



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

Submission templates - Work Health and Safety Regulations for Western Australia

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WHS Regulations submission coversheet

Section 1: Submission details

Full name

Organisation and position (if applicable)

Email

Telephone

Employment status (if applicable)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Worker | <input type="checkbox"/> Principal contractor |
| <input type="checkbox"/> Employer | <input type="checkbox"/> Contractor |
| <input type="checkbox"/> Self-employed | <input checked="" type="checkbox"/> OSH professional |
| <input type="checkbox"/> Other (enter details) | |

Size of workplace

- Small (0-9) Medium (20-199) 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?

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

My role for [REDACTED] is inspecting and risk assessing all new HME fleet to be used in Iron Ore Mining ensuring fleet is fit for purpose and safe to operate.

Based on our purchasing risk assessments of new fleet we regularly find safety non-compliance to ISO or AU standards.i.e. No anti slip, holes in maintenance platforms, large gaps in handrail, crush points in automated boarding ladders etc. *What your inspectors see on site is not what OEMs import!*

Currently there is no recourse provided by local legislation to enforce designers, manufacturers or suppliers to comply with ISO or AU standards when importing HME fleet to Australia.

It is disappointing that compliance to required standards or the requirement to provide design documentation isn't mandated in the proposed WHS regulations except for registered plant.

Without the requirement legislated OEM's will continue to provide HME which is unsafe without the end user ([REDACTED]) intervention by introducing local options.

Having a risk based approach is good but open to multiple interpretations unless guidelines are mandated through ISO or AU standards!!

Happy to provide examples as required.

Detailed comments

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

| Reference to specific model WHS / OSH reg no. | Comment |
|---|---------|
| | |