



New South Wales

Work Health and Safety (Mines and Petroleum Sites) Amendment (Miscellaneous) Regulation 2020

under the

Work Health and Safety (Mines and Petroleum Sites) Act 2013

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*.

JOHN BARILARO, MP

Deputy Premier, Minister for Regional New South Wales, Industry and Trade

Explanatory note

The objects of this Regulation are—

- (a) to provide that an operator of a coal mine must ensure that no person at the coal mine is exposed to an 8-hour time-weighted average atmospheric concentration of airborne respirable dust that exceeds 1.5 milligrams per cubic metre of air, and
- (b) to provide that the requirement to give the regulator a work health and safety report does not apply to certain mines.

This Regulation is made under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*, including sections 4 and 76 (the general regulation-making power). See also the *Work Health and Safety Act 2011*, including section 276 (the general regulation-making power) and Schedule 3.

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Work Health and Safety (Mines and Petroleum Sites) Act 2013

1 Name of Regulation

This Regulation is the *Work Health and Safety (Mines and Petroleum Sites) Amendment (Miscellaneous) Regulation 2020*.

2 Commencement

- (1) This Regulation commences on the day on which it is published on the NSW legislation website, except as provided by this clause.
- (2) Clause 3(1) commences on 1 February 2021.

3 Amendment of Work Health and Safety (Mines and Petroleum Sites) Regulation 2014

- (1) **Clause 39 Ensuring exposure standards for dust and diesel particulate matter not exceeded**
Omit “2.5 milligrams” from clause 39(1)(a). Insert instead “1.5 milligrams”.
- (2) **Clause 130 Work health and safety reports**
Insert after clause 130(2)—
 - (3) This clause does not apply to—
 - (a) a mine, other than a coal mine, at which the total number of hours worked by all workers at the mine during the reporting period is less than 10,000 hours, including additional hours and overtime, or
 - (b) a mine, including a mineral exploration site, at which no mining operations are carried out during the reporting period other than activities carried out for the purpose of exploring for minerals.
 - (4) In this clause—
reporting period means the 12-month period ending on 30 June in each year.
- (3) **Clause 130, note**
Insert “1” after “Note”.
- (4) **Clause 130, note 2**
Insert after note 1—
Note 2. See also clauses 183 and 184 in relation to exemptions for certain mines from this clause.