

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

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<b>Regulations Chapter 9: Mines</b>	
Part 9.2	
<b>Regulation</b>	<b>Comment</b>
<b>9.2.10</b>	<p>My problem is not so much as what is in this clause as what is not in the clause. Unlike the Safety Case legislation for Major Hazard Facilities, the mines legislation is silent on when Principal Hazard Management Plans must be revised (refer WHS Regulations 8.4.2 (2) (e)). The implication in omitting this is that whenever a risk assessment's hazard or control is changed, the Principal Hazard Management Plan must also be updated, regardless of the magnitude of the change. This is impractical.</p> <p>I suggest take a leaf out of the Major Hazard Facility legislation and state review expectations. The most important documentation that a mine must always be keeping up to date are procedures, work instructions, forms, training modules, assessment guidelines etc i.e. documents that are actually used by workers and trainers. Let's face it, in reference 9.2.10 (2) (b), the users of the plan are the Regulators; don't expect Joe Blow on the shop floor to have a Principal Hazard Management Plan sticking out of his pocket or in the cab of his digger.</p>

<b>Codes of Practice</b>	
WHS Management Systems in Mining	
<b>Section/page number</b>	<b>Comment</b>
2.2	Use of the word integrated. A truly integrated system is one which combines OH&S, environment, quality and financial control. The statement "It is important the operator combines all aspects of safety into a single integrated system (WHSMS) to ensure there are no gaps and that all elements work in a coordinated manner." is shallow to companies implementing a truly integrated management systems.
2.3	May I suggest that standards such as OHSAS 18001, AS/NZS 4801 do a much better job of identifying elements of a WHSMS. Document control (as opposed to control of records) doesn't get much of a look-in, neither does management review. I suggest that the COP say something like "Standards such as OHSAS 18001 etc define elements of a management system and in particular those that a mine must address are blah blah blah".
3.1	"Depending on the risks and complexity of a mine and the nature of its activities, such a plan ....". What actually is the plan being referred to here?
3.4	"The list has to detail how each element of the WHSMS is to be implemented" but in the paragraph above it says "Creating and implementing an action list is essential if the WHSMS is to be a comprehensive and integrated system that manages all aspects of risk control as required by the WHS Regulations." Well it is either one or the other – i.e. something used on the journey to create a WHSMS or something that is

	needed to ensure that the WHSMS is comprehensive and integrated. I don't think an action list will do the latter.
2.2 Figure 3	Section 2.3 Figure 2 shows Principal Mining Hazard Management Plans as a subset of a WHSMS, yet this Figure has them separated from a WHSMS! Confused messaging.
5.3	<p>"A mine operator must review and, if necessary, revise the WHSMS at least every three years."</p> <p>Does this means that procedures, work instructions, forms, training modules, assessment guidelines only need to be reviewed every three years? I think not! I fervently wish that it would say "A mine operator must review and, if necessary, revise their Principal Hazard Management Plans at least every three years".</p>