



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	Shane Watson	
Organisation and position (if applicable)	Australian Institute of Mine Surveyors (Vice President and Western Australian Director)	
Email	[REDACTED]	
Telephone	[REDACTED]	
Employment status (if applicable)	<input type="checkbox"/> Worker <input type="checkbox"/> Employer <input type="checkbox"/> Self-employed <input type="checkbox"/> Principal contractor <input type="checkbox"/> Contractor <input type="checkbox"/> OSH professional	
	<input checked="" type="checkbox"/> Other (enter details) Mine Surveying Professional Institute – Director Membership base 350+	
Size of workplace	<input type="checkbox"/> Small (0-9) <input type="checkbox"/> Medium (20-199) <input checked="" 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"/> Business <input type="checkbox"/> Community organisation <input type="checkbox"/> Employer organisation <input checked="" type="checkbox"/> Industry representative <input type="checkbox"/> Academic <input type="checkbox"/> Government representative <input type="checkbox"/> Professional	
	<input type="checkbox"/> Other (enter details)	
Which industry sector do you operate in?	Mining Resources	
Your type of job or business (if applicable)	Mine Surveying	

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

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	<p>At the industry workshop there was 100% agreement that mine surveyors want to MAINTAIN A CERTIFICATION PROCESS. Whether it be via the current Mine Survey Board or a new body with Mine Survey representatives and a suitable new process which is closely based on the current certification requirements.</p> <p>We believe the Land Surveyors Licensing Board (LSLB) of Western Australia is in the best position to facilitate a new certification process if accepted by them and gets the appropriate support and backing from Landgate and the Western Australian Government.</p> <p>Due to the pending implementation of the Draft Regulations and the further work and discussion that is required with the LSLB we believe it is critical the current qualifications, certification process for Mine Surveyors, and the Mine Survey Board, be retained in the draft regulations.</p>
Proposed Chapter 8 Mine Survey Plans	<p>Omission of r3.54 for Plan of scene of fatal accident – What is the requirement now?</p> <p>The Industry Workshop indicated that Regulations on “Plan of scene of fatal accident” should be retained and even elaborated on, perhaps with the extra detail referenced in the <i>Mine Survey Code of Practice</i>.</p>
Proposed Chapter 8 Mine Survey Plans M131	<p>Workshop consensus was that the term “mine survey plan” should be modernised throughout the entire document.</p> <p>The intent to reference the accurate capture and management of all information and spatial data for a mining operation.</p> <p>Terms such as “mine survey database” or “3D model and control database” have been suggested.</p>
Proposed Chapter 8 Mine Survey Plans M132 (2)	<p>New draft regulations will separate grade 1 and 2. There was unanimous agreement to:</p> <ul style="list-style-type: none"> • The separation of Grade 1 and 2 with the provision of a grandfather clause for holders of existing Grade 1 Authorisation to apply for their Grade 2. • The Grade 2 requirement for 12 months practical experience be increase to 2 years. • For a Grade 2 surveyor to get Grade 1 an additional 2 years of underground practical experience and examination is recommended.
Proposed Chapter 8 Mine Survey Plans M132 (3b)	<p>Unanimous agreement to increase the Primary Control accuracy to not less than 1:10,000 and that it should reference the Mine Survey Code of Practice which will need updating with a “<i>Best Practice Control Survey Guideline</i>”.</p>

<p>Proposed Chapter 8 Mine Survey Plans</p> <p>M132 (5)</p>	<p>Propose to remove the requirement of a specific coordinate system.</p> <p>Propose to change it to “Mines must be referenced to the current Geocentric Datum of Australia and the Australian Height Datum”</p> <p>A specific coordinate system can be incorporated in the Mine Survey Code of Practice which is easier to update and allows the Regulations to stay in date.</p>
<p>Proposed Chapter 8 Mine Survey Plans</p> <p>M132 (7)</p>	<p>It was noted that significant content has been removed as per r3.51.</p> <p>In the draft 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”.</p> <p>Industry workshop attendees agreed that the omissions of r3.51 “particulars” is important information required and should be included in the Mine Survey Code of Practice.</p>
<p>Proposed Chapter 8 Mine Survey Plans</p> <p>M132 (7b)</p>	<p>The survey plan is now part of the Emergency Management Plan.</p> <p>Cannot find any reference to update timeframes as per the existing regulations, 3 monthly update requirements for Emergency Plans.</p>
<p>Proposed Chapter 8 Mine Survey Plans</p> <p>M132 (9)</p>	<p>Incorrect reference to the sub regulation, it should be (7) (c)</p>
<p>Proposed Chapter 8 Mine Survey Plans</p> <p>M134 (1)</p>	<p>The Proposal has removed the timeframes and requirement for survey plans to be submitted except for closure or suspension.</p> <p>Removal of the requirements of the initial set of plans, and 5 yearly plans for Underground, was a point of discussion and different opinions expressed within the group.</p> <p>It was agreed by most attendees of the workshop that as the draft regulations requires up to date plans to be provide at any time and that anyone is entitled to request a copy of the mine plan, the stipulation of a timeframe becomes redundant, other than the requirement of Mine Closure or suspension of operations.</p> <p>However, if removing the submission timeframes there must be audits/checks conducted by DMIRS inspectors to ensure the Mine Plans are being maintained as per the regulations.</p> <p>It should be noted that The National Mine Safety Framework Legislative Framework – Drafting Instructions mentions that mine survey plans (Underground and Quarry) need to be reviewed at least annually. Nationally there is generally a timeframe requirement to submit plans to the appropriate regulatory body and it should be consideration to be maintained in the draft regulations for both Underground and Quarry operations.</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 <i>Mine Survey Code of Practice</i>.</p>
<p>Schedule 8 Statutory functions Authorised mine surveyor (Quarry) (3)</p>	<p>The reference to Grade 1 or 2 needs to be changed to Grade 2 for quarry operations, considering the intention is to separate Grade 1 and 2 competency certificates (albeit with grandfather clause for those with Grade 1 already)</p>

<p>Consideration</p>	<p>Mine plans are currently submitted to DMIRs in electronic PDF format, via online system. No requirements or information can be found on this requirement in the draft regulations.</p> <p>There was discussion of what the submission of survey plans should look like, PDF, Digital Files or other?</p> <p>It was agreed further information is required on the submission requirements. It was suggested this information should be included in the Mine Survey Code of Practice.</p>
<p>Additional Notes</p>	<p>Continual Professional Development (CPD) requirement and annual registration via a 'Practicing Certificate' is deemed important for future consideration by the Workshop Group.</p> <p>All understand and agree that a fee would be required to undergo the certification process and to record CPD adherence for annual Practicing Certificate registration. No one was averse to the LSLB taking on this task with assistance from Mine Surveying industry representatives.</p> <p>It was raised that the Draft Regulations should clearly spell out the <u>obligations of the Mine Operator</u> to supply the time and resources for mine surveyors to fill their CPD requirements for a practising certificate.</p>
<p>Additional Notes</p>	<p>All agree that the Mine Survey Board must continue until such a time as the funding and decisions on who will facilitate the Mine Surveyors Certificate of Competency is determined.</p>