New WHS (Mines) safety laws

Outburst Seminar Nov 2015
Overview

- harmonising mine safety laws
- key elements of the new legislation
- outburst
National harmonisation of WHS laws and mining

- Model WHS Act and Regulations (Chapter 10 Mines)
- Tri-state model WHS Mines Legislation
- NSW adopting model legislation with some unique requirements retained eg. Plant registration
Combining NSW mines legislation

- Mine Health and Safety Act
- Mine Health and Safety Regulation
- WHS (Mines) Act
- WHS (Mines) Regulation
- Coal Mine Health & Safety Act
- Coal Mine Health and Safety Regulation
Relationship between WHS Laws

Both WHS and WHS (Mines) laws apply

- WHS Act
- WHS Regulation
- Codes of practice

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- WHS (Mines) Act
- WHS (Mines) Regulation
- Mining codes of practice
Key elements of new legislation

- process and systems approach continues
- risk management and specific controls
- safety management system with plans
- emergency management
- health monitoring
- statutory functions and practising certificates
- consultation, information and training
- provision of information to the regulator
High risk activity notification

- replaces some approvals
- expanded list of HRAs - most only apply to coal mines
- once waiting period expires activity can commence as per the information in the notification
Principal mining hazard management plans (PMHMPs)

- PMH: potential to result in multiple deaths in a single incident or a series of recurring incidents
- principal mining hazard management plans – must address how developed and outcome eg. roads and other vehicle operating areas
Outburst in the Regulations

- Clause 5 – identified as a PMH
- Clause 33 – HRA – Schedule 3 Item 18 mining in outburst control zone
- Schedule 1 Item 7 – Gas Outbursts
Outburst Control Zone—Schedule 3 Item 18

- If Australian Standard AS 3980-1999, Guide to the determination of gas content of coal – direct desorption method is used - the amounts in subparagraphs (i) and (ii), when added together exceed 9 cubic metres per tonne of coal.
(i) the total amount of gas (measured in cubic metres per tonne)
(ii) the percentage of that total amount of gas that is carbon dioxide, multiplied by 4 cubic metres per tonne of coal or
(b) if the GeoGas Desorption Rate Index is used – the Desorption Rate Index is greater than 900
Outburst

- PMH
- PMHMP
- HRA for mining in outburst control zones