

## **Position paper**

# Winding systems in small gemstone mines

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**More information**

[Fact-sheet-winding-systems-for-small-gemstone-mines.pdf](#)

[TRG-winding-systems-for-small-gemstone-mines.pdf](#)

[Regulatory-Impact-Statement-Work-Health-and-Safety-Mines-and-Petroleum-Sites-Regulation-2014.pdf](#)

[Person-riding-hoists-instrument-of-exemption-2015.pdf](#)

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# Introduction

The Resources Regulator facilitated a Statutory Review of the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* during 2020.

Arising from the review it was identified the design registration process was seen as unnecessarily difficult for small gemstone mines due to their remote location, lack of available independent competent persons in these remote locations, and lack of digital connectivity.

In considering this, it was established it would be more straightforward to prescribe the fundamental safety requirements for winders at small gemstone mines in the Regulation and remove the requirements for design and item registration, without compromising the safety of the equipment

The Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 commenced on 1 September 2022, which included the fundamental safety requirements identified. With the commencement of the Regulation the class exemption for winding systems was revoked. Refer to [Fact sheet winding systems for small gemstone mines](#).

## Scope

This paper is for designers, manufactures, suppliers, installers, users and persons in management and controls and users of winding system in small gemstone mines.

*Note 1: A winding system, for the purposes of the Regulation, is defined as plant, other than a portable winch or plant that is manually operated, that is used in a shaft to lift a person to or from an underground mine or between levels.*

*Note 2: These requirements do not apply to winders which are used solely for the purpose of hoisting mined material.*

## Regulator's position

The NSW Resources Regulator's position is that all winding systems in small gemstone mines must comply with the requirements prescribed in section 34, 50, 51 & 52 of the WHS (MPS) Regulation.

The relevant requirements of the Work Health and Safety Regulation 2017 must also be met.

## Industry engagement

With the implementation of the above requirements, we will be actively engaging with industry that will include:

- publication of fact sheet and technical reference guide
- letters sent out to design and item registration holders explaining the changes
- a face-to-face information session with registration holders
- inspections of those winding systems in service to assist operators by identifying potential non-compliances to the regulated requirements that will need to be addressed
- a planned inspections program focusing on winding systems.

## Obligations on mine operators

Mine operators must ensure that any winding system in service at the mine is fit-for-purpose, meets the requirements of the NSW WHS (MPS) Regulation and is maintained in safe operating condition while the winding system is in service at a mine.

## Regulatory actions

The NSW Resources Regulator safety inspectorate will be inspecting mines and checking that mine operators meet their obligations regarding winding systems.

Where a mine operator has not taken appropriate steps to manage the risks associated with winding systems and implemented the prescribed requirements of the legislation, compliance action may be taken in the first instance.

## Item registration

People holding item registrations are required to ensure that the minimum requirements prescribed in sections 50, 51 & 52 of the WHS (MPS) Regulation are met before the expiry date of the registration.

For as long as the item registered is valid the general conditions of the *person-riding hoists (winding systems) instrument of exemption 2015* must be met.

This does not remove the obligations of meeting the relevant requirements of the *Work Health and Safety Act 2011* and the WHS Regulation, including managing the risks to health and safety in accordance with Part 3.1 of the Regulation.

If a winding system is not compliant with the above requirements by the time the item registration has expired, enforcement or compliance action will be undertaken by the Regulator.

On expiry, item registration granted under the 2015 exemption will not be renewed.

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## Conclusion

The Regulator is committed to ensuring that the NSW mining industry understands its obligations and our expectations.

It is important the operators of small gemstone mines understand their obligations regarding the use of winding systems.

If you require further information on this, you can contact the Regulator by email at [cau@regional.nsw.gov.au](mailto:cau@regional.nsw.gov.au) or by telephone on 1300 814609 (option 2, then option 4)