



Australian Government

Comcare

Application to operate a major hazard facility

To apply for licence to operate major hazard facility (MHF) you must fill out both parts of this form and submit them to Comcare for approval.

Part one – Facility details

Part two – Safety report assessment and
executive summary template

Submit your completed application and any supporting documentation deemed necessary to support licence application to:

Comcare
GPO box 9905
Canberra, ACT, 2601

For more information contact Comcare:

Telephone: 1300 366 979
Email: hazmat-helpdesk@comcare.gov.au

4. Applicant's employing agency

Applicant Agency details provided?

Full name of organisation

Y N

Principal Officer's name

Principal Officer's title

Trading as (if applicable)

Registered address

Postcode

Postal address

Postcode

Principal business address

Postcode

ABN

ACN (if applicable)

Entity type (as per the Australian Business Registry)

Registered telephone

Registered facsimile

Email

5. Contact details

Contact details provided?

a. Responsible person for preparing the safety report

Telephone

a.

Y N

Position

Facsimile

Postal address

Postcode

Email

b. Contact person

Telephone

b.

Y N

Position

Facsimile

Postal address

Postcode

Email

c. Name of Approved Assessor (organisation and/or delegate)

Facsimile

c.

Y N

Telephone

Postal address

Postcode

Email

6. Licence history

Licence history

provided?

Y N

Has the applicant nominated in section 4 or any of the directors, principals or chief executive ever had a licence or approval cancelled or suspended under any relevant occupational health and safety legislation in any Australian State or Territory?

Yes No

If yes, provide details below or attach a separate sheet if additional space is required

7. OHS convictions

Has the applicant nominated in section 4 or any of the directors, principals or chief executive ever been found guilty of any offence under any relevant occupational health and safety legislation in any Australian State or Territory?

Yes No

If yes, provide details below for each recorded conviction for which a finding of guilty was recorded, including where and when it occurred, and a brief description of the circumstances of the offence. You only need to provide information covering convictions recorded within the previous 10 years. Attach a separate sheet if additional space is required.

9. Declaration

Declaration signed?

Y N

Declaration

I declare that the information contained in this application and supporting this application is to the best of my knowledge true and correct.

Witnessed?

Y N

I declare that the organisation named in section 4 of this application is the operator (i.e. employer who has management or control) of the major hazard facility described in section 2.

I declare that:

- the safety report has been completed in accordance with Regulation 9.47
- an Approved Assessor has assessed the safety report in accordance with Regulation 9.49
- the Approved Assessor's executive summary of the safety report is attached in accordance with Regulation 9.18(3)
- the safety report assessment and executive summary template (Part two) has been completed.

Signature

Date

Name

Position

Witnessed by (signature)

Date

Witness name

Telephone

General information and instructions

Notes

1. Only an operator who holds the registration for a major hazard facility may apply for a major hazard facility licence in respect of that facility.
2. The licence application and all declarations should be signed by the Chief Executive or the most senior officer of the corporation.

Collection of personal information

Comcare may maintain publicly available database of licence holders. Comcare may publish this information on the Comcare website. You may ask us not to publish information about your licence status on the website by sending your request, in writing, to the Director of OHS Policy.

Comcare may disclose a person's licence status to employers or prospective employers and members of the public who wish to check this status. Collection of this information may be required under Part 8 – Storage and handling of dangerous goods of the *Occupational Health and Safety (Safety Standards) Regulation 1994*. If you do not provide any or all of the information, your application may not be accepted or processed.

You have rights to have access to any personal information Comcare holds about you. You should contact the Comcare Freedom of Information Contact Officer. You can access the Comcare Privacy Policy at www.comcare.gov.au



Part two

Safety report assessment and executive summary template

Occupational Health and Safety (Safety Standards) Regulations 1994

Contents

1. Introduction	3
2. Summary findings	4
2.1 Summary of the findings	4
2.1.1 Overall compliance findings	4
2.1.2 Exemptions granted / requested	4
2.1.3 Additional information important for decision making	4
2.1.4 Approved assessor statement	4
3. Summary information	6
3.1 Prepare a safety report (reg 9.47(4))	6
3.2 Facility overview (Schedule 9A Part 2 Division 1)	6
3.2.1 Description of facility (Schedule 9A - 201)	6
3.2.2 Schedule 9 materials for inclusion in licence (Schedule 9A – 202)	6
3.2.3 Dangerous goods	6
3.2.4 Schedule 9A clause 202	7
3.2.5 Schedule 9A clause 203	7
3.2.6 Schedule 9A clauses 204;205;206	7
3.2.7 Schedule 9A clauses 207;208;209	7
3.2.8 Schedule 9A Division 2 Safety information clauses 210; 211; 212; 213; 214	7
3.3 Potential for major accident	7
3.3.1 Accident history clause 215	7
3.4 New or expanding facility – Project milestones and arrangements	7
4. Methodology and process	8
4.1 Methodology	8
4.1.1 Safety report assessment scope	8
4.2 Desktop assessment	8
4.2.1 Coverage of the assessment	8
4.3 Justification of assessment	8
4.4 Comments on the assessment process	8
4.5 Verification at site	8
4.5.1 Explanation of verification	8

5. Detailed findings	9
5.1 Contents of the safety report (reg 9.47)	9
5.2 Schedule 9A Information to be included in the safety report (ref paragraph 9.47(4)(c))	10
5.2.1 Schedule 9A Part 2 Division 1 – Details of the facility clauses 201; 202	10
5.2.2 Schedule 9A - Details of the facility clause 203	11
5.2.3 Schedule 9A - Details of the facility clauses 204, 205, 206	12
5.2.4 Schedule 9A - Details of the surrounding area clauses 207; 208; 209	13
5.2.5 Schedule 9A - Division 2 safety information clause 210	14
5.2.6 Schedule 9A - Performance monitoring clause 211	14
5.2.7 Schedule 9A- SMS clauses 212; 213	15
5.2.8 Schedule 9A - Safety and reliability of plant clause 214	15
5.2.9 Schedule 9A - Accident history clause 215	16
5.3 Division 9.4 subdivision B employer duties	16
5.3.1 Identification of hazards (reg 9.43)	16
5.3.2 Risk assessment (reg 9.44)	17
5.3.3 Risk control (reg 9.45)	17
5.3.4 Safety management system (reg 9.46)	18
5.3.5 Review of safety report if applicable (reg 9.48)	19
5.3.6 Provision of information to the community (reg 9.50)	20
5.3.7 Development and implementation of a training program (regs 9.51; 9.52)	21
5.3.8 Emergency planning (reg 9.53; 9.54)	22
5.3.9 The employer must secure the major hazard facility (reg 9.55(1))	23
5.4 Compliance with the regulations and ability to operate safely(reg 9.18(3))	24
5.4.1 Address the following matters (reg 9.18(3)(f)(i-iii))	24
5.4.2 Implementation of an adequate SMS (reg 9.18(3)(f)(iv))	24
5.4.3 Ability to safely operate the major hazard facility (reg 9.18(3)(g))	25
6. Findings from later supporting information	26
7. Facility activity	26
7.1 Compliance history	26
7.1.1 Enforcement activity	26
7.1.2 Other information relevant to major accident potential	26
7.2 Licensing history	26
7.2.1 Previous licence decision(s)	26
7.2.2 Other relevant licences	26
8. Comcare	27
8.1 Comcare office	27
Contact details	27

1. Introduction

- 1.1 This Template has been designed to assist an approved assessor to assess the safety report and prepare the executive summary to accompany the employer Major Hazard Facility (MHF) licence application.
- 1.2 The executive summary of an assessment of the safety report is a critical document. It is the primary source of relevant information for the MHF licence decision by the Safety, Rehabilitation and Compensation Commission (the Commission). The importance of the executive summary in the decision-making process means that information should be presented in a comprehensive, clear, concise, and consistent manner.
- 1.3 Compliance with the *Occupational Health and Safety (Safety Standards) Regulations 1994* (the Regulations) is required for licensing and should be clearly separated from matters of good practice. There should be sufficient information presented to support decisions about compliance with the Regulations, such that a technical peer review of the information in this Template may be undertaken, should it be required.
- 1.4 To ensure compliance with the Regulations, the approved assessor should consider the Regulations and the following key licence elements. This should form the basis for the summary findings in this Template to be included in the executive summary. There are three key elements:

Prepare a safety report in accordance with the requirements of Regulation 9.47(4)

- The report must be a written document.
- Employees, contractors and health and safety representatives at the MHF should have been consulted during its preparation.
- Contain the information specified in Schedule 9A.

Comply with the Employer duties specified in Division 9.4, subdivision B

- Hazard identification (reg 9.43)
- Risk assessment (reg 9.44)
- Risk control (reg 9.45)
- Safety management system (reg 9.46)
- Provision of information to the community (reg 9.50)
- Development and implementation of a training program (reg 9.51)
- Ongoing training and information (reg 9.52)
- Emergency plan (reg 9.53)
- Review of emergency plan (reg 9.54)
- Security (reg 9.55).

Assess compliance with the regulations and the ability to operate safely and competently (reg 9.18(3)(f) - (h)).

- 1.5 The first two key elements are strictly compliance/non-compliance results and are based on the evidence presented to the approved assessor in the safety report, through site inspections and verification.
- 1.6 The third key element requires the approved assessor to make an interpretation as to the overall likelihood of a major accident occurring at the facility, and whether the employer should be granted a licence and what conditions (if any) the licence should be subject to. This will require an assessment of the employer's activities against the duties outlined in Division 9.4 subdivision B of the Regulations.
- 1.7 In addition, a summary of the findings should be completed as part of this Template for inclusion in the executive summary.

2. Summary findings

2.1 Summary of the findings

2.1.1 Overall compliance findings

The approved assessor should include a brief description of how the MHF complies with the Regulations and with the conditions imposed by any licence (including a condition on Bridging Licences) or Certificates of Compliance issued under Part 9 that are in force in relation to the employer and the facility. (Refer to the key elements chart)

Include a statement about whether the approved assessor is satisfied that the safety report complies with the requirements of Regulation 9.47, addresses hazard identification, risk assessment for the major hazards, risk control of the major hazards and whether the employer has implemented an adequate safety management system.

The approved assessor should include an assessment of the employer's ability to operate the MHF in a safe manner.

2.1.2 Exemptions granted / requested

This section is for any exemptions that have been granted relevant to the safety report assessment or any prior licence decisions including any comments on the exemptions that were requested but not granted if this is relevant.

2.1.3 Additional information important for decision making

The intent of the section is to specify other relevant information that may affect the licensing decision other than technical compliance issues (eg major facility changes, planned closures etc).

Any enforcement actions including open enforcement actions with a statement about how the employer has incorporated any recommendations.

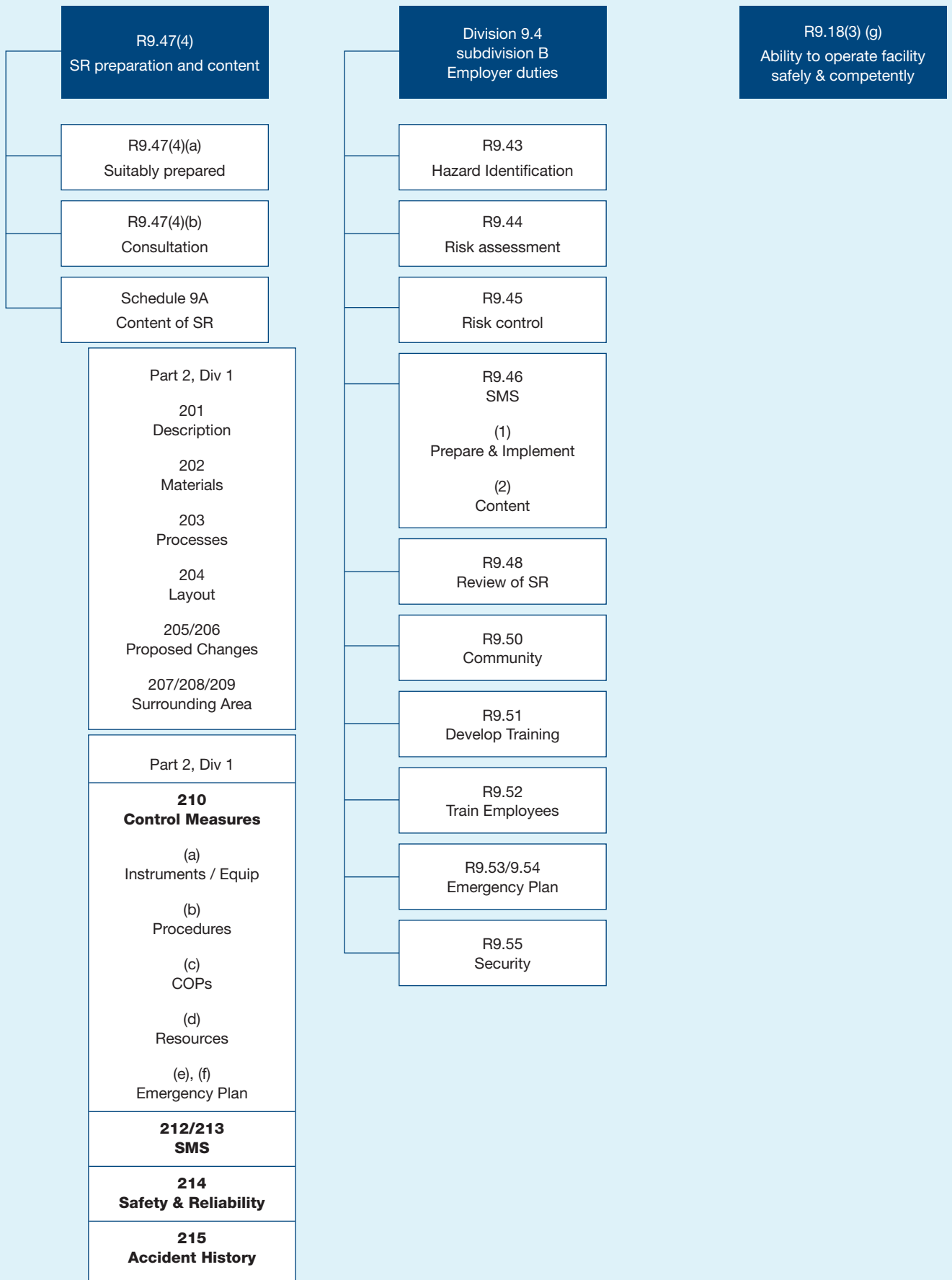
2.1.4 Approved assessor statement

The approved assessor must include a statement about whether the employer should be granted a licence and what conditions (if any) should apply to the licence.

The approved assessor should include in this section any reasons the approved assessor may have for suggesting that a licence should not be issued or issued for a period less than 5 years. Such reasons may include maturity of safety management systems, recent changes in management at the facility, concern over the long-term ability to operate safely etc.

It would also be appropriate to include any information that is relevant to the licence decision eg. an intention to close part of plant at a certain date.

Key Elements Chart



3. Summary information

3.1 Prepare a safety report (reg 9.47(4))

Provide a brief overview of the safety report in reference to the requirements of subregulation 9.47(4). Include information about how the safety report was prepared and the consultation process that was undertaken.

3.2 Facility overview (Schedule 9A Part 2 Division 1)

3.2.1 Description of facility (Schedule 9A - 201)

Provide a brief overview of the facility and the main activities and products associated with materials specified in Part 2 Schedule 9 (biological materials, radioactive materials).

3.2.2 Schedule 9 materials for inclusion in licence (Schedule 9A – 202)

Refer to item 8 of Part one – Facility details.

3.2.3 Dangerous goods

This section should be used to provide detail of any significant holdings of dangerous goods (non-Schedule 9) at the facility, eg. Class 8, combustibles. The approved assessor may choose to include comment on the potential risks associated with these materials if relevant.

If there are no additional DGs of significance, the table should be deleted and Not Applicable entered under the heading.

The following dangerous goods (non-Schedule 9) are stored or handled by the employer in significant quantities:

DG Class	DG	Description

3.2.4. Schedule 9A clause 202

Include a summary of the findings in relation to the physical, chemical and toxicological characteristics of the material, both immediate and delayed; and any hazardous characteristics of the material, both immediate and delayed; and the physical and chemical behaviour of the material, under normal conditions of use and foreseeable abnormal conditions.

3.2.5 Schedule 9A clause 203

Include a summary of the findings of a description of the chemical and physical processes associated with the materials mentioned in 201(a)(b) or (c) and also include a description of the main units of process equipment used in those processes; and a process flow drawing, or set of such drawings.

3.2.6 Schedule 9A clauses 204;205;206

Comment on the findings on general layout and changes if applicable.

3.2.7 Schedule 9A clauses 207;208;209

Comment on the findings on surrounding area.

3.2.8 Schedule 9A Division 2 Safety information clauses 210; 211; 212; 213; 214

Comment on control measures, performance monitoring, the safety management system, the safety and reliability of plant.

3.3 Potential for major accident

This section should include information on the potential for major accidents at this site. Information could include:

- major accident scenarios
- plant areas impacted
- activities associated with scenarios
- Schedule 9 materials involved.

The degree of detail will be facility specific. The information should be prioritised based on risk or some other measure. Scenarios with offsite impact should be highlighted.

3.3.1 Accident history clause 215

This section should include an overall summary of accident history at the facility over the past 5 years. This should relate to current facility performance. Corrective actions implemented as the result of an accident, and evidence of learning from accidents can be mentioned where relevant to the matters addressed in the report. Further information can be included in an Appendix.

3.4 New or expanding facility – Project milestones and arrangements

For intending operators (i.e. new ('Greenfield') or expanding facilities only) – this section should detail significant project milestones and arrangements at the facility. This could include timelines for commissioning, start up and full production, and arrangements between various contractors for construction and commissioning. If the report is not for a Greenfield or expanding facility, Not Applicable should be entered under the heading.

4. Methodology and process

4.1 Methodology

4.1.1 Safety report assessment scope

This section should detail all the documentation that was received during the assessment period that is relevant to the licence application, for example emergency plan.

Any other documents provided to support the licence application.

This section should provide details of the scope of the assessment report relative to the safety report (did the assessment cover the entire facility).

4.2 Desktop assessment

4.2.1 Coverage of the assessment

Include any general comments on the scope of the assessment – was the entire safety report assessed, did this cover the entire facility etc?

4.3 Justification of assessment

Where assessment sampling of the site has occurred, this should also be clearly discussed with explanation for areas selected and rejected.

4.4 Comments on the assessment process

This section should include any information that the approved assessor considers relevant to the assessment process, such as previous reviews, difficulties experienced during assessment etc.

4.5 Verification at site

4.5.1 Explanation of verification

This section should provide explanation for the verification sampling.

5. Detailed findings

5.1 Contents of the safety report (reg 9.47)

<p>Relevant regulation</p>	<p>Subregulation 9.47(1) The employer must prepare a safety report for the MHF in accordance with sub regulation (4):</p> <p>(a) either:</p> <p>(i) if the facility was classified as a MHF under subparagraph 9.07(1)(b)(i) – within 15 months after the date on which the facility was classified</p> <p>(ii) if the facility is an identified MHF – within the period determined by the Commission in relation to the facility</p> <p>(b) if the Commission has approved another period under sub regulation (7) – within the period approved by the Commission.</p> <p>Subregulation 9.47(4)</p> <p>The safety report must:</p> <p>(a) be in writing</p> <p>(b) be prepared, and revised (if necessary), in consultation with employees, contractors, and health and safety representatives at the MHF</p> <p>(c) contain the information specified in Schedule 9A.</p>
<p>Assessor compliance findings</p>	
<p>Findings arrived at from technical assessment</p>	
<p>Findings arrived at from verification</p>	
<p>Findings from on-site activities</p>	
<p>Other matters that were considered</p>	
<p>Non-regulatory findings</p>	
<p>Recommendations for licence conditions if applicable</p>	

5.2 Schedule 9A Information to be included in the safety report (ref paragraph 9.47(4)(c))

5.2.1 Schedule 9A Part 2 Division 1 – Details of the facility clauses 201; 202

<p>Relevant clauses</p>	<p>Schedule 9A clause 201 A description of the main activities and products of the major hazard facility, particularly those activities associated with the following materials:</p> <ul style="list-style-type: none"> (a) a material specified in Part 2 of Schedule 9 (b) biological materials (c) radioactive materials. <p>Schedule 9A clause 202 If a material mentioned in paragraph 201 (a), (b) or (c) is present, or is likely to be present at the facility – the following information in relation to the material:</p> <ul style="list-style-type: none"> (a) sufficient information to identify the material (including, if applicable, the information mentioned in subparagraphs 9.06 (2) (i) (i) to (v)) (b) the maximum quantity in which the material is, or is likely to be, present at the facility (c) the physical, chemical and toxicological characteristics of the material, both immediate and delayed (d) any other hazardous characteristics of the material, both immediate and delayed (e) the physical and chemical behaviour of the material, under: <ul style="list-style-type: none"> (i) normal conditions of use (ii) foreseeable abnormal conditions.
<p>Assessor compliance findings</p>	
<p>Findings arrived at from technical assessment</p>	
<p>Findings arrived at from verification</p>	
<p>Findings from on-site activities</p>	
<p>Other matters that were considered</p>	
<p>Non-regulatory findings</p>	
<p>Recommendations for licence conditions if applicable</p>	

5.2.2 Schedule 9A - Details of the facility clause 203

Relevant clauses	<p>Schedule 9A clause 203 A description of the chemical and physical processes associated with a material mentioned in paragraph 201 (a), (b) or (c), including:</p> <ul style="list-style-type: none"> (a) a description of the main units of process equipment used in those processes (b) a process flow drawing, or a set of such drawings.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.2.3 Schedule 9A - Details of the facility clauses 204, 205, 206

Relevant clauses	<p>Schedule 9A clause 204 A drawing of the major hazard facility's general layout, including the location of:</p> <ul style="list-style-type: none"> (a) the main process units (b) the main storage areas (c) hazard and major accident initiators. <p>Schedule 9A clause 205 If:</p> <ul style="list-style-type: none"> (a) a change is proposed to the major hazard facility (b) no new control measures will be adopted in relation to the proposed change (c) the proposed change will: <ul style="list-style-type: none"> (i) alter the production capacity or profile of the major hazard facility (ii) involve the deletion, addition or modification of any processes (d) a description of the proposed change. <p>Schedule 9A clause 206 If</p> <ul style="list-style-type: none"> (a) a change is proposed to a major hazard facility (b) no new control measures will be adopted in relation to the proposed change; a statement about whether, and the way in which (if applicable), existing control measures and safety management systems are capable of maintaining the safe operation of the major hazard facility while the proposed change is being made and after the proposed change is made.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.2.4 Schedule 9A - Details of the surrounding area clauses 207; 208; 209

<p>Relevant clauses</p>	<p>Schedule 9A clause 207 A scaled plan of the facility and its surrounding area, showing:</p> <ul style="list-style-type: none"> (a) the location of the facility within the surrounding area (b) topographical information (c) surrounding land uses (d) the location of any identified external threats, including: <ul style="list-style-type: none"> (i) other major hazard facilities (ii) other facilities that could affect the safety of the major hazard facility. <p>Schedule 9A clause 208 Graphically presented demographic information for the local community, including land uses permitted by the local planning authority.</p> <p>Schedule 9A clause 209 Meteorological data relevant to the estimation of the effects of any major accident.</p>
<p>Assessor compliance findings</p>	
<p>Findings arrived at from technical assessment</p>	
<p>Findings arrived at from verification</p>	
<p>Findings from on-site activities</p>	
<p>Other matters that were considered</p>	
<p>Non-regulatory findings</p>	
<p>Recommendations for licence conditions if applicable</p>	

5.2.5 Schedule 9A - Division 2 safety information clause 210

Relevant clauses	<p>Schedule 9A clause 210 Control measure –</p> <p>A detailed description of the following:</p> <ul style="list-style-type: none"> (a) the instrumentation and other equipment installed in the facility (b) the procedures in place that are the control measures for preventing or limiting the consequences of major accidents (c) the critical operating parameters for the control measures mentioned in paragraph (b) (d) key personnel and resources (both internal and external) available to intervene in the event of any failure of a control measure, whether or not that failure could result in a major accident (e) the emergency plan for the major hazard facility, including specific information about how compliance with the plan can be expected to limit the consequences of a major accident (f) the means by which the employer in control of the major hazard facility will ensure: <ul style="list-style-type: none"> (i) that there is, at all times, a command structure in place for the major hazard facility that will apply in the event of an emergency (ii) that details of the command structure is communicated throughout the facility.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.2.6 Schedule 9A - Performance monitoring clause 211

Relevant clauses	<p>Schedule 9A clause 211 –</p> <p>A detailed description of:</p> <ul style="list-style-type: none"> (a) the performance standards that must be met by the safety management system (b) any performance indicators relevant to those performance standards.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.2.7 Schedule 9A- Safety Management System paragraphs 212; 213

Relevant clause	<p>Schedule 9A clause 212 If a matter addressed in the safety report is covered by the safety management system — a clear reference to the relevant part of the document prepared under sub regulation 9.46(2) that addresses the matter.</p> <p>Schedule 9A clause 213 A description of the parts of the safety management system that address the maintenance of the system.</p>
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.2.8 Schedule 9A - Safety and reliability of plant paragraph 214

Relevant clause	<p>Schedule 9A paragraph 214 -A description of the steps taken to ensure that safety and reliability are incorporated into the design and construction of all aspects of the major hazard facility (whether or not the employer in control of the facility is or was directly engaged in the design and construction of the facility).</p>
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.2.9 Schedule 9A - Accident history clause 215

Relevant clause	Schedule 9A clause 215 - A summary of each major accident that has occurred at the facility in the preceding five years.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.3 Division 9.4 subdivision B employer duties

5.3.1 Identification of hazards (reg 9.43)

Relevant Regulation	Regulation 9.43 The employer must identify, in consultation with employees, contractors (as far as is practicable) and health and safety representatives: (a) all reasonably foreseeable hazards at the MHF that may cause a major accident (b) the kinds of major accidents that may occur at the MHF, the likelihood of a major accident occurring and the likely consequences of a major accident
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.3.2 Risk assessment (reg 9.44)

Relevant Regulation	<p>Regulation 9.44(1) If a hazard or kind of major accident at the MHF is identified under regulation 9.43, the employer must ensure that any risks associated with the hazard or major accident are assessed, in consultation with employees, contractors (as far as is practicable) and health and safety representatives.</p> <p>Regulation 9.44(2) The employer must ensure that the risk assessment is reviewed:</p> <ul style="list-style-type: none"> (a) within five years after the assessment is carried out, and afterwards at intervals of not more than five years (b) before a modification is made to the MHF that may significantly change a risk identified under regulation 9.43 (c) when developments in technical knowledge or the assessment of hazards and risks may affect the method at the MHF for assessing hazards and risks (d) if a major accident occurs at the MHF.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.3.3 Risk control (reg 9.45)

Relevant Regulation	<p>Regulation 9.45(1) The employer must, in consultation with employees, contractors (as far as is practicable) and health and safety representatives, ensure that any risk associated with a hazard at the MHF is:</p> <ul style="list-style-type: none"> (a) eliminated (b) if it is not practicable to eliminate the risk — reduced as far as practicable. <p>Regulation 9.4(2) The employer must:</p> <ul style="list-style-type: none"> (a) implement measures at the major hazard facility to minimise the likelihood of a major accident occurring (b) implement measures to limit the consequences of a major accident if it occurs (c) protect relevant persons, an at-risk community and the built and natural environment surrounding the major hazard facility, by establishing an emergency plan and procedures in accordance with regulation 9.53.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.3.4 Safety management system (reg 9.46)

<p>Relevant Regulation</p>	<p>Regulation 9.46(1) The employer must prepare and implement a comprehensive and integrated system (a safety management system) for managing safety and preventing the occurrence of major accidents at the MHF</p> <p>Regulation 9.46(2) The safety management system must:</p> <ul style="list-style-type: none"> (a) be documented in writing (b) provide for the following: <ul style="list-style-type: none"> (i) the objectives of the safety management system (ii) the procedures that must be followed to achieve those objectives (iii) the performance standards that must be met by the safety management system (iv) the means of ensuring that relevant persons at the MHF comply with the performance standards.
<p>Assessor compliance findings</p>	
<p>Findings arrived at from technical assessment</p>	
<p>Findings arrived at from verification</p>	
<p>Findings from on-site activities</p>	
<p>Other matters that were considered</p>	
<p>Non-regulatory findings</p>	
<p>Recommendations for licence conditions if applicable</p>	

5.3.5 Review of safety report *if applicable* (reg 9.48)

<p>Relevant Regulation</p>	<p>Regulation 9.48(1) The employer must review and, if necessary, revise the safety report for the major hazard facility:</p> <ul style="list-style-type: none"> (a) if a proposed modification to the major hazard facility will alter the risks associated with the facility – before the modification is made (b) when developments in technical knowledge or the assessment of hazards and risks may affect the method at the major hazard facility for assessing the hazards and risks (c) at least once every years after the safety report is first prepared (d) if the Commission requests a review of the safety report (e) if a major accident occurs at the major hazard facility. <p>Regulation 9.48(2) In reviewing the safety report, the employer must take into account any changes at the major hazard facility in relation to the following matters:</p> <ul style="list-style-type: none"> (a) hazards and risks (b) the safety management system (c) technology (d) training programs (e) work procedures (f) use of land near the major hazard facility
<p>Assessor compliance findings</p>	
<p>Findings arrived at from technical assessment</p>	
<p>Findings arrived at from verification</p>	
<p>Findings from on-site activities</p>	
<p>Other matters that were considered</p>	
<p>Non-regulatory findings</p>	
<p>Recommendations for licence conditions if applicable</p>	

5.3.6 Provision of information to the community (reg 9.50)

Relevant Regulation	<p>Regulation 9.50(1) - The employer must ensure that adequate information is given to an at-risk community on the procedures to be followed if a major accident occurs at the MHF.</p> <p>Regulation 9.50(2) The information given under sub regulation (1) must include the following details:</p> <ul style="list-style-type: none"> (a) the name and location of the MHF (b) the name, title and telephone number of a person at the MHF who can be contacted for information about a major accident (c) general information about the nature of the hazards related to the facility, including potential effects on people, property and the built and natural environment (d) the system to be used for warning people likely to be affected by a major accident at the MHF and for keeping those people informed about an accident at the facility (e) the actions people should take if a major accident occurs (f) relevant information about the off-site emergency procedures formulated under subparagraph 9.53 (2) (b) (ii).
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.3.7 Development and implementation of a training program (regs 9.51; 9.52)

<p>Relevant Regulation</p>	<p>Regulation 9.51(1) The employer must develop a training program at the MHF:</p> <ul style="list-style-type: none"> (a) for the purpose of assisting a relevant person at the MHF to achieve a reasonable standard of knowledge and practice in occupational health and safety that is appropriate to the person's role and responsibilities at the MHF (b) that addresses the hazards and risks identified under 9.43. <p>Regulation 9.51(2) The training program must include the following standards:</p> <ul style="list-style-type: none"> (a) practices and procedures that must be followed by relevant persons at the MHF to prevent a major accident (b) emergency procedures that must be followed if a major accident occurs (c) a standard that sets out the responsibilities of employees and contractors under the safety management system. <p>Regulation 9.51(3) The employer must ensure that the training program is monitored, reviewed, modified, recorded and undertaken in consultation with the employees, contractors (as far as is practicable) and health and safety representatives.</p> <p>Regulation 9.52 The employer must ensure that each relevant person at the major hazard facility:</p> <ul style="list-style-type: none"> (a) takes part in the training program developed under regulation 9.51 before the person first starts work at, or visits, the major hazard facility (b) receives further education and training: <ul style="list-style-type: none"> (i) as often as necessary (ii) to maintain the occupational health and safety competency standards (iii) before implementing any modifications of the major hazard facility (iv) before introducing new plant, processes, operating procedures or materials to the major hazard facility (v) before any change is made to the safety management system for the major hazard facility.
<p>Assessor compliance findings</p>	
<p>Findings arrived at from technical assessment</p>	
<p>Findings arrived at from verification</p>	
<p>Findings from on-site activities</p>	
<p>Other matters that were considered</p>	
<p>Non-regulatory findings</p>	
<p>Recommendations for licence conditions if applicable</p>	

5.3.8 Emergency planning (reg 9.53; 9.54)

<p>Relevant Regulation</p>	<p>Regulation 9.53(1): Emergency Planning</p> <p>9.53(1)The employer must, in consultation with employees, contractors (as far as is practicable), health and safety representatives and emergency services, prepare an emergency plan for the MHF for the purposes of:</p> <ul style="list-style-type: none"> (a) containing and controlling a major accident at the MHF, so as to minimise the effect of the accident on people, property and the built and natural environment (b) implementing measures to protect people, property and the built and natural environment if a major accident occurs. <p>Regulation 9.53(2) The employer must:</p> <ul style="list-style-type: none"> (a) ensure that the emergency plan addresses the consequences of a major accident at the facility, in relation to the facility and the area surrounding the facility (b) in consultation with the emergency services, establish, maintain and agree to include in the emergency plan: <ul style="list-style-type: none"> (i) procedures (on-site emergency procedures) setting out the action to be taken inside (ii) the MHF in relation to a major accident at the facility (iii) procedures (off-site emergency procedures) setting out action to be taken outside the MHF in relation to a major accident at the facility (c) ensure that the on-site emergency procedures and the off-site emergency procedures complement each other <p>Regulation 9.53(3) The emergency plan, the on-site emergency procedures and the off-site emergency procedures must be prepared:</p> <ul style="list-style-type: none"> (a) if the facility was classified as a MHF under subparagraph 9.07 (1) (b) (i) — within 3 months after the date on which the facility was classified (b) if the facility is an identified MHF — within three months after the date on which a licence was first issued under regulation 9.20 in relation to the facility. <p>Regulation 9.53(4) The employer must:</p> <ul style="list-style-type: none"> (a) ensure that the emergency plan is kept in a place that is readily accessible by employees, contractors, health and safety representatives and emergency services (b) regularly test, evaluate and review and, if necessary, revise (in accordance with regulation 9.54) the emergency plan to ensure its effectiveness (c) ensure that all relevant persons at the MHF are appropriately trained in the implementation of the on-site and off-site emergency procedures (d) give information to an at-risk community about the off-site emergency procedures, in accordance with regulation 9.50. <p>Regulation 9.54 (1) Review of emergency plan</p> <p>The employer must, in consultation with employees, contractors (as far as is practicable), health and safety representatives and emergency services, review and, if necessary, revise the emergency plan prepared under regulation 9.53 for the major hazard facility:</p> <ul style="list-style-type: none"> (a) when the safety report for the major hazard facility is reviewed under regulation 9.48 (b) after a major accident at the major hazard facility (c) when, because of the result of a test undertaken under paragraph 9.53(4)(b), it is necessary to do so (d) when requested in writing to do so by the Commission. <p>Regulation 9.54(2) The review of the emergency plan must:</p> <ul style="list-style-type: none"> (a) take into account all relevant modifications of the major hazard facility (b) take into account, in the off-site emergency procedures, any changes to the use of the land surrounding the major hazard facility.
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Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.3.9 The employer must secure the major hazard facility (reg 9.55(1))

Relevant Regulation	Regulation 9.55(1) The employer must establish a system for securing the MHF that: (a) controls entry to the MHF by all persons at all times (b) applies to all elements of the MHF affecting its safe operation, including documents, computer hardware and software, and the boundaries of the facility.
Assessor compliance findings	
Findings arrived at from technical assessment	
Findings arrived at from verification	
Findings from on-site activities	
Other matters that were considered	
Non-regulatory findings	
Recommendations for licence conditions if applicable	

5.4 Compliance with the regulations and ability to operate safely (reg 9.18(3))

5.4.1 Address the following matters (reg 9.18(3)(f)(i-iii))

Relevant Regulation	<p>Regulation 9.18(3) The executive summary of an assessment of the safety report must:</p> <p>Regulation 9.18 (3) (f) address the following matters:</p> <ul style="list-style-type: none"> (i) hazard identification for major hazards at the facility (ii) risk assessment for major hazards at the facility (iii) risk control for major hazards at the facility.
Assessor compliance findings	
Findings arrived at from technical assessment	
Other matters that were considered	
Non-regulatory findings	
Recommendations for improvement	

5.4.2 Implementation of an adequate SMS (reg 9.18(3)(f)(iv))

Relevant Regulation	<p>Regulation 9.18(3) The executive summary of an assessment of the safety report must:</p> <p>Regulation 9.18 (3) (f) address the following matters:</p> <ul style="list-style-type: none"> (iv) employer has implemented an adequate SMS.
Assessor compliance findings	
Findings arrived at from technical assessment	
Other matters that were considered	
Non-regulatory findings	
Recommendations for improvement	

5.4.3 Ability to safely operate the major hazard facility (reg 9.18(3)(g))

<p>Detail to support overall opinion</p>	<p>The determination as to whether the employer can operate the facility requires consideration of a range of factors across Part 9 and Schedule 9A of the MHF Regulations, plus other relevant matters.</p> <p>This section should contain detail of the reasoning used to form the opinion relative to this regulation.</p> <p>Management systems</p> <p>Include summary discussion on overall effectiveness of the SMS and other relevant management systems at the site (eg. maintenance), including use/adherence to systems, effectiveness of corrective actions loop, effectiveness of management review processes.</p> <p>Performance monitoring and continuous improvement</p> <p>Include overview of rigour and effectiveness of performance monitoring, and of the performance information that is provided to site management/ senior management. Discussion of Management Review at the site can be included here if not in 'Management Systems' above</p> <p>Include summary discussion on evidence of continuous improvement at the facility, whether improvements were to management systems, physical aspects, or people aspects (eg. implementing what has been learned from the investigation of accidents or improvements indicated by KPI results)</p>
<p>Non-regulatory findings</p>	
<p>Recommendations for improvement</p>	

6. Findings from later supporting information

To be completed if applicable

7. Facility activity

7.1 Compliance history

7.1.1 Enforcement activity

This section should include information about any enforcement activity relevant to major accident prevention at the facility. This would include details of any statutory notices issued and actions taken by the employer of a MHF to rectify safety concerns. Corrective actions implemented as a result of enforcement activity, and evidence of employer learning from such activity, can be mentioned where appropriate.

Reference should also be made to any relevant proceedings by either State/Territory or Commonwealth regulators.

7.1.2 Other information relevant to major accident potential

This could include such matters as community concerns. Any information provided under this sub-paragraph should be supported documentation made available.

7.2 Licensing history

7.2.1 Previous licence decision(s)

This section should contain details of previous MHF licence decisions eg Bridging Licence.

If this is an initial licence application, this section should be marked as Not Applicable.

7.2.2 Other relevant licences

The approved assessor should list any other licences that the facility or operator holds that may be relevant to major accident potential, eg DG Licence, EPA 'Accredited Licensee', explosives licence etc.

8. Comcare

8.1 Comcare office

For Comcare

Date received	TRIM Ref	Content summary

Comcare to complete on receipt of this template