



Government of **Western Australia**  
Department of **Mines, Industry Regulation and Safety**

# Submission templates - Work Health and Safety Regulations for Western Australia

**Contents**

WHS Regulations submission coversheet.....3  
Section 1: Submission details .....3  
Section 1: Permission details .....4  
WHS Regulations submission comments.....5  
Section 2: Feedback.....5

# WHS Regulations submission coversheet

## Section 1: Submission details

Full name	Joanna Martyr		
Organisation and position (if applicable)			
Email	[REDACTED]		
Telephone	[REDACTED]		
Employment status (if applicable)	<input type="checkbox"/> Worker	<input type="checkbox"/> Principal contractor	
	<input type="checkbox"/> Employer	<input type="checkbox"/> Contractor	
	<input checked="" type="checkbox"/> Self-employed	<input type="checkbox"/> OSH professional	
	<input type="checkbox"/> Other (enter details)		
Size of workplace	<input checked="" type="checkbox"/> Small (0-9)	<input type="checkbox"/> Medium (20-199)	<input type="checkbox"/> Large (200+)
Please indicate in what capacity you are making this submission (select one of the following categories)	<input type="checkbox"/> Individual	<input type="checkbox"/> Industry representative	
	<input type="checkbox"/> Business	<input type="checkbox"/> Academic	
	<input type="checkbox"/> Community organisation	<input type="checkbox"/> Government representative	
	<input type="checkbox"/> Employer organisation	<input checked="" type="checkbox"/> Professional	
	<input type="checkbox"/> Other (enter details)		
Which industry sector do you operate in?	Surveyor and Mine Manager		
Your type of job or business (if applicable)			

## Section 1: Permission details

### Internet publication

Public submissions may be published in full on the website, including any personal information of authors and/or other third parties **contained in the submission**.

Please tick this box if you wish for your input to remain confidential (that is, you **do not consent** to having your input published on the internet)

### Anonymity

Please tick this box if you wish for your input to be treated as anonymous (that is, you **do not consent** to having your name, or the name of your organisation, published on the internet with your input)

### Third party personal information

Please tick this box **if your input contains personal information of third party individuals**, and strike out the statement that is not applicable in the following sentence:

The third party **consents / does not consent** to the publication of their information.

## WHS Regulations submission comments

Enter your comments on specific regulations in the table below. You may add new rows at the end of the table if you wish to include comments on other aspects of the national model WHS regulations.

When making your submission, please consider providing specific responses to the following issue:

1. What is the benefit to workplace participants of a proposal?
2. What is the likely cost for you, your business and the Regulator to implement a specific proposal?
3. Is a specific recommendation likely to be effective in achieving healthier and safer workplaces?
4. Are there any unintended consequences of adopting individual regulations in the model WHS regulations?
5. If a new requirement is proposed by the model WHS regulations, what are the costs and benefits?

This template can be used for providing your views concerning:

- National Model Work Health and Safety Regulations
- Demolition licensing under the OSH regulations
- Commercial driver fatigue under the OSH regulations
- Protection from tobacco smoke under the OSH regulations
- Proposed deletions in Western Australia to remove overlap with the *Dangerous Goods Safety Act 2004*

## Section 2: Feedback

### Track-changed document submission

- Which consultation document(s) are you providing feedback on?
- Differences between the national model WHS regulations and the OSH regulations 1996
  - Consultation document WHS (Mines) Regulations for WA
  - Consultation document WHS (Petroleum and Geothermal Energy Operations) Regulations for WA
  - Proposed deletions in WA to remove overlap with the Dangerous Goods Safety Act 2004*
  - Commercial vehicle drivers: Hours of work – Work Health and Safety Regulations for WA
  - Protection from tobacco smoke – Work Health and Safety Regulations for WA
  - Demolition work: Licence – Work Health and Safety Regulations for WA

Number of pages in  
your submission

Does this submission contain a **track-changed version** of the  
draft proposal?

Yes

No

*If yes, submit as a Microsoft Word compatible document (\*.docx)*

#### General comments

I have the following tickets of competency in WA:

Grade 2 Authroised Mine Surveyor  
Grade 1 Authorised Mine Surveyor  
First Class Mine Manager

I have always been proud to have and receive these qualifications. I didn't not find that they were easily achieved and I did find that the existing process I went through to achieve these was rigorous and robust, especially the requirements for the FCMM. I am concerned to see the current process is being adapted to a risk based approach which although has its pros also concerns me regarding the way the prescribed nature of the experience required to gain these qualifications and the testing of this experience and knowledge through the board of examiners will be lost. Certificated training has in other disciplines results in a variety of standards which is concerning for the management positions of Mine Manager and Supervisor. The commercialisation proposed by these changes may not result in the best outcome.

## Detailed comments

If commenting on specific content, you may wish to use the table below.

Reference to specific model WHS / OSH reg no.	Comment
Proposed Chapter 9 Statutory functions	MAINTAIN A CERTIFICATION PROCESS. Whether it be via current Mine Survey Board or new body with Mine survey representatives and suitable new process closely based on past certification requirements.
Proposed Chapter 8 Mine Survey Plans	Omission of r3.54 for Plan of scene of fatal accident –What is the requirement now?  Plan of scene of fatal accident should be retained and even elaborated on, perhaps with reference to the Mine surveyors Code of Practice.
M131	The term “mine survey plan” should be modernised throughout the entire document, to capture the totality of all that needs to be accurately recorded such as “mine survey database” or “3D model and control database”
M132 (2)	New draft regulations will separate grade 1 and 2. <ul style="list-style-type: none"> <li>• Provision of a grandfather clause for holders of existing Grade 1 and Grade 2 Mine Surveyors Authorisation.</li> </ul>
M132 (3b)	Increase the Primary Control accuracy to not less than 1:10,000 and that it should reference the Code of Practice which will need a Best Practice Control Survey Guideline.
M132 (5)	Submission to include removal of specific coordinate system, change to “Mines must be referenced to the current Geocentric Datum of Australia and the Australian Height Datum” Specific coordinate system can be incorporated in the Code of Practise which is easier to update, and allows the Regs to stay in date.
M132 (7)	A fair bit of content has been removed as per r3.51. In the proposal, cross-sections and longitudinal sections have been changed to “sufficient details of workings and other features so that risk due to lack of information, so far as reasonably practicable, is minimised”. Most industry workshop attendees agreed that the omissions of r3.51 “particulars” should be covered in the code of practice
M132 (7b)	The survey plan is now part of the Emergency Management Plan. Cannot find any reference to update timeframes as per the old 3 monthly Emergency Plans.
M132 (9)	Incorrect reference to the sub regulation, it should be (7) (c)
M134 (1)	The Proposal has removed the timeframes and requirement for survey plans to be submitted except for closure or suspension.  Removal of the requirements of the initial set of plans, and 5 yearly plans for Underground, was agreed with by most of the workshop, as survey

<p>Chapter 9</p> <p>M78</p> <p>Consideration</p>	<p>work requires up to date plans at any time. Anyone is entitled to requested plans at any time, therefore stipulation of a time is redundant, other than Mine Closure or suspension of operations.</p> <p>The National Mine Safety Framework Legislative Framework – Drafting Instructions does mention survey plans to be reviewed at least annually.</p> <p>There is no longer a reference in the proposal showing datums on plans for mining lease or tenements, however the workshop agreed that is covered in the Code of Practice.</p> <p>The removal of the requirement of certain certificates of competency issued by the current Board of examination and replaced with accredited training is a weak control. The prescription of experience with regard time of 3 months in each function is going to result in various interpretations given different roster (two and one verse 7 and 7) and experiences such as what is emergency management. With use of explosives does this mean simply design or hands on experience. Without prescriptive quantitative experience especially for management tickets this expose will be rushed through to meet the minimum.</p> <p>Connecting workings – in section 2 if it is not possible to inspect the workings, such as for butts, then what options are available. An example of this is when you are mining into old workings which are not accessible.</p> <p>Mine plans are currently submitted to DMIRs in electronic PDF format, via online system. There was discussion of what the submission of survey plans should look like, PDF, Digital Files etc..... Agreement on more information in the he Code of Practice on this. New plan submission needs to reference the previous version, and metadata regarding the submission should include a copy of the Survey Record Book.</p>
--	--