

6 Test requirements

- (1) The test facility used for testing the performance of plant must be a test facility which is unrelated to the designer, manufacturer or supplier.
- (2) The test facility must either be:
 - (a) a facility in Australia that is accredited by the National Association of Testing Authorities (NATA) for performing the specific tests described in the standards referred to in this Order; or
 - (b) where a NATA-accredited facility is not available, a suitably qualified and experienced independent testing facility with regard to test equipment, equipment calibration (traceable to the International System of Units (SI) by reference to national measurement standards or through accreditation by an organisation that is a signatory to the ILAC MRA (International Laboratory Accreditation Cooperation Mutual Recognition Arrangement)), quality processes, work methods, past test experience and independent technical verification.
- (3) Plant must be tested as per the relevant clauses of:
 - (a) AS/NZS 60079.29.1:2017 Explosive atmospheres – Gas detectors – Performance requirements of detectors for flammable gases;
 - (b) AS/NZS 4641:2018 Electrical equipment for detection of oxygen and other gases and vapours at toxic levels – General requirements and test methods.
- (4) Plant to be tested must include all component parts, including cables, that enables a conditioned electronic signal or output indication to be provided so that a mine operator can determine the level of a gas that the sensor, or monitor, is exposed to. Where digital output signals are provided, this includes any software drivers and the communications protocols necessary for the testing facility to verify the performance of the plant.
- (5) Plant that is designed to detect:
 - (a) methane up to and including 5% using catalytic combustion sensors must also be tested by exposure to a volume fraction of 2.0 ± 0.2 % methane in air mixture containing a volume fraction of 50ppm hydrogen sulphide for 20 minutes and a reading taken. The difference between the plant indication and the test gas methane concentration must not exceed ± 0.2 % methane.
 - (b) nitrogen dioxide or nitric oxide are exempt from requirements of clauses 4.6 ‘Pressure variation,’ 4.7 ‘Pressure recovery’ and 4.9 ‘Air velocity’ as detailed in AS/NZS 4641:2018.

7 Determination of applications for registration of design of the plant made before commencement of this order

If an application for registration of design of the plant made in accordance with clause 250 of the *Work Health and Safety Regulation 2017* to which the standards specified in the *Registration of Design of Plant Used to Determine or Monitor the Presence of Gas (No.2) Order 2020* applies is made before the commencement of this Order, and the application has not been finally determined before that commencement, the application is to be determined as if this Order had not commenced.

Reference number:(n2020-1066)

WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) REGULATION 2014

NOTICE

Provision of mine survey plans to the regulator 2020

I, GARVIN BURNS, Chief Inspector, with the delegated authority of the Secretary, of the Department of Planning Industry and Environment, pursuant to clause 127(1)(a) of the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*, make the following notice.

Dated this 21st day of April 2020.

Garvin Burns
Chief Inspector of Mines
NSW Resources Regulator

1. Name of Notice

This notice is the *Provision of mine survey plans to the regulator 2020*.

2. Commencement

This notice commences on 1 July 2020 and has effect until revoked.

3. Interpretation

In this notice:

regulator means the head of the Department.

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

specified date means within three months from 30 June each year.

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.

4. Revocation

The Order *Provision of mine survey plans to the regulator* dated 27 March 2017 and published in the NSW Government Gazette No 49 of 13 April 2017 is revoked on the date of commencement of this notice.

5. Requirement

- a. Operators of the classes of mines, referred to in column 1 of the Schedule, that meet the criteria in column 2 of the schedule, must provide a copy of the mine survey plan to the regulator by the specified date.
- b. All mine survey plans required to be provided to the regulator under this order must be prepared in accordance with clause 122 of the Regulation, the *Surveying and Spatial Information Regulation 2017*, and the requirements of the *Survey Drafting Directions for Mine Surveyors 2020 (NSW Mines)*.
- c. The mine survey plans must be provided to the regulator using the Regulator Portal online form available at: <https://nswresourcesregulator.service-now.com/regulator>

Schedule

Class of mine	Criteria
All coal mines	Where extraction has taken place during the 12 months prior to the specified date.
All underground mines other than coal mines	Where extraction has taken place during the 12 months prior to the specified date and workers (including employees of the mine operator and contractors) have worked more than 10,000 hours at the mine during the 12-month period.

Reference number:(n2020-1067)