

# PUBLIC COMMENT

## Consultation on the model Work Health and Safety Regulations relating to Major Hazard Facilities

### Instructions

To complete this online submission:

- Download and save this submission document to your computer.
- Use the saved version to enter your responses under each question below. These questions are from the [Consultation Paper on the model Work Health and Safety Regulations relating to Major Hazard Facilities \(MHFs\)](#).
- Once you have completed your submission, save it and upload it using the upload your submission link on the [Engage submission form](#).
- You can also upload any other documents needed to support your submission to the [Engage submission form](#).

Submissions will be accepted until **11:59 pm (AEDT) on Thursday 3 November 2022**.

### Help

If you are experiencing difficulties making your submission online, please contact us at [chemicals@swa.gov.au](mailto:chemicals@swa.gov.au).

Respondents may choose how their submission is published on the Safe Work Australia website by choosing from the following options:

- submission published
- submission published anonymously
- submission not published

For further information on the publication of submissions on Engage, please refer to the [Safe Work Australia Privacy Policy](#) and the [Engagement HQ privacy policy](#).

Please note the following are unlikely to be published:

- submissions containing defamatory material, and

- submissions containing views or information identifying parties involved in hearings or inquests which are currently in progress.

## Your details and background

*(Please leave blank if you wish to remain anonymous)*

1. Name or organisation

██████████

2. Email used to log into Engage

████████████████████

## Questionnaire

*(Consultation document questions)*

Your response should identify the specific regulation/s involved and, where possible, provide evidence to support your statement.

### Evidence demonstrating issues raised in the Review (Section 4.1)

4.1a) What evidence do you have of inconsistencies in the application of the model WHS Regulations relating to MHFs across jurisdictions?

Click or tap here to enter text.

4.1b) What are the issues around duplication for businesses with MHFs, particularly those that fall under multiple jurisdictions?

We find issues with businesses that are under Comcare vs under Safework in our State. I would like to see all businesses under Comcare having to follow the MHF regs as required.

4.1c) What concerns do you have with expectations of what should be included in a safety case?

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4.1d) What duplication or overlap is there between the MHF Regulations and other legislation?

Click or tap here to enter text.

4.1e) What do you consider contributes to regulatory complexity for MHFs?

Click or tap here to enter text.

### Technical and administrative amendments needed in the MHF Regulations (Section 4.2)

4.2a) What administrative or technical changes could be made to the current MHF Regulations to improve application and consistency of the MHF laws across jurisdictions?

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4.2b) What other non-regulatory changes could be made (e.g. additional or improved guidance) to improve application and consistency of the MHF laws across jurisdictions?

Click or tap here to enter text.

### **Other issues with the model WHS regulations for MHFs? (Section 4.3)**

4.3a) How well do you think the current model MHF Regulations meet the intended policy objectives outlined in section 2 of the model WHS Act, particularly with advances in technology and emerging industries?

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4.3b) What other issues do you have relating to the model MHF Regulations that were not raised in the [Review of the model WHS laws](#) or otherwise addressed in the previous questions?

The MHF regulations need to cover a broader range of chemicals. For example, we have a premises that stores a large amount of highly concentrated acid. We see this as a risk that would be relevant as a MHF, but acids are not covered under the current MHF regulations.

- What changes to the model MHF Regulations do you consider would address these issues?

Include a wider range of chemical groups

- What new or updated guidance would assist in addressing these issues?

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4.3c) Are there any aspects of jurisdictional MHF laws or international regulatory frameworks for MHFs that you think should be considered for the model MHF Regulations?

Click or tap here to enter text.