



Queensland

Coal Mining Safety and Health (Methane Monitoring and Ventilation Systems) Amendment Regulation 2020

Subordinate Legislation 2020 No. 118

made under the

Coal Mining Safety and Health Act 1999

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1 Short title

This regulation may be cited as the *Coal Mining Safety and Health (Methane Monitoring and Ventilation Systems) Amendment Regulation 2020*.

2 Commencement

This regulation commences on 3 July 2020.

3 Regulation amended

This regulation amends the *Coal Mining Safety and Health Regulation 2017*.

4 Amendment of s 61 (Plans of coal mine workings)

Section 61(2), ‘mine, including abandoned workings,’—
omit, insert—
mine

5 Amendment of s 223 (Monitoring and sampling mine atmosphere)

Section 223(1A)(a)—
omit, insert—
(a) the return airway from each goaf area and each set of workings;

6 Amendment of s 234A (Armoured face conveyor)

Section 234A(2)(b), after ‘shearer’—
insert—
cutters

7 Amendment of s 242 (Intake airways)

- (1) Section 242(5) and (6)—
omit.
- (2) Section 242(7), ‘(2)(a), (4)(a) or (6)’—
omit, insert—
(2)(a) or (4)(a)
- (3) Section 242(7)—
renumber as section 242(5).

8 Amendment of s 243A (Return airway in ventilation split intersecting with longwall face)

- (1) Section 243A, heading—
omit, insert—
243A Longwall return airway generally
- (2) Section 243A(1)(a)—
omit, insert—
(a) in relation to a longwall return airway; and
- (3) Section 243A(2)—
omit, insert—
 - (2) At least 1 automatic methane detector must be located—
 - (a) in the longwall return airway; and
 - (b) within 150m outbye of the corner of the tailgate block side rib line and the longwall coal face; and
 - (c) so as to measure the general body concentration of methane in the longwall return airway from—
 - (i) the longwall face; and
 - (ii) the goaf.

(4) Section 243A(3)(b)—

omit, insert—

(b) trip the electricity supply to the following equipment when the general body concentration of methane detected in the return air exceeds 2%—

(i) the armoured face conveyor;

(ii) the longwall shearer cutters;

(iii) the longwall equipment in the longwall return airway.

(5) Section 243A, note—

omit.

9 Amendment of s 243B (Return airway that is a relevant zone)

(1) Section 243B, heading, ‘Return airway’—

omit, insert—

Longwall return airway

(2) Section 243B(2), ‘return airway’—

omit, insert—

longwall return airway

(3) Section 243B(3), ‘at each’—

omit, insert—

on the intake side of each

10 Amendment of s 244 (Longwall face)

Section 244, heading—

omit, insert—

244 Intake airway intersecting with longwall face

11 Amendment of s 250 (Action to be taken if methane detector activates or is non-operational)

- (1) Section 250(1)(a), from ‘mentioned’ to ‘238’—

omit, insert—

to which any of sections 233 to 239 applies

- (2) Section 250(2) to (6), ‘The procedure may’—

omit, insert—

The procedure must

12 Insertion of new s 250A

After section 250—

insert—

250A Action to be taken if automatic methane detector non-operational in roof fall

- (1) An underground mine must have a standard operating procedure for taking action if—
- (a) a roof fall causes an automatic methane detector mentioned in section 243A to fail in service; and
 - (b) the detector cannot be immediately replaced or repaired.
- (2) The procedure must provide that—
- (a) the automatic methane detector or the cable for the detector must be replaced or repaired as soon as practicable; and
 - (b) the armoured face conveyor or the longwall shearer may be operated—
 - (i) only to clear the roof fall or recover the cable for the detector; and

- (ii) only while the conditions mentioned in subsection (3) apply.
- (3) For subsection (2)(b)(ii), the conditions are—
 - (a) the ERZ controller uses a portable methane detector to continuously monitor the general body concentration of methane in the area of the roof fall; and
 - (b) the general body concentration of methane in the area of the roof fall is less than 1.25%; and
 - (c) the general body concentration of methane at the longwall face and in the longwall return airway is less than 2%.

13 Amendment of s 282 (Plan of coal mine workings)

Section 282(4)(e), ‘active or abandoned’—
omit.

14 Amendment of s 287 (ERZO)

- (1) Section 287—
insert—
 - (1A) Also, a part of an underground mine being sealed is an ERZO.
- (2) Section 287(1A) and (2)—
renumber as section 287(2) and (3).

15 Insertion of new s 290A

After section 290—
insert—

290A Controlling access to relevant ERZO

- (1) The underground mine manager for an underground mine must secure a relevant ERZO in

the mine to prevent unauthorised or inadvertent access to the ERZO by—

- (a) a pedestrian; or
 - (b) a vehicle.
- (2) In this section—

relevant ERZO means an ERZO other than an ERZO at the edge of a goaf area in active workings.

16 Amendment of s 324 (Monitoring strata support)

- (1) Section 324(a), ‘travel’—

omit, insert—

normal travel

- (2) Section 324—

insert—

- (2) In this section—

normal travel means travel carried out other than in an emergency.

17 Amendment of s 344 (Other things for which ventilation system must provide)

- (1) Section 344(1)(b)(i)—

omit.

- (2) Section 344(1)(b)(ii) and (iii)—

renumber as section 344(1)(b)(i) and (ii).

- (3) Section 344(1)(d), after ‘paragraph (b)’—

insert—

and subsection (3)(b)

- (4) Section 344(3), ‘Subsection (1)(b)(i)’—

omit, insert—

Subsection (1)(b)

(5) Section 344(3)(b)—

omit, insert—

- (b) a heading or roadway, if control measures, other than controlled ventilation, have been implemented for minimising, within acceptable limits, the layering and accumulation of noxious and flammable gas in the heading or roadway.

18 Amendment of s 345 (Parts of mine exempted from ventilation requirement)

Section 345—

insert—

- (d) an area of the mine in the process of being sealed.

19 Amendment of s 346 (Safety and health management system)

Section 346(1)(b), ‘and abandoned’—

omit.

20 Amendment of s 362 (Air distribution)

Section 362(2)(e)—

omit, insert—

- (e) the return airway from each goaf area and each set of workings;

21 Amendment of s 396 (Deferral of particular provisions for 6 months)

(1) Section 396(a) and (b)—

omit.

- (2) Section 396(d) and (e), ‘242(5) or’—
omit.
- (3) Section 396(f), ‘section 344(1)(b)(iii)’—
omit, insert—
section 344(1)(b)(ii)
- (4) Section 396(c) to (f)—
renumber as section 396(a) to (d).

22 Amendment of s 397 (Continuation of particular previous provisions for 6 months)

- (1) Section 397(2), after ‘commencement’—
insert—
of this section
- (2) Section 397, note, ‘section 398(2)’—
omit, insert—
sections 398(2) and 408

23 Amendment of s 398 (Application of ss 395–397)

- (1) Section 398(2), ‘397 apply’—
omit, insert—
397, to the extent it relates to previous section 345(c), apply
- (2) Section 398—
insert—
 - (3) In this section—
previous section 345(c) means section 345(c) as in force immediately before 6 January 2020.

24 Insertion of new ch 6, pt 8

Chapter 6—

insert—

**Part 8 Transitional provisions
for Coal Mining Safety
and Health (Methane
Monitoring and
Ventilation Systems)
Amendment Regulation
2020**

401 Definitions for part

In this part—

amending regulation means the *Coal Mining Safety and Health (Methane Monitoring and Ventilation Systems) Amendment Regulation 2020*.

former, in relation to a provision, means the provision as in force immediately before the commencement.

402 Deferral of particular provisions for 1 month

The following provisions do not apply until the end of 1 month after the commencement—

- (a) section 243A(2);
- (b) section 250(1)(a), to the extent it relates to an automatic methane detector fitted to explosion-protected electrical plant to which section 239 applies;
- (c) section 250(2) to (6);
- (d) section 250A;
- (e) section 290A.

403 Continuation of particular former provisions for 1 month

- (1) Former sections 243A(2) and 250(2) to (6) continue to apply as if the amending regulation had not been made.
- (2) This section stops applying at the end of 1 month after the commencement.

404 Deferral of particular provisions until 6 October 2020

The following provisions do not apply until 6 October 2020—

- (a) section 344(1)(d), to the extent it relates to a place mentioned in section 344(3)(b);
- (b) section 344(3), to the extent it relates to a place mentioned in section 344(3)(b).

405 Continuation of particular former provisions until 6 October 2020

- (1) Former section 344(1)(b)(i) and (3) continues to apply as if the amending regulation had not been made.
- (2) This section stops applying on 6 October 2020.

406 Deferral of particular provisions for 1 year

The following provisions do not apply until the end of 1 year after the commencement—

- (a) section 223(1A)(a);
- (b) section 346(1)(b);
- (c) section 362(2)(e).

**407 Continuation of particular former provisions
for 1 year**

- (1) Former sections 223(1A)(a), 346(1)(b) and 362(2)(e) continue to apply as if the amending regulation had not been made.
- (2) This section stops applying at the end of 1 year after the commencement.

**408 Application of s 397 in relation to previous s
345(b)**

- (1) This section applies in relation to section 397, to the extent it relates to previous section 345(b).
- (2) Section 397 applies as if the reference in that section to 6 months after the commencement of the section were a reference to 1 year after the commencement of this section.
- (3) In this section—
previous section 345(b) means section 345(b) as in force immediately before 6 January 2020.

**25 Amendment of sch 3 (Chapter 4 provisions applying
while abnormal circumstances declaration is in force)**

Schedule 3, item 8, ‘sections 344(1)(a) and (b)(iii), (2) and (3)’—

omit, insert—

sections 344(1)(a) and (b)(ii), (2) and (6)

26 Amendment of sch 9 (Dictionary)

- (1) Schedule 9, definition *normal travel*—

omit.

- (2) Schedule 9—

insert—

longwall return airway means a return airway in a ventilation split that intersects with a longwall face.

ENDNOTES

- 1 Made by the Governor in Council on 1 July 2020.
- 2 Notified on the Queensland legislation website on 1 July 2020.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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