



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

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

## February 2015

If you know of someone who should receive this email please forward onto them and they can email [MinEx](#) to get on the distribution list.

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# CoC Holder Appointment Issues

WorkSafe has released a position paper on how it proposes to manage situations where mines and quarries, as defined by the Act, are operating without CoC holders being appointed and this paper can be found [here](#).

**In summary:**

- Under the regulations the mine or quarry operator must appoint a mine or quarry manager and advise WorkSafe of that appointment. The appointed mine or quarry manager must hold the appropriate certificate of competence (regulation 21). This requirement applies from 1 January 2015;
- HHU Extractives will work with the sector to advise and support mine or quarry operators to ensure each mine or quarry has a manager with the required certificate of competence;
- If a mine or quarry manager does not have the required certificate of competence, an HHU Extractives inspector will consider issuing an improvement notice under Health and Safety in Employment Act 1992 for a period of up to one year to enable the mine or quarry manager to gain the certificate of competence. If this improvement notice is issued it will state that the mine or quarry may continue to operate while the mine or quarry manager gains the relevant certificate of competence;
- Before an inspector makes a decision to issue an improvement notice the mine or quarry operator will need to advise HHU Extractives on how health and safety systems are being implemented in the mine or quarrying operation and satisfy HHU Extractives that safety is being appropriately managed; and,

This approach only applies as follows:

- The improvement notice is issued in order to allow a mine or quarry manager time to gain the required certificate of competence;
- If a visiting HHU Extractives inspector identifies other unsafe features at the mine or quarrying operation, appropriate enforcement action will be taken;
- From 1 July 2015 HHU Extractives will expect operators either to have a manager with the necessary certificate of competence or to be operating under an improvement notice as outlined above; and,
- If neither is in place appropriate enforcement action will be taken; and,
- If a mine or quarry is operating under an improvement notice, HHU Extractives expects the mine or quarry to be committed to a robust process actively supporting the manager to achieve the necessary certificate of competence within the period set out in the notice.

(Source: Tony Forster, Chief Inspector – Extractives, High Hazards & Specialist Services)



# 2013 Regulations

## Application to quarries

A working group of AQA members and the MinEx CEO has looked at how well the new regulations would suit the quarry sector and while there is work to be done yet it appears that most of the regulations could be picked up by this sector. A similar exercise is planned for the alluvial mine sector.

## Small mine templates

It now looks like the new H&S in the Workplace Act will not come into effect until at least October this year and so the template completion will be targeted at this date.

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# Industry Codes & Guidance Material

## Surface mines, quarries and alluvial miner guidance

This guidance document is now expected to be issued in June 2015

# Board of Examiners

WorkSafe issued the Gazette notice 18 December 2014 and this was circulated widely throughout the industry. The notice can be found [here](#).

The main decisions made related to the extra competencies recommended by the Pike Royal Commission were:

- new additional unit standards for all CoCs;
- a first aid certificate is required;
- explosive unit standards are required for most CoC holders;
- a lower level, level 4, legislation unit standard replaces the level 6, 7142 for the coal mine deputy, B-grade opencast mine manager, B-grade quarry manager and B-grade tunnel manager;
- All CoCs must be renewed every 5 years; and,
- At this point CoC holders will need to address continuing professional development requirements to be set this year by the BoE.

The 2013 regulations provide for a one year transition period to allow current holders to update their CoCs by 1 January 2016. While the unit standards required are already established on the NZQA framework, there are currently no trainers in NZ offering any of these courses with the possible exception of the CIMs units. I will be meeting with MITO this week to discuss issues around the availability of the extra training that must be completed prior to 1 January 2016 and

## Codes

The Ground Control and Spontaneous Combustion codes review meetings are underway . These and the remaining codes (Inundation and Inrush, Surveying, Air Quality, and Worker Health) are expected to be issued by the end of 2015 with some appearing mid-year.

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## Extractive Qualifications Review

The final stage of the review involving industry consultation has been completed with no major issues being raised by the consultation and the Governance Group has now signed off the qualifications for processing by NZQA. We will report on the next stage of the process and when the revised qualifications and unit standards will commence in the next newsletter.

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## Minex Planning for 2015/16

A draft business plan is being considered by the MinEx Board and will be put in front of the AQA board next week and we will report on this in the next newsletter.  
There will be a shift in focus for MinEx

will report on this in the next newsletter.

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## Submissions Made To WorkSafe

A submission was made on WorkSafe's proposed diesel particulates material (DPM) proposal to set a workplace exposure level for DPM.

Worksafe New Zealand proposes to adopt an 8 hour time weighted average (WES-TWA) of 100µg/m<sup>3</sup> (measured as elemental carbon). A review was carried out by Toxicology Excellence for Risk Assessment (TERA) in the United States to recommend a proposed WES value.

**Our submission can be found [here](#)  
While a short summary appears [here](#)**

One short coming in the technical report identified by Newmont was that it does not address a critical aspect of the exposure standard and that is particle size.

**Click here to view the latest MinEx submissions and presentations**

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## Safety

during 2015/16. The focus during 2014 was on compliance with the 2013 regulations which took effect 1 January 2015. This meant that the focus was on the coal and gold sectors.

For 2015 the focus needs to shift to:

- The implications of the impending introduction of the new H&S at Work Act (likely to now be Oct 2015); and,
- Improvement activities for those sectors covered by the 2013 regulations.

This means that during 2015 there needs to be a shift in focus to the quarry and alluvial mining sectors. What does this mean for those sectors?

- H&S system templates will be developed suitable for small to medium sized operations and released around mid-2015 and before the introduction of the new act;
  - More face to face contact with current quarry and alluvial mining sector MinEx members to better service these sector; and,
  - More face to face contact with other sectors to assist the small to medium size operator to improve performance.
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## Statistics

Click to download the latest Safety Stats for the third quarter of 2014.

**Download MinEx Safety Statistics 2014**

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## Safety Alerts

All 2014/15 safety alerts can be found on the [MinEx Website](#). Click to download

**Download MinEx Safety Alerts 2014/15**

## Am I a mine or quarry?

A useful flow sheet can be found on the WorkSafe website [here](#)..

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## CEO position

When MinEx was established the board agreed to advertise the position of CEO after 1 year. This process has been initiated and an advertisement will be placed online soon.

Any queries or expressions of interest  
in the meantime please contact  
[jodi@straterra.co.nz](mailto:jodi@straterra.co.nz) or call 04 909  
7301

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