

[Subscribe](#)

[Share](#) ▼

[Past Issues](#)

[Translate](#) ▼

[RSS](#) 

MinEx newsletter, 19 September, 2014...

[View this email in your browser](#)



THE NATIONAL HEALTH & SAFETY COUNCIL FOR THE NEW ZEALAND MINERALS INDUSTRY

In this issue:

- [Industry Safety](#)
- [2013 Regulations Implementation](#)
- [Industry Liaison & Events](#)
- [Meet the new MinEx Board](#)
- [Mining Sector Advisory Group](#)
- [Extractive Qualifications Review](#)
- [Industry Codes & Guidance Material](#)

In the interests of safety in our industry please circulate widely.

September 2014

Welcome to the new MinEx newsletter where you can tap into information about Health & Safety in the minerals industry with regular updates on changes in regulations, what this means for you or your business, events and general safety information.

If you know of someone who should receive this email please forward onto them and they can email Lily to get on the distribution list.

What parts of the regulations apply to the Quarry and Alluvial gold sector?

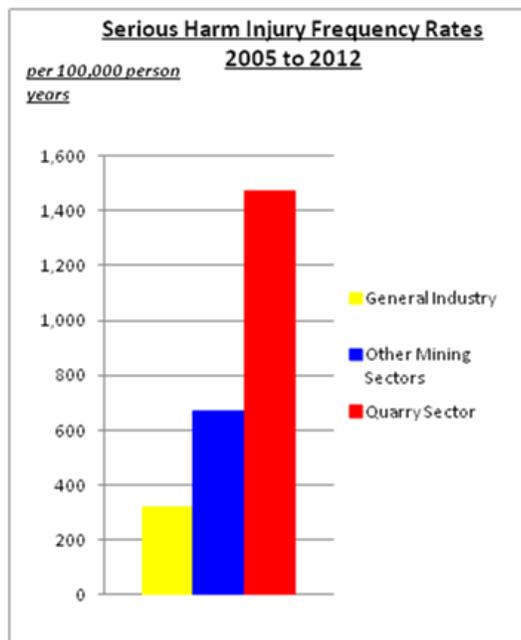
Only Regulations 14, 16, 21, 23, 24, 25, 34, and 35 and Schedule 1

Regulations 1, 10, 11 and 15

What are the key safety areas all operations should be focusing on?

Guarding, light and heavy vehicle traffic interaction, electrical safety

Industry Safety



Safety Alerts

All 2014 safety alerts can be found on the [MinEx Website](#).

The industry safety statistics for the June 2014 quarter are now on the [MinEx website](#) and show a small increase in the total injury frequency rate attributable to surface mines.

We will be reviewing the way we report these statistics over the coming months for our members' use as a bench marking tool pending

The take-home message is that we as a sector have work to do to improve our performance in health and safety to meet both New Zealand industry and mining and quarrying industry goals:

- A reduction of workplace deaths to zero by 2020; and,
- A 25% reduction in workplace serious injury rates by 2020.

At the [Quarry NZ conference](#) this year MinEx presented comparative statistics on quarry and mining sector performance compared with general industry. These statistics suggest that some operators in our sectors need to examine their own commitment to the health and safety of their employees.

Click here to download the MinEx presentation from the Quarry NZ conference

WorkSafe's new statutory reporting system as per 2013 regulations (Schedule 10).

2013 Regulations Implementation

Coverage

To clarify any uncertainty among operators as to who is covered by the 2013 changes to the Health and Safety in Employment Act 1992.

A **Mining Operation** is defined under section 19M of the HSE Act:

It includes: mining for coal and minerals, exploring for coal, tourist mines, tunnels and various activities associated with these operations.

It excludes: exploring for minerals, alluvial mining, sea bed mining and quarrying operations.

That exclusion does not mean that affected activities are excluded from all of the new Regulations. Parts of *Part 1 - Safety-critical roles and competency requirements* will also apply to quarry and alluvial operations.

While the new regulations specifically exclude **exploring** for minerals, some explorers' activities will require compliance with the new Regulations. For instance, it is commonplace to use old mine drives for exploration, and in that event, explorers will be deemed to be carrying out mining operations.

Interpretation of Regulations

An issue has arisen around the interpretation of regulations 21 and 22 that deal with what grade

The regulations can be viewed [here](#).

- Some of the 2013 regulations cover alluvial mines and quarries
- Exploring for coal is a mining operation
- Some mineral exploration activities will be covered by the new regulations

21 Certificate of competence of manager of quarrying operation

(1) Subject to subclauses (2) and (3), a manager appointed to a quarrying operation must hold a certificate of competence as an A-grade quarry manager.

(2) A manager appointed to a quarrying operation in which no explosives are used and not more than 4 quarry workers ordinarily work at any one time may hold a certificate of

CoC is required to manage a quarry or alluvial mine in relation to the number of workers employed at the mine. In the case of a quarry the issue concerns a quarry where no explosives are used and so the issue is exactly the same as that raised for the alluvial mine. Item (2) of each regulation states that if not more than 4 workers ordinarily work at any one time then the operation can be managed by a B grade CoC. This is quite clear. Item (3) in the quarry case then deals with the type of certificate required in which no explosives are used and states the manager appointed “may” hold a B grade CoC. Some operations are therefore ignoring item (2) and using item (3) to appoint a B grade holder to a quarry supervising more than 4 workers. In order to do that you must ignore item (3) and take the word “may” further than . That’s not how it works. You must read all of the regulation and make sense of it all. Item (3) needs to be read in conjunction with item (2). More than 4 workers requires an A grade CoC.

A similar approach is being used with regulation 22. You cannot ignore item (2) of this regulation when making sense of item (3). More than 4 workers requires an A grade CoC.

competence as a B-grade quarry manager.

(3) A manager appointed to a quarrying operation in which no explosives are used may hold—

(a) a certificate of competence as a B-grade quarry manager;

or

(b) a certificate of competence as a manager to manage that quarry, being the quarry specified in the certificate.

22 Certificate of competence of manager of alluvial mining operation

(1) Subject to subclauses (2) and (3), a manager appointed to an alluvial mining operation must hold a certificate of competence as a first-class mine manager.

(2) A manager appointed to an alluvial mining operation in which more than 4 alluvial mine workers ordinarily work at any one time may hold a certificate of competence as an A-grade quarry manager.

(3) A manager appointed to an alluvial mining operation in which not more than 4 alluvial mine workers ordinarily work at any one time may hold—

(a) a certificate of competence as an A-grade quarry manager;

or

(b) a certificate of competence as a B-grade quarry manager.

Industry Liaison & Events

Mining Sector

The following industry groups were addressed at conferences during July and August: Quarry NZ, Minerals West Coast and AusIMM. These presentations can be found on the [MinEx website](#). We have submitted an article to Q&M magazine for their next edition – keep an eye out.

MinEx will present an industry update at the next RSC/Straterra/AusIMMNZ Dunedin networking event on October 16 at 5.30pm – [click here](#) for more information if you would like to attend (there are drinks and nibbles provided – and its free to attend!)

Meet the new MinEx Board

A new board has been appointed under a revised constitution

Glen Grindlay is currently the General Manager and a Director of Newmont Waihi Gold, a position he has held since 2007, and is a Board member of Straterra.



Andrea Cave is Winstone Aggregates' Environment Manager. She is responsible for the managing the company's environmental, including improved biodiversity, and sustainability functions.

Andrea is also chair of the AQA Board and also sits on the Straterra Board.

Advisory Group

The Advisory group makeup can be found on the [WorkSafe website](#).

The group has meet several times since it's inception and has made several recommendations to the WorkSafe board around:

- **Schedule 10 data collection** which includes safety statistics and the desire to see an industry accessible reporting system to replace the current MinEx safety statistics reporting
- **Ambiguities in the new regulations**
- **The challenge** for the regulator and industry bodies in achieving regulatory compliance by smaller operators
- **The formation of the Board of Examiners** and concerns that there is a lack of sufficient understanding of the new regulations amongst CoC holder and how to address this.

Members who have concerns about interpretation of aspects of the new regulations should contact Les by [email](#) or phone +64 3 307 0239. We are particularly interested in confusing or conflicting regulations.

Extractive

Jayden Ellis is Technical Manager at Stevenson Construction Materials, serving Auckland/Franklin/Waikato, and is Deputy Chair of the AQA board.



Chris Baker is the CEO of Straterra Inc., a member based organisation that provides high level representation and advocacy for the resource sector in New Zealand.

Les McCracken is the CEO of MinEx, and chair of the AusIMM NZ Branch. Les is a mining engineer with over 35 years experience in NZ and Australia in opencast gold, coal and iron ore.



Ged O'Connell the assistant national secretary of the EPMU.



Joe Edwards is a Construction Manager for McConnell Dowell Constructors and a Branch member of the Contractors Federation.

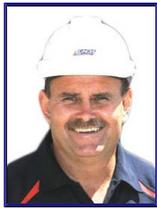
Warwick Leach is the General

Qualifications Review

The review of the make-up of qualifications and related unit standards has been completed. The Governance Group meets later in September to review this material. Once the work is finalised, industry consultation will start before final recommendations are made to NZQA. Information on the review can be found at the [MITO website](#). To date we have managed good alignment between the CoC requirements, and the qualifications requirements but this is yet to be ratified by the incoming Board of Examiners.

Industry Codes & Guidance Material

The six codes WorkSafe identified for completion this year (Ground Control, Spontaneous Combustion, Inundation and Inrush, Surveying, Air Quality, and Worker Health) will now be completed



Manager of Quarries at H.G Leach & Co. Ltd.

MinEx membership now stands at 91 (AQA 73, Straterra 5, CANZ 13)

If you are interested in helping support MinEx to grow, please get in touch with [Lily](#).

To view the latest Health and Safety alerts visit the [MinEx website](#) or click the button below.

Download MinEx Safety Alerts

as guidelines during 2014 and converted into codes in 2015. Codes development takes longer than guidelines and WorkSafe was keen to lessen the load on industry during the period when we were working on 2013 Regulations compliance.

The surface mines guidelines released earlier this year, which MinEx reviewed and commented on will have a second release in late September. The working group^[1] will then need to review this second draft.

^[1] McCracken, Ellis, Higgins, Gray, Torstonson, Roche, Toa, C O'Leary, B O'Leary, Batt, Cummings, O'Sullivan, Gooley

Copyright © 2014 MinEx Health & Safety Council Inc, All rights reserved.

[unsubscribe from this list](#) [update subscription preferences](#)



MailChimp.