

FACT SHEET

Emergency planning

February 2017

Operators of mine or petroleum sites have a duty to prepare an emergency plan that addresses all aspects of the emergency response under the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014. From 1 February 2017, operators must also comply with the emergency management provisions of the regulation.

Your obligations

Under the Work Health and Safety Regulation 2011, a person conducting a business or undertaking at a workplace must prepare, maintain and implement an emergency plan for the workplace.¹

As an operator of a mine or petroleum site you are also required under the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 to:

- prepare an emergency plan that addresses all aspects of the emergency response
- provide an appropriate means of escape from an underground mine in the case of an emergency evacuation²
- ensure that an adequate number of people, trained in the use of rescue equipment, are available to respond effectively to an emergency³.

Importantly, when developing the emergency plan, the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 requires the operator of a coal mine or an underground mine to consult with the primary emergency services responsible for the area in which the mine is located. In the case of a coal mine operators needs to consult with all emergency service organisations, including the NSW Mines Rescue Brigade established under the *Coal Industry Act 2001*, that may be required to participate in implementing the emergency plan.

There are requirements for mine operators to consider aspects of recommendations made during the consultation process with emergency services.

Additional emergency planning requirements exist for mine sites with hazardous chemicals that exceed the manifest quantities set out in Schedule 11 of the Work Health and Safety Regulation 2011.

Targeted assessment program

Mine Safety will be conducting targeted assessments to ensure that workplaces have effective emergency management arrangements in place in the event of an emergency and implementation of an emergency plan.

This also includes assessing the integration of emergency arrangements with the roles and functions of relevant emergency service organisations.

Key categories that will be assessed are:

- the development and implementation of the operator's emergency plan/s and compliance with the requirements of the Work Health and Safety Regulation 2011 and Work Health and Safety (Mines and Petroleum Sites) Regulation 2014
- the identification and implementation of control measures, based on risk assessments relating to the implementation of the emergency plan
- self-escape and rescue from an underground mine
- consultation with primary emergency services on the emergency plan
- provision of adequate rescue equipment and number of people trained in the use of rescue equipment available to respond effectively to an emergency.

Find out more about the Targeted Assessment Program by visiting

<http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/safety-and-health/mine-safety-regulatory-reform>.

¹ Clause 43 Work Health and Safety Regulation 2011

² Clause 97(5) Work Health and Safety (Mines and Petroleum Sites) Regulation 2014

³ Clause 88(2)(iv) Work Health and Safety (Mines and Petroleum Sites) Regulation 2014



What should you do?

Review your emergency plans to ensure that they comply with obligations under the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014. Operators should ensure their approach to the management of emergencies is in line with legislation, guidance material and reflects effective practice.

More information

For more information and guidance on managing hazards and risks associated with emergencies at mine and petroleum sites view the following resources:

- [NSW Code of Practice: Emergency Planning for Mines](#)
- [NSW State Emergency and Rescue Management Act 1989](#)
- [NSW Mine Sub Plan](#)
- AS 3745-2010 - Planning for emergencies in facilities
- ISO 22320:2011 - Societal security - Emergency management - Requirements for incident response

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Disclaimer: This publication provides a general summary of some of the provisions under the *Work Health and Safety Act 2011*, Work Health and Safety Regulation 2011 and the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 (WHS laws) as interpreted by the NSW Department of Industry, Skills and Regional Development at the time of writing (February 2017). Compliance with the WHS laws is a legal requirement. This publication does not provide or purport to provide legal advice. Users are reminded of the need to ensure that the information upon which they rely is up to date by checking the currency of the information at the Department of Industry, Skills and Regional Development website or with the user's independent legal advisor.