

**WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES)
REGULATION 2022**

NOTICE

2022 Other criteria specified by the regulator in respect of the quarry manager statutory function
for Tier-2 quarries

I, **GARVIN BURNS**, Chief Inspector, with the delegated authority of the Secretary, Regional NSW, pursuant to section 138(2)(b) of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022, make the following Notice.

Dated this 6th day of September 2022.

Garvin Burns
Chief Inspector
Regional NSW

1. Name of Notice

This Notice is the *2022 Other criteria specified by the regulator in respect of the quarry manager statutory function for Tier-2 quarries*.

2. Commencement and expiry

In this Notice:

- (a) Schedule 1 commenced on 28 July 2020 and expires on 30 September 2022, and
- (b) Schedule 2 commences on 1 October 2022 and has effect until revoked.

3. Interpretation

In this Notice:

other criteria means the criteria specified at item 5 below in accordance with section 138(2)(b) of the Regulation.

quarry manager practising certificate means a certificate issued by the regulator enabling a person to exercise the statutory function of a quarry manager as specified in section 31 Schedule 10 of the Regulation.

risk profiling tool means the tool used by the regulator to assess the hazards and complexity of a specified mine.

Tier-2 quarry means a mine determined by the regulator using the risk profiling tool to be a Tier-2 quarry.

the Regulation means the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022. Terms used in this Notice have the same meaning as in the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2017*, *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the Regulation.

Explanatory note: An individual who is granted a quarry manager practising certificate in accordance with this Notice is not eligible to exercise the statutory function of quarry manager at a mine determined by the regulator, using the risk profiling tool, to be a Tier-1 quarry. The regulator may be satisfied that the individual is competent to exercise the statutory function of quarry manager at a Tier-1 mine only if the individual holds a certificate of competence in respect of the statutory function. Nothing in this notice prevents the holder of a quarry manager practising certificate applicable to a Tier-1 quarry from exercising the functions of a quarry manager at a Tier-2 quarry.

4. Revocation

The Notice *Other criteria specified by regulator in respect of the quarry manager statutory function for Tier-2 quarries 2021* dated 21 January 2021 and published in the NSW Government Gazette No 23 of 22 January 2021 is revoked on the date this Notice is published in the NSW Government Gazette.

5. Other criteria

The criteria specified in Schedules 1 and 2 below is other criteria in respect of the statutory function of quarry manager listed in section 31 of Schedule 10 of the Regulation.

The regulator may be satisfied that an individual is competent to exercise the statutory function of quarry manager in respect of a Tier-2 quarry, and be granted a practising certificate, if the individual meets the criteria in Column B or Column C in Schedule 1 (before 1 October 2022) or Schedule 2 (on and after 1 October 2022).

The practising certificate may be granted subject to the condition it is applicable only to a specified mine, or mines, that is a Tier-2 quarry or to all Tier-2 quarries. A practising certificate granted to an individual who meets the criteria in Column B of Schedule 1 may be subject to the condition the holder attains the qualification criteria in Column C of Schedule 1 before 1 October 2024.

The regulator may, on application, determine that qualifications held by an individual but not listed in Column C in Schedule 1 (before 1 October 2022) or Schedule 2 (on and after 1 October 2022) are acceptable. An individual who holds a practicing certificate subject to a condition that

it is only applicable to a Tier-2 quarry, may be granted a practicing certificate subject to a condition that it is applicable to all Tier-2 quarries, where the individual's qualifications are determined to be acceptable in vocational outcomes to those listed in Column C in Schedule 1 or Schedule 2.

If an application for a quarry manager practising certificate for a Tier-2 quarry in accordance with section 139 of the Regulation to which the other criteria specified in Schedule 1 applies, is made before the commencement of Schedule 2 in this Order, and the application has not been finally determined before that commencement, the application is to be determined as if Schedule 2 had not commenced.

Schedule 1

Column A	Column B	Column C
Criteria	Requirement	Requirement
Experience	<p>Minimum of:</p> <ol style="list-style-type: none"> 1. One year's experience working in mining operations at a mine, or 2. One year's equivalent experience working in civil works. <p>If the individual is to supervise blasting at a mine, the experience must include experience in personally participating in or managing the loading and firing of production blasts in a surface mine.</p>	<p>At least two years' experience working in mining operations, which includes:</p> <ul style="list-style-type: none"> • six months' experience in a mining operation with similar inherent hazards; and • six months' supervisory experience • may include one year's equivalent experience working in civil works. <p>Evidence to be provided by way of signed confirmation from employer/s in accordance with the requirements of the regulator.</p>
Qualifications	<p>Certificate in first aid (<i>HLTAID003 or HLTAID011 Provide First Aid</i>, equivalent or higher Australian Qualifications Framework level) issued by a registered training organisation no more than three years before the date of application for a practising certificate by the individual, or completion of a refresher course for the certificate conducted by a registered training organisation no more than three years before the date of application.</p>	<p>RII40120 Certificate IV in Surface Extraction Operations or any of the following:</p> <ul style="list-style-type: none"> • RII40113 or RII40115 Certificate IV in Surface Extraction Operations (superseded by but equivalent to RII40120 above). • Bachelor of Mining Engineering issued by an Australian university. • RII60120 Advanced Diploma of Metalliferous Mining issued by a registered training organisation (the superseded equivalent qualification RII60113 or RII60115 Advanced Diploma of Metalliferous Mining is acceptable). • RII50120 Diploma of Surface Operations issued by a registered training organisation (the superseded equivalent qualification RIIERR50113 or RII50115 Diploma of Surface

		<p>Operations Management is acceptable or superseded other equivalent qualification).</p> <ul style="list-style-type: none"> • RII60220 – Advanced Diploma of Extractive Industries Management including the elective unit RIIBLA602E – Establish and maintain explosives safety and security management systems, issued by a registered training organisation (a superseded equivalent qualification and unit are acceptable). • Bachelor of Science issued by an Australian university and a Graduate Diploma in Mining Engineering issued by an Australian university. • Bachelor of Mechanical Engineering issued by an Australian university and evidence of study in mining subjects related to rock mechanics/mine slope stability and blasting. • Bachelor of Civil Engineering issued by an Australian university and evidence of study in mining subjects related to rock mechanics/mine slope stability and blasting. <p>AND</p> <p>the competency unit RIIERR401E <i>Apply and monitor surface operations emergency preparedness and response systems</i> (the unit RIIERR401D or other equivalent superseded unit number is acceptable)</p> <p>or</p> <p>the competency unit RIIERR503D - <i>Implement emergency preparedness and response systems</i> (the superseded units RIIERR503A, or other equivalent superseded unit number is acceptable)</p> <p>or</p>
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		the competency unit RIIERR601E <i>Establish and maintain mine emergency preparedness and response systems</i> (the superseded units RIIERR601D, or other equivalent superseded unit number is acceptable).
Examinations	<p>Be assessed as competent in a quarry manager written examination and oral examination conducted by the Resources Regulator.</p> <p>The quarry manager written examination and oral examination for individuals applying for a practising certificate to exercise the statutory function at a mine where blasting may take place will include examinable content relating to explosives.</p>	

Schedule 2

Criteria	Requirement
Experience	<p>At least two years' experience working in mining operations, which includes:</p> <ul style="list-style-type: none"> • six months' experience in a mining operation with similar inherent hazards; and • six months' supervisory experience • may include one year's equivalent experience working in civil works. <p>Evidence to be provided by way of signed confirmation from employer in accordance with the requirements of the regulator.</p>
Qualifications	RII40120 Certificate IV in Surface Extraction Operations or any of the following:

	<ul style="list-style-type: none"> • RII40113 or RII40115 Certificate IV in Surface Extraction Operations (superseded by but equivalent to RII40120 above) • Bachelor of Mining Engineering issued by an Australian university • RII60120 Advanced Diploma of Metalliferous Mining issued by a registered training organisation (the superseded equivalent qualification RII60113 or RII60115 Advanced Diploma of Metalliferous Mining is acceptable) • RII60220 – Advanced Diploma of Extractive Industries Management including the elective unit RIIBLA602E – Establish and maintain explosives safety and security management systems, issued by a registered training organisation (a superseded equivalent qualification and unit are acceptable) • RII50120 Diploma of Surface Operations issued by a registered training organisation (the superseded equivalent qualification RIIERR50113 or RII50115 Diploma of Surface Operations Management is acceptable or superseded equivalent qualification) • Bachelor of Science issued by an Australian university and a Graduate Diploma in Mining Engineering issued by an Australian university • Bachelor of Mechanical Engineering issued by an Australian university and evidence of study in mining subjects related to rock mechanics/mine slope stability and blasting. • Bachelor of Civil Engineering issued by an Australian university and evidence of study in mining subjects related to rock mechanics/mine slope stability and blasting. <p>AND</p> <p>the competency unit RIIERR401E <i>Apply and monitor surface operations emergency preparedness and response systems</i> (the unit RIIERR401D or another equivalent superseded unit number is acceptable)</p> <p>or</p> <p>the competency unit RIIERR503D - <i>Implement emergency preparedness and response systems</i> (the superseded units RIIERR503A, or other equivalent superseded unit number is acceptable)</p> <p>or</p> <p>the competency unit RIIERR601E <i>Establish and maintain mine emergency preparedness and response systems</i> (the superseded units RIIERR601D, or other equivalent superseded unit number is acceptable)</p>
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