

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

OneSteel response to Model Work Health and Safety Regulations for Mining

1.1 OneSteel Limited

OneSteel is an integrated miner, manufacturer, distributor and recycler of metals and steel related products that is self-sufficient in iron ore and has the ability to be self-sufficient in scrap metal, with revenues in excess of \$7 billion Australian dollars.

With a strategic focus on the growing global resources industry, OneSteel not only mines and supplies raw steel making materials to steel mills operating in Australian and overseas but is also a leading manufacturer of steel mining consumables which are critical to mine sites all over the world. With people and resources in over 15 countries and more than 70 operating facilities in overseas markets, OneSteel is positioned as a true global partner.

In total OneSteel services more than 30,000 customers, offers more than 40,000 products globally and employs over 11,000 people.

OneSteel manufactures and distributes structural, rail, rod, merchant bar, cold finished bar, chrome plated bar, reinforcing, wire, tube, pipes, fittings, valves and actuation, rail wheels and axles, grinding media and recycled metals. The majority of OneSteel's products are used in the mining, construction, manufacturing, housing, and agricultural industries.

OneSteel demonstrates a strong commitment to occupational health and safety (**OHS**), believing that all injuries, occupational illnesses and incidents are preventable. One of OneSteel's core values is that 'we will not compromise on safety' and, as such, a focus on the health and safety of employees, contractors and customers underpins OneSteel's activities. Achieving zero injuries is a clear objective in all OneSteel businesses.

OneSteel operates open cut Iron Ore and Dolomite mines in South Australia. Our comments on the WHS Regulations for Mining are restricted to open cut operations and OneSteel has not commented on specific provisions related to other mining methods such as underground mining.

Individual/Organisational name: OneSteel	
Regulations Chapter 9: Mines	
Part 9.1	
Regulation	Comment
General	There are a number of provisions that are identified as dealing with underground mining operations, and some that are not. This lack of consistency can be confusing for the reader and requires clarification so that there is clarity on the specific requirements for open cut operations.

9.1.5	OneSteel notes that the positions of Mine Holder and Mine Operator are defined. Further clarity is required on how this affects current arrangements relating to Mining Licensing, Ticketing and the related license / ticket holder authorisation hierarchy. OneSteel seeks further clarification of the role of the Mine Operator, in particular further clarity on whether the duties and responsibilities of the Mine operator are absolute or can they be delegated.
9.1.9 and 9.3.2	OneSteel supports the control of risks associated with alcohol and other drugs. The current wording is ambiguous and leads to subjective debate regarding levels of impairment and exposure to risk. Practical measurement requires a position that is quantifiable such as based on levels of detection.
Part 9.2	
Regulation	Comment
9.2.4 (1.f)	This section needs to accurately reflect the provisions in the WHS Act There needs to be a specific “ trigger” to establish conditions for HSR to review
9.2.5	Clause 9.2.5 (3) (a) terms “comprehensive” and “integrated” are ambiguous. The WHS management system should drive a focus on the barriers and controls for the principal mining hazards rather than be drawn into broader systems covering “all” risks.
9.2.9	OneSteel question the value of providing the health and safety information specified in schedule 9.1 to the regulator on a quarterly basis as well as how the regulator is to respond to this information. The information is essentially lag based and does not drive a culture focussed on continuous WHS improvement.
9.2.10	OneSteel supports the development of principal mining hazard management plans. The focus should be on the critical controls and barriers that are required to effectively control the risk as opposed to “all” aspects of risk controls which could lead to undue emphasis placed on less critical controls.
9.2.42	OneSteel recognise the importance of workers understanding the safe systems of work that relate to their work. Some aspects of the WHS management system will not be of relevance to all workers. To require the mine operator to provide a written summary of the WHS management system may mean that workers are provided with too much information at commencement and critical risk controls covered in inductions and training may run the risk of not being absorbed due to other less critical information.
Part 9.3	
Regulation	Comment

9.3.3	Refer to point 9.1.9.
9.3.4	OneSteel support the responsible application of health monitoring where the potential exposure warrants. The health monitoring at the commencement and cessation of work at the mine is a good practice and should be at the discretion of the mine rather than made compulsory within the regulations. It is not always possible to undertake health monitoring before a worker ceases work. Insert 'so far as reasonably practicable' after must ensure. This should be considered for guidance only Guidance on actions possible if worker refuses is also required
Other Comments	
9.6	OneSteel support the notification requirements in Part 3 of the WHS act. OneSteel fosters the active internal reporting of High Potential Incidents as a valuable learning opportunity. The inclusion of a duty to notify high potential incidents as defined within the draft regulation could be counterproductive and discourage a culture of proactive identification and internal reporting of high potential incidents and may add an unnecessary burden to the regulator. High potential as defined in the draft regulation is unclear and needs a specific definition if it is to remain. Dangerous incident is already specified and notifiable. Should be specific about the events or occurrence captured and the reasons justified. 37(l) of the Act is open ended until the Regulations are available and requires definition.

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