

period from 28 days to 56 days. This Order also updates references to the Department administering the order and the Minister's delegate.

1 Name of Order

This Order is the *Controlled Allocation Amendment Order (Various Groundwater Sources) 2019*.

2 Commencement

This Order commences on the day on which it is published in the NSW Government Gazette.

3 Amendment of Controlled Allocation Order (Various Groundwater Sources) 2017

The *Controlled Allocation Order (Various Groundwater Sources) 2017* is amended as specified in Schedule 1.

SCHEDULE 1

1. Omit '28 days' in clauses 1.6, 4.3, 4.9 and 5.2(a) of Schedule 2 and replace with '56 days'.
2. Omit '28 day' in the Note to clause 2.5 of Schedule 2 and replace with '56 day'.
3. Omit all references to 'Department of Industry' in Schedule 2, and replace with 'Department of Planning, Industry and Environment'.
4. Omit all references to 'DoI Water customer' in the footnotes in Schedule 2 and replace with 'Department customer'.
5. Omit all references to 'DoI Water' in Schedule 2, including references in footnotes, and replace with 'the Department'.
6. Omit all references to 'Executive Director Water' in Schedule 2, including references in footnotes, and replace with 'Executive Director Programs & Services'.

(n2019-3924)

WORK HEALTH AND SAFETY REGULATION 2017

WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) EXEMPTION (NOTIFICATION OF DETECTION OF ATMOSPHERIC CONCENTRATION OF CRYSTALLINE SILICA) 2019

under the Work Health and Safety Regulation 2017

I, Tony Linnane, Director Regulatory Programs, having delegated authority from the Secretary of the Department of Planning, Industry and Environment 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 15th day of December 2019.

Tony Linnane
Director Regulatory Programs
Resources Regulator
Department of Planning, Industry and Environment

1 Name

This Exemption is the *Work Health and Safety (Mines and Petroleum Sites) Exemption (Notification of detection of atmospheric concentration of crystalline silica) 2019*.

2 Commencement

This Exemption commences on 16 December 2019 and has effect until revoked.

3 Interpretation

In this Exemption:

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.

4 Exemption

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

This Exemption applies to the operator of a mine or petroleum site and is subject to the conditions specified in clause 5 of this Exemption.

The operator of a mine or petroleum site is exempted from the following requirements in the Regulation:

The requirement under clause 128(1)(b) of the Regulation to take all reasonable steps to ensure that the regulator is notified in accordance with this clause after becoming aware of a high potential incident referred to in clause 128(5)(r), being the detection of an atmospheric concentration of crystalline silica that exceeds the exposure standard specified in the *Workplace Exposure Standards for Airborne Contaminants*.

5 Conditions

This Exemption is subject to the following condition:

The operator of a mine or petroleum site is required to comply with the requirements of clause 128(1)(b) as if a high potential incident was to also mean the detection of an atmospheric concentration of crystalline silica that exceeds a time weighted average (as defined in the *Workplace Exposure Standards for Airborne Contaminants*) of 0.1mg/m³.

6 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.

(n2019-3925)