

Model Work Health and Safety Regulations for Mining - Public Comment Response Form

Individual/Organisational name: D McGowan	
Regulations Chapter 9: Mines	
Part 9.1	
Regulation	Comment
9.1.5, 9.1.6, 9.1.7	<p>In many circumstances it is a corporation or business that is conducting a business or undertaking with control over a right or entitlement to carry out mining operations at the mine. Regulation 9.1.6 refers to a person. Should the corporation or business nominate an individual if so is this not the same as nominating a mine operator as described by 9.1.5.</p> <p>Is there a requirement for the Mine Holder to nominate a Mine Operator, what happens if it is not done – does the mine holder become the mine operator by default? What if the mine holder is a company or group? I think the regulations should specify that the Mine holder must nominate a mine operator.</p> <p>Should also consider describing the responsibility of the mine operator.</p> <p>Does the Mine operator need any qualifications?</p>
Part 9.1	
Regulation	Comment
Part 9.2	
Regulation	Comment
9.2.3(3)	“If complying with subregulation (2) does not minimise a risk so far as is reasonably practicable, the mine operator must, so far as is reasonably practicable, minimise the remaining risk by implementing administrative controls.” This is a bit circular; I believe the intent is if subregulation (2) does not control the risk adequately then administrative controls are to be implemented. I think it can be worded much better and more concisely. The same applies to regulation 9.2.3(4)
9.2.13	Should also be a requirement for each person working in a mine to report the status of each work area including any hazards, to the supervisor.
9.2.17(2)(c)	Minimising the accumulation of potentially explosive dust is also relevant to mines other than coal mines, I am not sure this regulation should exclude all other mines except coal mines.
9.2.17(4)(a)	Should delete the word coal. This should be relevant to all dust explosions.
9.2.18(2)	Examples should be used in codes of practice, guidelines or standards not regulations.
9.2.19(a)	This seems to suggest that the use of air conditioned cabins or rooms are not an adequate control for the risk of heat stress. Perhaps

	rewording it to the atmosphere in work areas rather than atmosphere in the mine.
9.2.28(1)(d)	“No work area at the mine is ventilated with contaminated air”. What is contaminated air, if it is air with traces of dust or undesirable gas then this may not be practical to achieve. This subregulation is not really needed as 9.2.28(2) requires the air to be from the purest source possible.
9.2.37	I agree with the intent of more than one exit from a mine, but believe subclause (b) and (c) are trying to say the same thing. Subclause (c) will require at least more than 3 entrances or exits to the mine. What does “in addition to the hoisting shaft and any other normal exit” mean. One interpretation could be that if an entrance is used on a regular basis then it is a normal exit and thus an additional 2 means of exit must be developed. What if these additional exits become used regularly, are more additional exits needed? If the intent is to have two exits that are to only be used for emergency exits then this is creating an additional burden on the mining operation that adds very little benefit. If the intent is to have three means of entrance and exits from the mine, then it may be better to be more direct in the description. Having three entrances and exits from a mine is more than currently required in Western Australia and would mean the closure of many current operations – will it make the mines more safe?
Part 9.3	
Regulation	Comment
9.3.2(2)	I think “under the influence” would be better terminology than “adversely affected” as adversely affects implies that the mine operator must prove that the drugs or alcohol are detrimental.
9.3.4	Also need a requirement for the worker to attend the required health monitoring.
Other Comments	

Codes of Practice	
Roads and Other Vehicle Operating Areas	
Section/page number	Comment
Managing Naturally Occurring Radioactive Materials in Mining	
Section/page number	Comment
The Mine Records	
Section/page number	Comment
WHS Management Systems in Mining	
Section/page number	Comment
Inundation and Inrush Hazard Management	
Section/page number	Comment
Emergency Response in Australian Mines	
Section/page number	Comment
Strata Control in Underground Coal Mines	
Section/page number	Comment

Ventilation of Underground Mines	
Section/page number	Comment
Survey and Drafting Directions for Mine Surveyors	
Section/page number	Comment
Health Monitoring	
Section/page number	Comment
Mine Closure	
Section/page number	Comment
Ground Control in Open Pit Mines	
Section/page number	Comment
Ground Control for Underground Mines	
Section/page number	Comment
Underground Winding Systems	
Section/page number	Comment