

CMHS Act and Regulation

LEGISLATION COMPLIANCE AUDIT TOOL

**Health and Safety Management System Field
Audit**

NSW Department of Primary Industries

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1 INTRODUCTION

1.1 Background

The *Coal Mine Health and Safety Act 2002* and *Regulation 2006* came into effect in December 2006 and apply in addition to the *Occupational Health and Safety Act 2000* and *Regulation 2001*.

The Wran Mine Safety Review Report (February 2005) recommended that the new provisions be subject to audit and review 24 months after commencement (Recommendation 6).

To achieve the intent of the Wran Report recommendation, the DPI Mine Safety Operations Branch;-

- Has conducted desktop assessments of all coal operation HSMS and Contractor Management Plans in 2008;
- Will conduct further detailed audits of coal operation compliance with the relevant legal provisions during 2009. The audit program will address health and safety management systems, contractor management plans, electrical engineering management plans, mechanical engineering management plans.

This document sets out the procedure for the conduct of audits, including;

- The coal operation's health and safety management system, and
- Other key requirements not captured in the other three audit areas.

Each coal operation will be provided a copy of this audit tool, prior to the audit commencing, and are encouraged to self assess their health and safety management system.

1.2 Objectives

The objectives of the HSMS Audit Program are to:-

- assess whether the HSMS of NSW coal operations include all matters, plans and procedures required under the relevant legal provisions;
- provide feedback to NSW coal operations on the extent to which their HSMS includes all matters required under relevant legal provisions;
- identify any industry-wide problems and issues in achieving compliance with the relevant legal provisions and suggest strategies to address them; and
- establish baseline data on the extent of NSW coal operation compliance with the relevant legal provisions to enable future audit programs to assess trends in the extent of compliance.

2 AUDIT PROCEDURE

2.1 Nomination and Briefing of DPI Assessment Officers

The Area Manager NE and SE will arrange for;-

- a DPI inspector/MSO to be nominated as the DPI Assessment Officer for each coal operation;
- all DPI Assessments Officers to attend a briefing on the HSMS Audit Program objectives and procedures.

Record-Keeping

To assist the DPI Program Manager monitor the HSMS Assessment Program, a Program Schedule will be established which indicates;-

- the DPI Assessment Officer for each coal operation; and
- the dates of each assessment briefing.

A dedicated file will be created for the assessment for each coal operation.

2.2 Notification to Coal Operations

All coal operations will be notified, by the assessing officer, of the HSMS Assessment Program. This Notice will;

- indicate the objectives and scope of the assessment program;
- provide an outline of the assessment procedure;
- include a copy of this document;
- indicate the name and contact details of the DPI Assessment Officer responsible for the conduct of the HSMS assessment (as nominated in 4.1);
- indicate the documentation the coal operations are requested to make available for review during the HSMS assessment;
- indicate the range of persons required to be interviewed during the assessment;
- request the coal operation provide the name and contact details of a representative to liaise with the DPI Assessment Officer to coordinate the conduct of the assessment.

Record Keeping

The DPI Assessment Officer will place a copy of the Notice for each coal operation on the on the relevant file.

2.3 Pre-Assessment Briefing

DPI Assessment Officers will conduct pre-assessment briefings with each coal operation. This briefing may take place at a meeting at the coal operation, or over the telephone.

During the briefing, the DPI Assessment Officer will;-

- explain the objectives and procedure for the assessment program as outlined in the Notice;
- clarify the coal operation documents that will be required for review as part of the assessment (with reference to the criteria in the Assessment Worksheet);
- Request a written update on actions taken as a result of the 2008 desktop audit
- ask if there are any questions about the assessment program and procedure, and respond to any questions; and
- confirm a date and facilities for the assessment.

Record Keeping

The DPI Assessment Officer will;-

- record notes on any significant issues arising during the pre-assessment briefing in the relevant file.

2.4 Assessment field visit

At the agreed date and time, the DPI Assessment Officer will attend the coal operation and conduct the assessment.

During the assessment the DPI Assessment Officer will:-

- review relevant coal operation documentation against the audit criteria specified in the Audit Checklist;
- interview relevant persons verifying details identified in Audit Checklist
- record assessment scores and comments, and identifying details of the coal operation documentation on which these findings are based, using the HSMS Assessment Worksheet..

The HSMS Desktop Assessment Worksheet is included as **Appendix A**.

Once the assessment is completed, the DPI officer will provide a brief verbal summary of the findings to the coal operation management representatives.

2.5 Feedback Report and other records

Following the conduct of the assessment, the DPI Assessment Officer will prepare a Feedback Report of the HSMS assessment, including;-

- a typed version of the HSMS Assessment Worksheet;
- a standard covering letter.

The template covering letter is included in **Appendix B**.

Record Keeping

The DPI Assessment Officer will;-

- enter the required data and information from the Assessment Worksheet into the Program Database;
- confirm the date the Feedback Report is completed and data entered with the Area Manager who shall update the Program Schedule;
- ensure a copy of the Feedback Report is included in the relevant file.

2.6 Feedback report provided to Coal Operation

The DPI Assessment Officer will forward a copy of the Feedback Report to the coal operation.

Record Keeping

The DPI Assessment Officer will;-

- retain copy of the finalised Feedback report on the dedicated DPI file.

2.7 Program Report

Once all desktop assessments have been conducted for all coal operations, and feedback reports have been finalised, the Chief Inspector will arrange for the preparation of a report summarising the conduct and outcomes of the HSMS Assessment Program.

The Program Report will;-

- provide an outline of the objectives and procedures for the Desktop Assessment Program
- include statistical information on the number of assessments conducted, and the range and average assessment scores for each criteria, derived from the Assessment Database;
- indicate the key strengths and weaknesses of HSMS and practices across the coal industry sector;
- include recommendations for strategies and actions to support improvements in coal operation HSMS and practices

A draft Program report will be circulated to all DPI Assessment Officers for review and comment, before being finalised by the Chief Inspector.

Once finalised, the Program Report will be distributed to all coal operations and published on DPI's website.

Appendix A – Worksheet instructions for use

This Worksheet is designed for use in DPIs HSMS Assessment Program 2009.

Column 1 – Assessment Criteria

The Criteria are drawn from the HSMS Assessment Checklist.

Column 2 - Assessment

The assessment score should be recorded in Column 2. The Assessment scoring scale is as follows;-

0	1	2	3	4	5
N/A	Just starting		Progressing		Done

Column 3 – Relevant Coal Operation Documents and Questions that may be asked in the field

The title and identifying references (document number and/or date of issue) of all documents cited during the assessment of each criteria should be recorded in this column.

Column 4 – Comments

Comments regarding the extent and nature of compliance and non-compliance with assessment criteria should be recorded in this column. This may include;

- Areas/issues in which the documents reviewed indicate full or partial non-compliance with the assessment criteria.
- Areas/issues for which relevant documents were not available at the assessment field visit, and/or do not appear to be created or stored by the coal operation;
- Any other comments indicating the justification for the assessment score.

Assessment Database

All information recorded on this Worksheet during the assessment should be entered into the Assessment Database.

HSMS Audit Worksheet

ASSESSMENT CRITERIA	Rating	DOCUMENTS REVIEWED and QUESTIONS TO ASK	COMMENTS
A. General requirements			
<p>A.1 Nomination of Operator to DPI The operator of the coal operator has been formally nominated to DPI.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Act ss 17-19 (nomination of operator) - CMHS Regulation cl 7-12 (nomination of operator) - CHMS Act ss 215-218 (service of documents) 	<input type="checkbox"/> Note: rating either 1 or 5	Refer 2008 desktop audit. Have deficiencies been rectified?	
<p>A.2 Provision of HSMS summary to DPI An outline of the coal operations HSMS, and subsequent amendments, have been submitted to DPI and Industry Check Inspector.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Act ss 20-31 and CMHS Regulation cl 22-27 (provision of HSMS information to DPI & industry check inspector) 	<input type="checkbox"/> Note: rating either 1 or 5	Refer 2008 desktop audit. Have deficiencies been rectified?	

1. Policy			
<p>1.1 Health & Safety Policy There is an OHS policy statement which;-</p> <ul style="list-style-type: none"> - indicates overall OHS objectives and a commitment to improving OHS performance; - has developed in consultation with employees; - has been endorsed by management; - is communicated to all employees and contractors. <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804::2001, section 4.1.4 - CMHS Act S23 (3)(a) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p> <p>Question to any employee or contractor: Have you seen and understand the operation's Health and Safety Policy?</p>	
2. Planning			
<p>2.1 Legal Requirements There are procedures for;</p> <ul style="list-style-type: none"> - identifying and maintaining information about OHS-related legal requirements, and - communicating this information to relevant employees. <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804:2001, section 4.2.3 	<input type="checkbox"/>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p> <p>Question to any manager, supervisor, employee or contractor having legal responsibilities: Do you receive updates on any changes to legislation?</p>	

<p>2.2 General Risk Management Procedures There are documented procedures for identifying OHS hazards and assessing and controlling risks, including methods, competencies and resources appropriate to nature of OHS hazards and risks arising at the coal operations.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804:2001 section 4.2.2(Planning identification of hazards,etc) - CMHS Act s 23(2) (HSMS content) - CMHS Act s35 (identification of major hazards) - OHS Regulation cl 9-16 (general risk management requirements) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p> <p>Documents: evidence of hazard identification and risk assessment as per operation's risk management procedure.</p>	
<p>2.3 Contractor Management Plan There is a Contractor Management Plan including procedures for selecting and monitoring contractors undertaking mining work activities to ensure they comply with OHS requirements.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Act s39-43 (contractor management plans) - CMHS Regulation cl 40-42 (scope of contractor provisions, additional content of contractor management plans & duties relating to contractors) - AS4804:2001, section 4.3.4.7 (Purchasing Goods and Services) 	<p>Not applicable</p>	<p>To be covered in separate audit</p>	<p>Not applicable</p>

<p>2.4 Purchase of Plant, Materials & Substances There are procedures for ensuring that purchased plant, materials and substances comply with OHS requirements.</p> <p><u>Relevant Legal Provision & Standards</u> - AS4804:2001, section 4.3.4.7(Purchasing Goods and Services)</p>	<input type="checkbox"/>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p> <p>Documents: evidence recent purchases complying with operation's OHS purchase procedure.</p>	
<p>2.5 OHS Performance Indicators There are measurable key performance indicators for the OHS objectives of the coal operation.</p> <p><u>Relevant Legal Provision & Standards</u> - AS4804:2001, section 4.2.4 (Objectives & targets) - AS4804:2001, section 4.2.5 (Performance indicators)</p>	<input type="checkbox"/>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p> <p>Documents: recent OHS performance statistics for operation.</p>	

<p>2.6 OHS Management Plans There are documented OHS management plans identifying actions, responsibilities, resources and timeframes for achieving health & safety objectives and targets.</p> <p><u>Relevant Legal Provision & Standards</u> - AS4804:2001, section 4.2.6 (OHS Management Plans)</p> <p>Note: this criteria refers to an overall plan for the operation which sets safety targets, details actions for improvement and sets responsibilities and timeframes.</p>	<input type="checkbox"/>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p>	
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<p>2.7 Mine Surveys & Plans</p> <p>2.7.1 Survey and Plan Arrangements There are survey and plan arrangements including procedures for the conduct of surveys and the preparation and certification of;</p> <ul style="list-style-type: none"> - a mine working plan - a surface plan - a ventilation plan for underground mines <p>2.7.2 Mine Record Tracings Up-to-date copies of mine working plans are submitted to the DPI.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation cl 138-143 - CMHS Regulation 43 (duties of mining surveyor) 	<p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p>	
<p>3. Implementation</p>			
<p>3.1 Resources There are documented processes for identifying and ensuring the availability of the human, financial and physical (eg, facilities, equipment) resources required to implement and maintain the HSMS.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804:2001, section 4.3.2.1 (Resources- Human, physical and financial) 	<p style="text-align: center;"><input type="checkbox"/></p>	<p>Refer 2008 desktop audit.</p> <p>Have deficiencies been rectified?</p>	

<p>3.2 Management Structure</p> <p>3.2.1 Management structure There is a documented management structure which identifies the responsibilities and accountabilities of persons performing statutory functions</p> <p>3.2.2 Supervision Arrangements There are documented arrangements for the supervision of all persons in production areas of surface part as the coal operation and underground parts of the coal operation, to ensure hazards are detected and HSMS procedures are complied with.</p> <p>3.2.2 OHS accountabilities & responsibilities The OHS accountabilities, responsibilities and reporting relationships of all managers, supervisors and employees are clearly documented (eg, organisational charts and position/role descriptions).</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4801:2001 section 4.3.2.3 (Accountability etc) - CMHS Act s37-38 (management structure & register) - CMHS Act s63-68 (duties of managers) - CMHS Regulation 44 (contents of mgt) - CMHS Regulation cl 17 (supervision arrangements) 	<p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p><u>Management structure</u> Questions (sample of positions in structure): Do you understand your responsibilities under the operation's management structure?</p> <p><u>Supervision Arrangements</u> Questions (workplace supervisors): Who are you responsible for? How Do you know if anyone else enters you workplace?</p> <p><u>OHS accountabilities & responsibilities</u> Questions (cross section of persons): What are your OHS responsibilities?</p>	
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<p>3.5 Information & Communication Arrangements</p> <p>3.5.1 <u>Distribution of OHS Information</u> There are documented procedures for disseminating OHS information to all employees and contractors (eg, information of OHS legal requirements, the relevant HSMS documentation, OHS performance reports, and "Safety Alerts", etc)</p> <p>3.5.2 <u>Daily Communication Arrangements</u> There are documented procedures for ensuring relevant OHS information is communicated on a daily basis;</p> <ul style="list-style-type: none"> - between managers, supervisors, employees and contractors, and - between supervisors during changes in shifts. <p>3.5.3 <u>Communication Facilities</u> Secure facilities are provided at all relevant places in the coal operation to enable the communication of OHS information relevant to daily activities and in the event of emergencies.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804:2001, section 4.3.3.1 (Communication) - OHS Regulation 13(1-3) & 16 (general requirements to provide necessary information) - CMHS Regulation 13(b) & 16 (information and communication arrangements) - CMHS Act s 30 (access to HSMS) 	<p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p> <p style="text-align: center;"><input type="checkbox"/></p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p><u>Distribution of OHS Information</u> Question to any employee or contractor: how do you receive relevant OHS information?</p> <p><u>Daily Communication Arrangements</u> Question to any manager, supervisor, employee or contractor: what OHS information do you receive/provide on a shiftily/daily basis? How?</p> <p><u>Communication Facilities</u> Observation: current OHS information is available at the nominated locations.</p>	
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<p>3.8 Document & Data Control</p> <p>3.8.1 <u>Document Control</u> There are documented procedures for creation, control and review of HSMS documents.</p> <p>3.8.2 <u>Document organisation</u> There is a summary or index of HSMS documents and records, indicating their type and storage locations.</p> <p>3.8.3 <u>Record Keeping</u> There documented procedures for collecting and maintaining OHS records and data (eg records of risk assessments, inspections, investigations, health surveillance, plant maintenance, etc).</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804:2001 section 4.3.3.3 (Documentation) - AS4801:2001 section 4.3.3.4 (Document control) - AS4804:2001, section 4.3.3.5 (Records & Info. Mgt) 	<p style="text-align: center;"> <input data-bbox="1214 320 1279 384" type="checkbox"/> <input data-bbox="1214 480 1279 544" type="checkbox"/> rate 1 or 5 <input data-bbox="1214 639 1279 703" type="checkbox"/> </p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p><u>Document Control</u> Observation: documents sighted are current versions</p> <p>Documents: sight records</p>	
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<p>4. Major hazard management plans</p> <p>The following legal requirements are relevant to all Elements in this Part:-</p> <ul style="list-style-type: none"> - CMHS Act s35-36 (MHMPs - general contents) - AS4804:2001, section 4.3.4 (Hazard identification, hazard/risk assessment & control) - OHS Regulation cl 9-16 (general risk management requirements) 			
<p>4.1 Slope Stability</p> <p>There is a Slope Stability Management Plan indicating procedures for the identification, assessment and control of risks associated with the stability of high & low walls, stockpiles and overburden dumps on the surface parts of coal operations.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(a)(i) & 29 (content) - CMHS Act s86-90 (barriers and pillars) - CMHS Act s98-104 (emplacement areas) 		<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of slope stability incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	

<p>4.2 Surface Transport There is a Surface Transport Management Plan indicating procedures for the identification, assessment and control of risks arising from the use and operating environment of plant on the surface parts of the coal operations.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(a)(ii) & 30 (content) - CMHS Regulation cl 72 (overhead power line clearance) - CMHS Regulation cl 134-137 (transport rules) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of surface transport incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	
<p>4.3 Underground Transport There is an Underground Transport Management Plan indicating procedures for the identification, assessment and control of risks arising from the use and operating environment of plant in underground parts of the coal operations, including associated surface rail systems transport systems.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(b)(i) & 31 (content) - CMHS Regulation cl 134-137 (transport rules) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of underground transport incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	

<p>4.4 Strata Failure There is a Strata Failure Management Plan indicating procedures for the identification, assessment and control of risks arising from strata failure in the underground parts of the coal operation.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(b)(ii) & 32 (content) - CMHS Act s86-90 (barriers and pillars) - CMHS Regulation 88 (bord & pillar systems) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of strata failure incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	
<p>4.5 Inrush There is an Inrush Management Plan indicating procedures for the identification, assessment and control of risks arising from in rush of waters, other fluid materials or flammable or noxious gases in the underground parts of the coal operation.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(b)(iii) & 33-34 (content) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of inrush incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	

<p>4.6 Fire & Explosion There is a Fire & Explosion Management Plan indicating procedures for the identification, assessment and control of risks arising from fires and explosions in the underground parts of the coal operation.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(b)(iv) & 35 (content) - CMHS Regulation cl 65-70 (prohibited materials) <p><i>Note: see also Fire fighting plan in Element 6.1</i></p>	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of fire/explosion incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	
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<p>4.7 Coal Dust Explosions There is a Coal Dust Explosion Management Plan indicating procedures for the identification, assessment and control of risks arising from coal dust explosions in the underground parts of coal operations.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(b)(v) & 36 (content) - CMHS Regulation cl 91-95 (coal dust explosions) - CMHS Regulation cl 96-101 (DPI-appointed explosion suppression officer & roadway dust sampling) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of roadway dust failures, barrier inspections, internal and external audits and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	
<p>4.8 Outburst There is an Outburst Management Plan indicating procedures for the identification, assessment and control of risks arising from outbursts of coal or gas in the underground parts of the coal operation.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 28(b)(vi) (MHMP content) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of outburst incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	

<p>4.9 Spontaneous Combustion There is a Spontaneous Management Plan indicating procedures for the identification, assessment and control of risks arising from spontaneous combustion in underground parts of coal operations.</p> <p><u>Relevant Legal Provision & Standards</u> - CMHS Regulation 28(b)(vi) (MHMP content)</p>	<p><input type="checkbox"/></p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of spon com incidents, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	
<p>4.10 Explosives There is an Explosives Management Plan indicating procedures for the identification, assessment and control of risks arising from the handling of explosives.</p> <p><u>Relevant Legal Provision & Standards</u> - CMHS Regulation 28(c)(i) & 37 (MHMP content)</p>	<p><input type="checkbox"/></p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of incidents involving explosives, internal audit and review of plan. Licences of shotfirers.</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	

<p>4.11 Airborne Dust There is an Airborne Dust Management Plan indicating procedures for the identification, assessment and control of risks associated with airborne dust in surface and underground parts of the coal operation.</p> <p><u>Relevant Legal Provision & Standards</u> - CMHS Regulation 28(c)(ii) &38-39 (MHMP content)</p>	<p><input type="checkbox"/></p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Documents: records of airborne dust failures, internal audit and review of plan</p> <p>Question to relevant persons: what are your responsibilities under the plan</p>	
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<p>5.2 Electrical Plant and Installations</p> <p>There is an Electrical Engineering Management Plan including:-</p> <ul style="list-style-type: none"> - procedures for the installation, commissioning, maintenance, testing and repair of electrical plant and installations; - standards of electrical engineering practice and safe work procedures (including isolation procedures); - up-to-date plans and diagrams of the electrical distribution system indicating the type and location of electrical cables, installations, and warning notices and signs; - procedures in the event of interruptions to the electricity supply. <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation cl13(e) &19 (Electrical Engineering Management Plan) - CMHS Regulation cl 83 (isolation) - OHS Regulation cl 40-41 & 62 (electrical installations) - OHS Regulation, Chapter 5, cl 113-119 (plant item registration) and cl 134-144 (use of plant) - OHS Regulation cl 205-208 (electrical work) 	<p>Not applicable</p>	<p>To be covered in separate audit</p>	<p>Not applicable</p>
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<p>5.3 Mechanical Plant and Installations</p> <p>5.3.1 <u>Mechanical Engineering Management Plan</u> There is a Mechanical Engineering Management Plan including:-</p> <ul style="list-style-type: none"> - procedures for the purchasing, commissioning, maintenance, testing, repair and alteration of mechanical plant and installations; - standards of mechanical engineering practice and safe work procedures. <p>5.3.2 <u>Plant Registration</u> All relevant items of plant are registered with WorkCover and DPI.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4801:2001, section 4.4.6 (Hazard identification and risk assessment & control) - OHS Regulation cl 9-16 (general risk management requirements) - CMHS Regulation 13(f) &20 (Mechanical Engineering Management Plan) - OHS Regulation, Chapter 5, cl 113-119 (plant item registration) and cl 134-144 (use of plant) - CMHS Regulation cl 77-82 (conveyor belts) - CMHS Regulation cl 86 (conveyor riding) 	<p>Not applicable</p>	<p>To be covered in separate audit</p>	<p>Not applicable</p>
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<p>5.4 Hazardous Substances</p> <p>5.4.1 <u>Risk assessments</u> There is a documented procedure for assessing risks associated with hazardous substances, including preparing and maintaining records of risk assessments.</p> <p>5.4.2 <u>Register of hazardous substances</u> There a register of all hazardous substances used at the coal operation, including copies of material safety data sheets and reports of risk assessments.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - OHS Regulation, Chapter 6, cl145-147 (definitions and scope) and cl 161-174 (use of hazardous substances). 	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p>	
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<p>5.5 Dangerous Goods</p> <p>5.5.1 <u>Risk assessments</u> There is a documented procedure for assessing risks associated with dangerous goods, including preparing and maintaining records of risk assessments.</p> <p>5.5.2 <u>Register of dangerous goods</u> There is a register of all dangerous goods stored at the coal operation, including copies of material safety data sheets and reports of risk assessments.</p> <p>5.5.3 <u>Dangerous goods manifest</u> There is a site plan indicating the type, quantity and location of dangerous goods (<u>Note:</u> only required where dangerous goods are stored in quantities specified in OHS Regulation Schedule 5)</p> <p>5.5.4 <u>Notification of Dangerous Goods</u> There is a document procedure for notifying DPI (WorkCover?) when dangerous goods are stored in quantities specified in OHS Regulation Schedule 5.</p> <p>5.5.5 <u>Dangerous goods emergency plan</u> A dangerous goods emergency plan has been prepared indicating procedures in the event of an emergency associated with dangerous goods and submitted to NSW Fire Brigades</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p>	
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<p>5.6 Construction Work</p> <p>There is a documented procedure for the management of construction work, including the:-</p> <ul style="list-style-type: none"> - the identification of construction zones; - the selection and appointment of principal contractors (where cost of work exceeds \$250,000 or involves high risk activities); - the development of OHS management plans (where cost of work exceeds \$250,000); - the provision of Safe Work Method Statements by subcontractors (where cost of work exceeds \$250,000 or involves high risk activities). <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4801:2001, section 4.4.6 (Hazard identification and risk assessment & control) - OHS Regulation cl 9-16 (general risk management requirements) - OHS Regulation cl 209-261 (OHS management plans, and control of construction work risks) - CMHS Regulation cl 87 (construction zones) - OHS Regulation cl 265-277 & 299-306 (certificates of competency) - OHS Regulation cl 317-340 (licensing & permits for specific demolition and asbestos removal work). 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p>	
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<p>5.7 Fitness for Work There is a Fitness for Work Procedure indicating processes for the assessment and control of risks associated with;-</p> <ul style="list-style-type: none"> - drug and alcohol use; and - fatigue. <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4801:2001, section 4.4.6 (Hazard identification and risk assessment & control) - OHS Regulation cl 9-16 (general risk management requirements) - CMHS Regulation cl 148 (Fitness for work program) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p>	
<p>5.8 Surface Premises & Work Environment Not covered in this audit.</p>			
<p>5.9 Manual Handling Not covered in this audit.</p>			

<p>6.2 Withdrawal Conditions There are documented Withdrawal Conditions specifying the circumstances under which people are to be withdrawn from all or parts of the coal operation due to risks to health & safety (other than emergencies).</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - CMHS Regulation 13(g) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Question to employees or supervisors: what circumstances require withdrawal of persons under the operation's Withdrawal conditions?</p>
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<p>7.4 HSMS Audit There is a documented program and procedures for periodic audits of the effectiveness of the HSMS.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804:2001, section 4.4.3 (Audits of the OHSMS) - CMHS Regulation 129-130 (ventilation arrangements) 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p>
<p>8. Review</p>		
<p>8.1 HSMS Review There are documented procedures for the review of the HSMS in consultation with workers, at least every 3 years and following fatalities, significant incidents and significant changes in operations.</p> <p><u>Relevant Legal Provision & Standards</u></p> <ul style="list-style-type: none"> - AS4804:2001, section 4.5 9 (Review and Improvement) - CMHS Act s28 	<input type="checkbox"/>	<p>Refer 2008 desktop audit. Have deficiencies been rectified?</p> <p>Question to manager: has a triggered review of the system occurred?</p>

Appendix B – Template Assessment Report

(insert name and address of coal operation)

Dear

REPORT ON HSMS ASSESSMENT

As a part of an industry-wide program, an assessment of the Health and Safety Management System of *(insert name of coal operation)* was undertaken on *(insert date of assessment field visit)* by *(insert name & position title of DPI Assessment Officer)*.

The assessment was undertaken using the DPI HSMS Assessment Checklist, which includes criteria reflecting relevant Coal Mine Health and Safety Act and Regulation provisions.

Please find attached a Report on the outcomes of this assessment. In particular, please note any areas indicated in the Report which indicate non-compliance with relevant legal provisions.

Also note that the result of this assessment is a reflection of the sampled documentation and individual persons questioned at the time of the assessment. As such, the result needs ongoing verification and review by the operator. The assessment result should not be taken as an endorsement of the system by the DPI.

A range of publications are available on DPI's website to provide guidance in developing and maintaining HSMSs which comply with relevant legal requirements;

Please direct any inquiries concerning this Report to *(insert name, position title and telephone and email contact details of the DPI Assessment Officer)*.

Yours sincerely

(insert name and position of officer conducting audit)

Attachment:

Copy of Assessment Worksheet for the Coal Operation