

# FACT SHEET

## Inspection for plant item registration

February 2021

### Item registration

Under the NSW work health and safety laws, specified high risk plant must be registered. This includes registering plant designs and individual items of plant.

This fact sheet provides information about item registration including the inspection reports that must be provided as part of an application to enable the NSW Resources Regulator to make a decision whether or not to grant the registration.

**Note:** For information on design registration, refer to the [Plant Registration](#) webpage.

As identified in clause 246(2) of the Work Health and Safety Regulation 2017, the purpose of registering an item of plant is to ensure that it has been inspected by a competent person and is safe to operate.

Mining specific items of plant that require item registration include:

- diesel engine systems (DES) used at an underground coal mine
- booster fans used at an underground coal mine
- powered winding systems used at a mine
- \*person-riding hoists used at a small gemstone mine.

### Who can inspect an item of plant for registration?

To gain registration, the item of plant must be inspected by a competent person to ensure it is safe to operate. As identified in clause 267 of the Work Health and Safety Regulation 2017. A person is competent to inspect an item of plant for registration if the person has:

- educational or vocational qualification in an engineering discipline relevant to the plant to be inspected, or
- knowledge of the technical standards relevant to the plant to be inspected.

## Application for item registration

The registration process for an item of plant is described in Part 5.3 Division 4 of the Work Health and Safety Regulation 2017 (WHS Regulation). In summary, an application for item registration:

- may only be made by the person with management or control of the plant  
**Note:** another person may be authorised in writing to apply on their behalf
- must be in the manner and form required by the NSW Resources Regulator
- must identify the applicant and business or undertaking
- must include sufficient information to clearly identify the item of plant, such as the plant identification number or serial number
- must include the plant design registration number (MDR)
- must include the date the registered plant was first commissioned  
**Note:** For DES this refers to the date the engine system was commissioned not the vehicle.
- must include a statement that the plant has been inspected by a competent person and assessed by that person as being safe to operate
- must include payment of any relevant application fees.

The Regulator must refuse to grant a registration if the applicant has given information that is false or misleading, or failed to give any material information that should have been given.

## Conformance to design registration requirements

Clause 177 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 requires that designs and items of plant conform to standards as specified by the regulator in an order published in the [NSW Government Gazette](#). For an item of plant, it must conform to the design registration.

Evidence of conformity to the specified standards, such as a certificate of conformity, is required to demonstrate this requirement has been met for new item registration applications.

## Inspection reports for item registration purposes

**Note:** For item registration renewal please see page 5.

### Material information

To assess an application, the Regulator requires the applicant to provide 'material information'. In this context, material information is information that would be important to a reasonable person in deciding whether or not to grant registration for an item of plant.

An application must include a statement by a competent person that the plant has been inspected and assessed by that person as being safe to operate. The competent person should complete a report with suitable material information to support such a declaration. Inspection reports should consist of a summary of what has been inspected or reviewed and the results of that review. Copies of service reports, inspection sheets and work orders are **not required** to be provided. Some guidance for what can be included in a registration inspection report is provided below.

### Diesel engine systems

All DES item registration applications should include an exhaust emission baseline test:

- that was completed by a licenced facility
- that meets original equipment manufacturer (OEM) recommendations and emissions requirements.

**Note:** Where the baseline test was completed more than three months prior to lodging the application, an additional gas test must be completed at time of application verifying compliance with the baseline test.

### New diesel engine system

An inspection report for the purpose of item registration of a new DES may include:

- AS/NZS 3584.3:2012 *Diesel engine systems for underground coal mines, Part 3: Maintenance* - Code D Inspection of the engine system in the vehicle (contemporary). A reference to a specific report that is issued by a recognised service facility (RSF) is suitable.
- Certificate of compliance/conformity issued by the manufacturer.

## New or reconditioned diesel engine installed

An inspection report for the purpose of registration of a DES that has a new or reconditioned diesel engine installed to an existing engine system may include:

- AS/NZS 3584.3:2012 - Code D Inspection report of the DES in the vehicle (contemporary). A reference to a specific report that is issued by a recognised service facility (RSF) is suitable. The code D report should identify any caveats or omissions and must nominate clearly if the engine has been changed or reconditioned (or both).
- Identification of the previous item registration number (MIR) and MDR.

**Note:** When the registration has been changed (i.e. from DES-1 to DES-2), the applicant must demonstrate how they have sourced the required information to validate that the DES conforms to the new registration (i.e. DES-2). The holder of the new registration (DES-2) may make public or provide to others the required information to enable a third party to issue a statement of conformance.

## Not new diesel engine

A registration of a DES that is not new may be required when an item registration has expired or when a used machine enters service in NSW. An inspection report for this purpose should include:

- AS/NZS 3584.3:2012 - Code C Inspection of the engine system in the vehicle (contemporary). A reference to a specific report that is issued by a licenced ExDES RSF is suitable.
- AS/NZS 3584.3:2012 - Code D Inspection of the DES in the vehicle (within two years or as per hours-based guidance from OEM). A reference to a specific report that is issued by a RSF is suitable. Where the Code D occurred more than 18 months prior to application, details should be provided as to the intention of performing this work.
- Compliant exhaust emission test where previously registered but expired.

## Booster fans

An inspection report for item registration of a booster fan should include, as a minimum, a review of:

- inspection of the equipment as installed
- assessment of compliance with design registration parameters and conditions
- installation commissioning results that show:
  - safety critical controls are installed and operating as intended
  - power shut off controls are installed and operating as intended.

## Powered winding systems

An inspection report for item registration of a powered winding system should include, as a minimum, a review of:

- inspection of the equipment as installed
- assessment of compliance with design registration parameters and conditions
- testing to demonstrate that safety critical control systems and components are installed and operating as intended. Examples may include commissioning checks associated with ropes, brakes, conveyances and control.

## Person-riding hoists used in small gemstone mines

An inspection report for item registration of a person-riding hoist used at a small gemstone mine should include, as a minimum, a review of:

- inspection of the equipment as installed
- assessment of compliance with design registration parameters and conditions
- installation commissioning results that show that safety critical controls are installed and operating as intended.

**Note:** Inspections should have been completed within three months of the application being lodged.

## Item registration renewal

Applications for item registration renewal must include a declaration that the item of plant has been maintained, inspected and tested in accordance with clause 213 of the WHS Regulation.

Under this clause, the person with management or control of plant at a workplace must ensure that the maintenance, inspection and, if necessary, testing of the plant is carried out by a competent person. The maintenance, inspection and testing must be carried out:

- in accordance with the manufacturer's recommendations, if any, or
- if there are no manufacturer's recommendations, in accordance with the recommendations of a competent person, or
- in relation to inspection, if it is not reasonably practicable to comply with the above, annually.

## Material information

In this context, material information is information that would be required by a reasonable person to support a declaration that the item of plant has been maintained, inspected and tested in accordance with clause 213 of the WHS Regulation. This may be in the form of a contemporary report (typically completed within three months of application) by a competent person confirming that a strategy is in place and effective. This should be based on a review of:

- inspection of the item of plant
- inspection results and the frequency of inspections
- testing results and the frequency of testing
- maintenance work order compliance
- identified defects and the status of known defects
- discard criteria and replacement strategies
- fault, trip and condition logs
- competency of persons undertaking maintenance activities.

Such a report should conclude and state that the item of plant has been maintained, inspected and tested in accordance with clause 213 of the WHS Regulation.

Inspection reports for item registration renewal should consist of a summary of what has been inspected or reviewed and the results of that review. This should not be mass copies of service reports. Supplying previously completed maintenance service sheets is not considered providing an inspection report for item registration renewal.

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