

EV301

Environmental Protection Act 1986  
Waste Avoidance and Resource Recovery Act 2007

## **Environment Regulations Amendment (Work Health and Safety) Regulations 2022**

SL 2022/25

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

#### **1. Citation**

These regulations are the *Environment Regulations Amendment (Work Health and Safety) Regulations 2022*.

#### **2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Work Health and Safety Act 2020* Part 15 comes into operation.

## **Part 2 — *Environmental Protection (Noise) Regulations 1997* amended**

### **3. Regulations amended**

This Part amends the *Environmental Protection (Noise) Regulations 1997*.

### **4. Regulation 2 amended**

- (1) In regulation 2(1) insert in alphabetical order:

***amusement structure*** means equipment operated for hire or reward that provides entertainment or amusement through movement of the equipment, or part of the equipment, or when passengers travel on, around or along the equipment or move the equipment through self-powered motion;

***mine operator*** has the meaning given in the *Work Health and Safety (Mines) Regulations 2022* regulation 5C;

***surface mining operations*** means mining operations within the meaning of the *Work Health and Safety (Mines) Regulations 2022* that are not underground.

- (2) In regulation 2(1) in the definition of ***rural premises*** delete “section 4(1).” and insert:

section 4(1);

### **5. Regulation 3 amended**

Delete regulation 3(1)(g) and insert:

- (g) noise emissions of any of the following kinds, but only if every reasonable and practicable measure has been taken to reduce the effect of the noise emission consistent with providing an audible warning to people —
- (i) noise emissions from a device for warning pedestrians installed at a pedestrian crossing on a road;
  - (ii) noise emissions from a device for warning of the passage of a train installed at a level crossing;

- (iii) noise emissions from a safety warning device fitted to a building as a requirement of the Building Code as defined in the *Building Regulations 2012* regulation 3;
- (iv) noise emissions from an audible warning device installed at a mine for the purpose of giving a blast warning referred to in the *Work Health and Safety (Mines) Regulations 2022* to warn of a public nuisance or danger.

**6. Regulation 11 amended**

- (1) In regulation 11(8) delete “out in accordance with the *Mines Safety and Inspection Regulations 1995* regulation 8.28(4).” and insert:

out —

- (a) as part of surface mining operations for the purposes of removing obstructions in crushers, or making workings safe, or for firing misfired holes; and
  - (b) with the consent in each case of the mine operator.
- (2) In regulation 11(10) delete “in accordance with the *Mines Safety and Inspection Regulations 1995* regulation 8.28(4)” and insert:

as described in subregulation (8)(a) and (b)

**7. Schedule 1 amended**

In Schedule 1 Part B item 6 delete “structures within the meaning of the *Occupational Safety and Health Regulations 1996*.” and insert:

structures.

**Part 3 — *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019* amended**

**8. Regulations amended**

This Part amends the *Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulations 2019*.

**9. Regulation 7A amended**

In regulation 7A(2) delete “*Occupational Safety and Health Act 1984*.” and insert:

*Work Health and Safety Act 2020*.

V. MOLAN, Clerk of the Executive Council.