

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	<p>RII40115 Certificate IV in Surface Extraction Operations or any of the following:</p> <ul style="list-style-type: none"> • RII40113 Certificate IV in Surface Extraction Operations (superseded by but equivalent to RII40115 above) • Bachelor of Mining Engineering issued by an Australian university • RII60115 Advanced Diploma of Metalliferous Mining issues by a registered training organisation (the superseded equivalent qualification RII60113 Advanced Diploma of Metalliferous Mining is acceptable) • RII50115 Diploma of Surface Operations issued by a registered training organisation (the superseded equivalent qualification RIIERR50113 Diploma of Surface Operations Management is acceptable or superseded equivalent qualification) • Bachelor of Science issued by an Australian university and a Graduate Diploma in Mining Engineering issued by an Australian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 (the unit RIIERR401D or another equivalent superseded unit number is acceptable)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>

Reference number:(n2020-3475)

WORK HEALTH AND SAFETY REGULATION 2017**WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) EXEMPTION (USE OF CABLES IN HAZARDOUS ZONES) 2020**

under the Work Health and Safety Regulation 2017

I, Garvin Burns, Chief Inspector, having delegated authority from the Secretary of the Department of Regional New South Wales as the Regulator under the *Work Health and Safety Act 2011* in relation to a mine or petroleum site, pursuant to clause 684 of the *Work Health and Safety Regulation 2017*, grant the following class exemption.

Dated this 3rd day of August 2020.

Garvin Burns
Chief Inspector of Mines
Resources Regulator

1 Name

This Exemption is the *Work Health and Safety (Mines and Petroleum Sites) Exemption (Use of Cables in Hazardous Zones) 2020*.

2 Commencement

This Exemption commences on the date of publication in the NSW Government Gazette and has effect until cancelled.

3. Cancellation

This Exemption cancels the *Work Health and Safety (Mines and Petroleum Sites) Exemption (Use of Cables in Hazardous Zones) 2019* published in the NSW Government Gazette on 29 March 2019. That Exemption is cancelled and is replaced by this Exemption which clarifies that the exemption from compliance with clause 80(3)(b) and (c) of the Regulation does not apply where the design of an engineered system specified the use of compliant cables and the installed cables are identified as non-compliant with clause 80(3)(b) or (c) of the Regulation after the engineered system has entered service.

4 Interpretation

In this Exemption:

engineered system means a combination of items of plant and cables that is designed to work together to perform a specific function safely.

compliant cable means a cable that conforms to the requirements of clause 80(3)(b) or (c) of the Regulation.

exempted cable means a cable that does not conform to the requirements of clause 80(3)(b) or (c) of the Regulation and is intended to be used in an engineered system where conformance with these clauses is required.

the Regulation means the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Terms used in this Exemption 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.

5 Exemption

This Exemption is a class exemption made by the regulator on its own initiative.

This Exemption applies to the use of cables in a hazardous zone in an underground coal mine, where the concentration of methane in the general body of air is less than 1.25% by volume.

A mine operator of an underground coal mine is exempt from the requirements of clause 80(3)(b) and (c) of the Regulation, subject to the conditions specified in clause 6 of this Exemption.

This Exemption does not apply where the design of the engineered system specified the use of compliant cables and the installed cables are identified as non-compliant with clause 80(3)(b) or (c) of the Regulation after the engineered system has entered service.

6 Conditions

- (1) An exempted cable may only be used in a hazardous zone at the mine if the cable has been designed for use with an engineered system and it is used only as a component of that engineered system.
- (2) The individual nominated to exercise the statutory function of electrical engineering manager at the mine must determine that the use of an exempted cable in an engineered system will result in a standard of safety that is at least equivalent to the standard that would be achieved by compliance with clause 80(3)(b) and (c) of the Regulation.
- (3) The mine operator must keep all records relating to the determination in clause 6(2), including all risk assessments, engineering calculations and other relevant information while the engineered system is in use at the mine.

7 Exemption does not affect other requirements

Nothing in this Exemption affects any other applicable requirement imposed by law in relation to the matters this Exemption applies to.

Reference number:(n2020-3476)