

# Feedback Form

\* Required field

## Contact details

|  |                |       |                                |
|--|----------------|-------|--------------------------------|
| Name*                                    | Scott Beckwith |       |                                |
| Email address*                           | [REDACTED]     |       |                                |
| Street address                           | [REDACTED]     |       |                                |
| Suburb                                   | [REDACTED]     | State | [REDACTED] Postcode [REDACTED] |
| Postal address (if different from above) |                |       |                                |
| Suburb                                   |                | State | Postcode                       |

## Organisation

|   |   |
|---|---|
| Are you an individual representing at organisation? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please provide the organisations' name:     | Bis Industries  |

## Privacy *(please tick one)*

|   |
|---|
| <input checked="" type="checkbox"/> I consent to my submission being published, including my identity.                              |
| <input type="checkbox"/> I consent for my submission being published, excluding my identity <i>(please answer question below)</i> . |
| Please provide a valid reason/s for the request to <b>exclude</b> identity:   |

## National context

DO YOU HAVE ANY COMMENTS REGARDING THE WHS (MPS) LAWS AND THEIR NATIONAL CONTEXT? SEE QUESTIONS BELOW

*PLEASE CLARIFY YOUR RESPONSE AND GIVE REASONS FOR YOUR VIEW.*

|  |  |
|--|--|
| 1. Do the WHS (MPS) laws remain consistent with the National Mine Safety Framework principles?   | -  |
| 2. Is the objective of seeking national consistency relating to WHS in relation to mines and petroleum sites still valid?                            | -  |
| 3. Has the WHS (MPS) framework facilitated effective interstate regulatory cooperation?  | -  |
| 4. Are there any developments in mine and petroleum safety laws in the major mining states that could improve safety regulation and outcomes in NSW? | <p>In the current economic climate, a review of the workers compensation arrangements within the coal mining section of NSW to bring them in line with the arrangements in other states and with other industries in NSW would be of great benefit.</p> <p>The Coal Industry Act, that creates the variation in arrangements, has not been through a thorough review such as this as required by section 58 of this act.</p> |

## WHS (MPS) Act

DO YOU HAVE ANY COMMENTS REGARDING THE WHS (MPS) ACT? SEE QUESTIONS BELOW

*PLEASE CLARIFY YOUR RESPONSE AND GIVE REASONS FOR YOUR VIEW.*

|  |   |
|--|---|
| 5. Are the objects of the WHS (MPS) Act still valid, appropriate and working as intended?<br><a href="#">(Part 1 of Act)</a> | - |
|--|---|

|  |   |
|--|---|
| 6. Are there any areas <b>arising from application</b> of the WHS (MPS) laws that have had unintended outcomes? ( <a href="#">Part 1 of Act</a> )  | - |
| 7. Are the provisions under the WHS (MPS) laws <b>for incident notification</b> still valid, appropriate and working as intended? ( <a href="#">Part 3 of the Act</a> )                            | - |
| 8. Are the provisions for <b>functions of government officials</b> still valid, appropriate and working as intended? ( <a href="#">Part 4 of the Act</a> )   | - |
| 9. Are the provisions <b>for worker representation</b> in coal mines still valid, appropriate and working as intended? ( <a href="#">Part 5 of the Act</a> )                                       | - |
| 10. Are the provisions <b>for enforcement measures</b> still valid, appropriate and working as intended? ( <a href="#">Part 6 of the Act</a> )   | - |
| 11. Are the provisions <b>for a Board of Inquiry</b> still valid, appropriate and working as intended? ( <a href="#">Part 7 of the Act</a> )   | - |
| 12. Are the provisions <b>for statutory bodies</b> still valid, appropriate and working as intended? ( <a href="#">Part 8 of the Act</a> )   | - |
| 13. Do the provisions <b>for statutory bodies</b> ensure adequate representation in the provision of advice in relation to health and safety and competence? ( <a href="#">Part 8 of the Act</a> ) | - |

## WHS (MPS) Regulation

**DO YOU HAVE ANY COMMENTS REGARDING THE WHS (MPS) REGULATION? SEE QUESTIONS BELOW  
PLEASE CLARIFY YOUR RESPONSE AND GIVE REASONS FOR YOUR VIEW.**

|  |  |
|--|--|
| 14. Are the provisions for <b>nomination and appointment of operators</b> still valid, appropriate and working as intended? ( <a href="#">Part 1A of the Regulation</a> )                              | -  |
| 15. Are the provisions for <b>managing risk</b> in addition to the WHS Regulation still valid, appropriate and working as intended? ( <a href="#">Part 2, Div 1, Subdivision 1 of the Regulation</a> ) | -  |
| 16. Are the provisions for <b>SMS, including PHMP &amp; PCP</b> , still valid, appropriate and working as intended? ( <a href="#">Part 2, Div 1, Subdiv 2-4 and Div 2 and 3 of the Regulation</a> )    | -  |
| 17. Are the provisions for <b>specific control measures</b> still valid, appropriate and working as intended? ( <a href="#">Part 2, Div 4-5 of the Regulation</a> )                                    | The dust sampling requires set out in section 86 and schedule 6 are a duplication of the requirements set out in the Coal Industry Act Order 42. These requirements should be addressed within the Work Health and Safety legislation.   |
| 18. Are the provisions for <b>emergency management</b> still valid, appropriate and working as intended? ( <a href="#">Part 2, Div 6 of the Regulation</a> )   | -  |
| 19. Are the provisions for <b>information, instruction and training</b> still valid, appropriate and working as intended? ( <a href="#">Part 2, Div 7 of the Regulation</a> )                          | -  |
| 20. Are the provisions for <b>health monitoring</b> still valid, appropriate and working as intended? ( <a href="#">Part 3 of the Regulation</a> )   | Section 111 to 119 relating to health monitoring and health monitoring reports were repealed, requirements relating to these are addressed in the Coal Industry Act Order 43. The requirements relating to health monitoring are more relevant to Work Health and Safety legislation and |

|  |  |
|--|--|
|  | health monitor of high risk activities is covered in the NSW Work Health and Safety Regulation 2017 (e.g. Chapter 7, Part 7.1, Division 6) |
| 21. Are the provisions for <b>consultation and worker safety role</b> still valid, appropriate and working as intended? ( <a href="#">Part 4 of the Regulation</a> )   | -  |
| 22. Are the provisions for <b>survey plans and mine plans</b> still valid, appropriate and working as intended? ( <a href="#">Part 5 of the Regulation</a> )   | -  |
| 23. Are the provisions for <b>notifications and information to be provided to the regulator and information to be kept by the operator</b> still valid, appropriate and working as intended? ( <a href="#">Part 6</a> and <a href="#">Part 7 of the Regulation</a> ) | -  |
| 24. Are provisions for <b>statutory functions</b> still valid, appropriate and working as intended? ( <a href="#">Part 8 of the Regulation</a> )   | -  |
| 25. Are provisions for <b>licensed activities and registration of plant</b> still valid, appropriate and working as intended? ( <a href="#">Part 9</a> and <a href="#">cl 177 of the Regulation</a> )  | -  |

## Submitting the form

Please return your form via:

**Email:** [rr.feedback@planning.nsw.gov.au](mailto:rr.feedback@planning.nsw.gov.au)

**Post:** Statutory review of WHS (MPS) laws 2020  
NSW Resources Regulator – Regulation Development  
PO Box 344  
Hunter Regional Mail Centre 2310 NSW

**By the closing date:** 17 April 2020

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