans         121       parts 6 - Mine survey plans and mine plans         121       prepared         121       prepared         122       workers         123       plans of mine must be         123       plans of mine must be         123       plans of mine with less than 20         124       survey plan to be available         123       plans of mine with less than 20         124       survey plan to be available         123       genetery plan to be available         124       survey plan to be available         124       survey plan to be available         125       securetry reports         126 <td>114</td> <td></td> <td></td> <td></td>	114			
duty to give health monitoring       113 report to worker       113 report to regulator       113 report to regulator       113 report stept as records       114 reports kept as records       115 report to consultation and workers' safety role       114 reports kept as records       115 report to consult with workers       112 operator to consult with workers       112 operator to consult with workers       112 operator to consult with workers       112 prepared       112 operator       112 operator <td< td=""><td>115</td><td></td><td></td><td></td></td<>	115			
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1117       report to regulator         Part 4 - Consultation and workers' safety role         Part 4 - Consultation and workers' safety role         119       principle mining hazards         120       operator to consult with workers'         Part 5 - Mine survey plans and mine plans         Part 5 - Mine survey plans and mine plans         Description of mine must be         121       (4) (7) This is on unusual term for on open cut mine to have entry ond exit points         plans of mine with less than 20       221 (4) (h) This is on unusual term for on open cut mine to have entry ond exit points         123       prover plan       221 (4) (h) This is on unusual term for on open cut mine to have entry ond exit points         123       workers       221 (4) (h) This is on unusual term for on open cut mine to have entry ond exit points         123       review of survey plan       221 (4) (h) This is on unusual term for on open cut mine to have entry ond exit points         124       survey plan to be available       221 (2) workers         23       review of survey plan       231 (2) workers         24       survey plan to the provided to       231 (2) workers         25       generation       231 (2) workers         24       survey plan to of ther       231 (2) (2) workers	116			
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safety role for workers in relation to 113 principle mining hazards         120       operator to consult with workers         Part 5 - Mine survey plans and mine plans         121 (4) The plan must show the following (if present and known at the mine)         121 prepared         121 prepared         122 workers         123 review of survey plan         124 workers         123 review of survey plan         124 workers         123 review of survey plan         124 survey plan to be available         122 security of survey plan         123 review of survey plan         124 survey plan to be provided to         125 security of survey data         127 incidents         128 matters         129 Quarterly regulator of other         128 matters         129 Quarterly reports         120 Duty to notify regulator of notifiable         130 incident         Division 1 - Preliminary         Division 2 - Appointment to statutory positions         Division 2 - Appointment to statutory positions         Division 3 - Practising certificates	118			
119 principle mining hazards     Image: consult with workers       Part 5 - Mine survey plans and mine plans       Part 5 - Mine survey plans and mine plans       Date 5 - Mine survey plans and mine plans       Survey plan of mine must be     121 (4) (h) This is an unusual term for on open cut mine to have entry and exit points       plans of mine with less than 20     122 workers     Image: colspan="2">Image: colspan="2">Colspan="2"       Colspan= Colspan="2"		Part 4 - Cons	ultation and	workers' safety role
Part 5 - Mine survey plans and mine plans       Part 5 - Mine survey plans and mine plans       121 (4) The plan must show the following (if present and known at the mine)       Survey plan of mine must be       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following (if present and known at the mine)       121 (4) (The plan must show the following workers       121 (4) (The plan must show the following (The plan must show the following (The plan must show the following the mine to have entry and exit points       122 (Workers       121 (4) (The plan must show the following (The plan must show the		safety role for workers in relation to		
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Part 5 - Mine survey plans and mine plans  I 21 (4) The plan must show the following (if present and known at the mine)  Survey plan of mine must be 121 (4) (h) This is an unusual term for an open cut mine to have entry and exit points  plans of mine with less than 20 and exit points  123 evidents  124 survey plan to be available  125 security of survey data survey plan to be provided to 126 regulator  Part 6 - Provision of information to regulator  Duty to notify regulator of certain 120 incidents  Part 7 - Mine Record  131 Mine record  133 Oefinition  Part 8 - Statutory functions  Division 2 - Appointment to statutory positions  134 Statutory positions and functions  135 Obligation on holder of stat position  Division 3 - Practising certificates	120	operator to consult with workers		
121 (4) The plan must show the following (if present and known at the mine)       121 prepared       plans of mine with less than 20       122 workers       123 review of survey plan       124 survey plan to be available       125 security of survey data       survey plan to be available       126 regulator       Part 6 - Provision of information to regulator       Duty to notify regulator of certain       127 number of the provided to the survey to the provided to the the the the the the provided to the the the the the the the t	120		ne survey pla	ns and mine plans
Survey plan of mine must be     121 (4) (h) This is an unusual term for an open cut mine to have entry and exit points       121 prepared     and exit points       122 workers     123       123 review of survey plan     124       124 survey plan to be available     125       125 security of survey data     126       126 regulator     127       127 Incidents     128       128 matters     129       129 Quarterly reports     120       120 Uuty to notify regulator of other     120       123 matters     129       124 Uuty to notify regulator of other     120       129 Quarterly reports     120       131 Mine record     132       132 available     133 Definition       Division 1 - Preliminary       Division 2 - Appointment to statutory positions       Division 3 - Practising certificates				121 (4) The plan must show the following (if present <b>and known</b> at the
121     prepared     and exit points       122     plans of mine with less than 20				mine)
plans of mine with less than 20         122         workers         123         survey plan to be available         125         security of survey data         126         regulator         Part 6 - Provision of information to regulator         Duty to notify regulator of certain         127         incidents         Duty to notify regulator of other         128         matters         Duty to notify operator of notifiable         130         incident         Part 7 - Mine Record         mine record must be kept and         132         plaintion         Part 8 - Statutory functions         Division 1 - Preliminary         Division 2 - Appointment to statutory positions         133         Statutory positions and functions         134         Statutory positions on mine operator         135         Obligation on holder of stat position         Division 3 - Practising certificates		Survey plan of mine must be		121 (4) (h) This is an unusual term for an open cut mine to have entry
122     workers       123     review of survey plan       124     survey plan to be available       125     security of survey data       126     regulator       127     regulator       128     Duty to notify regulator of certain       127     Duty to notify regulator of other       128     Duty to notify regulator of other       129     Duty to notify operator of notifiable       129     Duty to notify operator of notifiable       129     Duty to notify operator of notifiable       130     Incident   Part 7 - Mine Record       131     Mine record       132     available   Part 8 - Statutory functions Division 1 - Preliminary Division 1 - Preliminary Division 1 - Preliminary Division 5 - Appointment to statutory positions       134     Statutory positions and functions   Division 3 - Practising certificates	121			and exit points
123       review of survey plan         124       survey plan to be available         125       security of survey data         126       survey plan to be provided to         126       regulator         Part 6 - Provision of information to regulator         127       incidents         128       Duty to notify regulator of certain         127       incidents         128       Duty to notify regulator of other         128       matters         129       Quarterly reports         120       Duty to notify operator of notifiable         130       Incident         Part 7 - Mine Record         131       Mine record         132       available         Part 8 - Statutory functions         Division 1 - Preliminary         Division 2 - Appointment to statutory positions         133       Obligations on mine operator         134       Statutory positions and functions         135       Obligations on mine operator         136       Obligation on holder of stat position         Division 3 - Practising certificates	123			
124     survey plan to be available       125     security of survey data       survey plan to be provided to       126     regulator         Part 6 - Provision of information to regulator         Duty to notify regulator of certain       127     incidents       Duty to notify regulator of other       128     matters       Duty to notify operator of notifiable       130     incident         Part 7 - Mine Record         Part 7 - Mine Record         Divy to notify regulator of notifiable       131     Mine record       mine record must be kept and       132     available      Part 8 - Statutory functions       Division 1 - Preliminary   Division 2 - Appointment to statutory positions       133     Definition   Division 3 - Practising certificates				
survey plan to be provided to 126 regulator     Part 6 - Provision of information to regulator       Duty to notify regulator of certain 127 incidents     Duty to notify regulator of other 128 matters       Duty to notify regulator of other 128 matters     Duty to notify operator of notifiable 130 incident       Duty to notify operator of notifiable 130 incident     Duty to notify operator of notifiable 130 incident       Part 7 - Mine Record       Division 1 - Preliminary       Division 1 - Preliminary       Division 1 - Preliminary       Division 2 - Appointment to statutory positions       Division 3 - Practising certificates				
126     regulator       Part 6 - Provision of information to regulator       127     Duty to notify regulator of certain       127     incidents       128     matters       129     Quarterly reports       129     Duty to notify operator of notifiable       130     incident   Part 7 - Mine Record       131     Mine record must be kept and       132     available   Part 8 - Statutory functions       Division 1 - Preliminary   Division 2 - Appointment to statutory positions       134     Statutory positions and functions       135     Obligation on holder of stat position   Division 3 - Practising certificates	125			
Part 6 - Provision of information to regulator         Duty to notify regulator of certain         127         Incidents         Duty to notify regulator of other         128         matters         Duty to notify reports         Duty to notify operator of notifiable         130         incident         Part 7 - Mine Record         131         Mine record         mine record must be kept and         available         Part 8 - Statutory functions         Division 1 - Preliminary         133       Definition         Division 2 - Appointment to statutory positions         Division 2 - Appointment to statutory positions         134       Statutory positions and functions         135       Obligation on holder of stat position         Division 3 - Practising certificates	126			
127     incidents			ision of infor	mation to regulator
128       matters	127	7 incidents		
129       Quarterly reports         Duty to notify operator of notifiable       Duty to notify operator of notifiable         130       incident         Part 7 - Mine Record         131       Mine record         mine record must be kept and       mine record must be kept and         132       available         Part 8 - Statutory functions         Division 1 - Preliminary         Division 2 - Appointment to statutory positions         133       Definition         Division 2 - Appointment to statutory positions         134       Statutory positions and functions         135       Obligations on mine operator         136       Obligation on holder of stat position         Division 3 - Practising certificates	100			
Duty to notify operator of notifiable incident       Duty to notify operator of notifiable incident         130       Duty to notify operator of notifiable incident         Part 7 - Mine Record       Part 7 - Mine Record         131       Mine record must be kept and 132 available       mine record must be kept and 132 available         Part 8 - Statutory functions         Division 1 - Preliminary         133       Definition       Definition         Division 2 - Appointment to statutory positions         134       Statutory positions and functions       Image: Colspan="2">Division 3 - Practising certificates         Division 3 - Practising certificates				
Part 7 - Mine Record          131       Mine record         mine record must be kept and       132         available       Part 8 - Statutory functions         Division 1 - Preliminary       133         Definition       Division 2 - Appointment to statutory positions         134       Statutory positions and functions         135       Obligations on mine operator         136       Obligation on holder of stat position         Division 3 - Practising certificates		Duty to notify operator of notifiable		
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132       available         Part 8 - Statutory functions         Division 1 - Preliminary         133       Definition         Division 2 - Appointment to statutory positions         134       Statutory positions and functions         135       Obligations on mine operator         136       Obligation on holder of stat position         Division 3 - Practising certificates	131			
Part 8 - Statutory functions         Division 1 - Preliminary         133       Definition         Division 2 - Appointment to statutory positions         134       Statutory positions and functions         135       Obligations on mine operator         136       Obligation on holder of stat position         Division 3 - Practising certificates	101			
Division 1 - Preliminary         133       Definition         Division 2 - Appointment to statutory positions         134       Statutory positions and functions         135       Obligations on mine operator         136       Obligation on holder of stat position         Division 3 - Practising certificates	132	1	t 8 - Statutor	y functions
Division 2 - Appointment to statutory positions         134       Statutory positions and functions       135         135       Obligations on mine operator       136         136       Obligation on holder of stat position       Division 3 - Practising certificates		Di		
134       Statutory positions and functions         135       Obligations on mine operator         136       Obligation on holder of stat position         Division 3 - Practising certificates	133		nointment	o statutory positions
135     Obligations on mine operator       136     Obligation on holder of stat position   Division 3 - Practising certificates		Division 2 - A	pointment t	
136 Obligation on holder of stat position Division 3 - Practising certificates				
Division 3 - Practising certificates	135	Obligations on mine operator		
Division 3 - Practising certificates	124	Obligation on holder of stat position		
137 Eligibility for practising certificates			n <u>3 - Practisi</u> r	ng certificates
137 Eligibility for practising certificates				
	137	/ Eligibility for practising certificates		

138Application for practising139Grant of practising certif140Interstate practising cert141ConditionsSuspension and cancellation	cate
139Grant of practising certif140Interstate practising cert141Conditions	cate
140Interstate practising cert141Conditions	
141 Conditions	
Suspension and callella	ion of
142 practising certificate	
143 Register of practising cer	
	Division 4 -Certificates of competency
Eligibility for certificate of	ŕ
144 competence Application for certificate	2 of
145 competence	
146 Grant of certificate of co	npetence
Condition of certificate of	f
147 competence	
Cancellation of certificat	e of
148 competence	
Register of certificate of	
149 competence	
150 Activities to which part a	Part 9 Licenced activities
Activities not to be carrie	
151 without a licence	
152 eligibility for licence	
153 application for licence	
154 grant of licence	
155 conditions	
Suspension and cancella	ion of
156 licence	
	Part 10 - Mine Safety Advisory Council
157 Definitions	
158 Membership	
159 functions	
160 procedure	Part 11 - Mining Competency Board
161 Definition	
162 Membership	
163 Chairperson	
164 functions	
165 committees	
	Part 12 - Safety and Health Representatives
Parts of coal mine exclud	
166 application of Part 5 of A	
167 Qualifications	
168 procedures for election	
169 PCBU not to delay election 170 Mine SHRs taken to be H	
	Part 13 - Miscellaneous
171 Tourist mines	
172 Government officials	
173 Reviewable decisions	
174 Qualifications of inspecto	irs
Registration of plant des	
175 items of plant	
176 Serious injury or illness	
177 Dangerous incidents	
178 Prohibition notices	
179 Corresponding WHS laws	
	This clause has no relevance to Work Health and Safety. The Regulator
	should be provided for by the State Government which is supported by Royalties generated by Mining activities. There shouldnt be a further fee
	imposed by the Regulator to generate revenue.
180 Fees	
Mines where only non m	echanical
181 exploration occurs	
Exemptions granted by r	egulator
182 during first 12 months	
	ning hazard management plans - additional matters to be considered
Schedule 1 - Principal m Ground and strata instat 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		
		control plar	ns - matters to be addressed
	Health control plan		
			2 (1)(a) This is good idea in theory however the application of this for all
			plant and structures at the mine is extremely administrative. For
			example all hired equipment should come to site with a life cycle
			maintenance plan, i.e. EWP, pumps, cranes etc.
	Mech Eng control plan		
			3 (1)(a) This is good idea in theory however the application of this for all
			plant and structures at the mine is extremely administrative. For
			example all hired equipment should come to site with a life cycle
			maintenance plan, i.e. Generators, welders etc
	Elec Eng control plan		
	Explosives control plan		
	Schedu	ule 3 - High ı	risk activities
			2 (2) What is the driver for a 3 month waiting period. Once it is approved
			it should be able to commence immediately. There have been examples
			in the industry of both long and short lead times on approval. If a mine is
			subject to a longer approval time and then has to wait three months to
			start emplacement then this could become problematic without an
Part 1 - All mines	Emplacement areas		exemption.
	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		
Deut 2			
Part 3 -			
Underground coal	Roadway or drift without		
mines	intersection for 250 metres		
	Shot firing		
	Sealing Polymeric process		
	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,		
	shortwall, miniwall or pillar		
	extraction		
<b> </b>	shallow depth of cover mining		
	mining in outburst control zones		
<b> </b>	first applications of explosion		
	inhibitors		
	use of explosives designed for use in		
	coal mines		
	use of explosives not designed for		
	use of explosives not designed for use in coal mines		
	use of explosives not designed for		

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
	trough design standards
	distributed barriers
	concentration barriers
	loadings
	Iodungs
	installation and other requirements
	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
mines - sampling	
	continuous miner operating area
	area where cement products being
	applied
	other areas
Part 3 - other coal	
mines - sampling	other areas
	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
<b>_</b>	Person injured
	incident
	consequences of incident
	Schedule 9 - Information to be included in mine quarterly report
1	information fields to be reports
Part 1 -	information fields to be reports
	information fields to be reports Schedule 10 - Statutory functions
Underground coal	information fields to be reports     Schedule 10 - Statutory functions       Iist of underground coal mine stat     Iist 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       Iist of underground coal mine stat     Iist of underground coal mine stat
Underground coal mines	information fields to be reports     Schedule 10 - Statutory functions       Iist of underground coal mine stat     Iist of underground coal mine stat
Underground coal mines Part 2 - Coal	information fields to be reports     Schedule 10 - Statutory functions       Iist of underground coal mine stat     Iist of underground coal mine stat
Underground coal mines Part 2 - Coal mines other than	information fields to be reports     Schedule 10 - Statutory functions       Iist of underground coal mine stat     Iist of underground coal mine stat
Underground coal mines Part 2 - Coal mines other than underground	information fields to be reports       Schedule 10 - Statutory functions         Iist of underground coal mine stat positions       Image: Constraint of the state position of the state posi
Underground coal mines Part 2 - Coal mines other than	information fields to be reports     Schedule 10 - Statutory functions       Iist of underground coal mine stat     Iist of underground coal mine stat
Underground coal mines Part 2 - Coal mines other than underground	information fields to be reports       Schedule 10 - Statutory functions         Iist of underground coal mine stat positions       Image: Constraint of the state position of the state posi
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Underground coal mines Part 2 - Coal mines other than underground mines Part 3 - Underground coal	information fields to be reports       Schedule 10 - Statutory functions         Iist of underground coal mine stat positions       Image: Constraint of the state position of the state posi
Underground coal mines Part 2 - Coal mines other than underground mines Part 3 - Underground coal mines other than	information fields to be reports       Schedul 10 - Statutory functions         Iist of underground coal mine stat positions       Iist of underground coal mine stat positions         Iist of other coal mine stat positions       Iist of other coal mine stat positions
Underground coal mines Part 2 - Coal mines other than underground mines Part 3 - Underground coal mines other than coal or small	information fields to be reports       Schedule 10 - Statutory functions         list of underground coal mine stat positions       Image: Constraint of the stat position of the stat pos
Underground coal mines Part 2 - Coal mines other than underground mines Part 3 - Underground coal mines other than	information fields to be reports       Schedul 10 - Statutory functions         Iist of underground coal mine stat positions       Iist of underground coal mine stat positions         Iist of other coal mine stat positions       Iist of other coal mine stat positions

Part 4 - Mines			
other than			
underground, coal			
or gemstone	list of other mine stat positions		
Part 5 - Small			
gemstone mines	list of gemstone mine stat positions		
Part 6 -			
Exploration sites			
and tourist mines	list of other stat positions		
	Schedule 11 - Mem	bership of Mi	ne Safety Advisory Council
	members, deputies,vacancy, filling		
	vacancy		
	Schedule 12 -	Savings and t	ransitional provisions
	Preliminary		
	Alternative compliance		
	high risk activities		
	statutory functions and licenced		
	activities		
	miscellaneous		
	Add	itions / Other	comments

Yes	
No	