

NOTIFYING WORKSAFE OF A HIGH RISK ACTIVITY

Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016

WHAT ARE HIGH RISK ACTIVITIES?

High risk activities required to be notified under Regulation 229 are specified in Schedule 7 of the Regulations. A list of high risk activities is listed in section 1 of this guidance document. An activity is only a high risk activity for the type of mining operation specified. For example, driving an underground roadway with a width greater than 5.5 m is a high risk activity at an underground coal mining operation but not at an underground metalliferous mining operation or tunnelling operation.

ABOUT HIGH RISK ACTIVITIES NOTIFICATION

High risk activities have the potential for catastrophic outcomes if not planned and carried out in a systematic and integrated way. Mine operators should take into account the risks associated with the activity and the methods available to manage those risks. It is the responsibility of the mining operator to manage the risk by introducing controls to manage the hazards that create the risk. Because of the potential catastrophic outcomes of high risk activities, elimination of risk should be considered in the first instance. It is only when elimination is not practicable that engineering design and other higher level controls are introduced. Administrative controls will generally compliment engineering controls, not replace them.

The high risk activities notification requirement under the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016 (the Regulations) allows WorkSafe New Zealand to assess whether the operator will be able to effectively manage the activity prior to the activity commencing. WorkSafe does not approve the activity because the responsibility for ensuring that activities are conducted safely remains with the mine operator.

The mine operator may not undertake high risk activities unless they have notified WorkSafe of the proposed high risk activity and the period of notice for that activity has expired (unless the regulator has directed a shorter or longer period of notice). When undertaking the high risk activity the mine operator must carry out the activity in the manner set out in the notification.

If WorkSafe reviews a notification and is not satisfied that the activity as described in the notification can be undertaken safely, they may take a range of actions including:

- > meeting with or writing to the mine operator
- > issuing a prohibition notice to prevent the activity from commencing.

WHAT IS AN ADEQUATE NOTIFICATION?

A notification will be accepted by WorkSafe if:

- > all required sections of the form are complete
- > the supporting information is sufficient for WorkSafe to assess whether the activity as planned, appears to manage the risk to the health and safety of workers and others, so far as reasonably practicable.

WorkSafe may direct a longer period of notice in writing if the content and supporting information of the notice is insufficient to enable it to assess the manner in which the operator proposes to undertake the high risk activity.

WHAT HAPPENS WHEN THE NOTIFICATION IS SUBMITTED?

WorkSafe will issue an acknowledgement that the notification has been received, including the date of receipt. The waiting period for the activity begins the day after the notification is received. The WorkSafe acknowledgment of receipt is not confirmation that the notice is complete or adequate. WorkSafe may review the notification when received. Any review undertaken will consider if all required information has been submitted, the adequacy of the planning and the proposed method of carrying out the activity.

CAN THE PERIOD OF NOTICE BE REDUCED?

The mine operator may apply for WorkSafe to direct a shorter period of notice. This application may be granted if WorkSafe has reviewed the notification and has no objection. If WorkSafe directs a shorter period of notice, this will be communicated in writing to the mine operator.

HIGH RISK ACTIVITY NOTIFICATION FORM

INSTRUCTIONS

Tick the table in section 1 to indicate what type of high risk activity is being proposed. Complete sections 1-4 and submit the notification by mail or email to HHU Extractives.

High Hazards Unit – Extractives, Worksafe New Zealand, PO Box 165, Wellington 6140. Email: hhu.extractives@worksafe.govt.nz

1. What type of high risk activity are you proposing to undertake?		
HIGH RISK ACTIVITY		WAITING PERIOD
All mining operations		
1. Commencement of highwall mining Entering a highwall mining excavation		1 month 48 hours
2. Shot-firing underground, where shot-firing has not been undertaken within a year before the intended time of shot-firing		7 days
3. Commissioning or use of mine shaft and winding systems plant		3 months
Underground mining operations and tunnelling operations		
4. Working within inrush control zones or before drilling in circumstances covered by regulation 132		1 month
5. Entry by any mine worker into any sealed area of the underground parts of the mining operation		7 days
Underground metalliferous mining operations and tunnelling operations where methane has been detected		
6. Hot work in the underground parts of the mining operation		1 month before first hot work covered existing by hot work approval system 24 hours before each occasion of hot work covered by an existing hot work approval system thereafter
Underground mining operations		
7. Single entry development (being the development of a roadway or a drift for more than 200 m without forming an intersection)		1 month
8. Shaft or drift sinking, raise boring or development of a new entry to the underground parts of the mining Operation		3 months
9. The use of voltages in excess of 1200 V in ERZ1 for electrical plant other than electrical plant and cables associated with longwall mining		3 months
Underground metalliferous mining operations		
10. Newly devised method of mining a rise involving drill and blast and entry to the rise		1 month
Coal mining operations		
11. The establishment or discontinuance of emplacement areas		3 months
12. Secondary workings > pillar or pillar dimension reduction > longwall > miniwall > shortwall		3 months

HIGH RISK ACTIVITY	WAITING PERIOD
Underground coal mining operations	
13. Injection or application of polymeric material for ventilation or strata	24 hours
14. Driving an underground roadway with a width greater than 5.5 m	7 days
15. Widening an existing underground roadway	7 days
16. Installation of a booster fan underground	3 months
17. Hot work in a NERZ or an ERZ1	1 month before first hot work covered by existing hot work approval system 24 hours before each occasion of existing hot work covered by a hot work approval system thereafter
18. Live electrical work in an ERZ0 or a ERZ1	7 days before first live electrical work covered by existing live electrical work approval system 24 hours before each occasion of live electrical work covered by existing live electrical work approval system thereafter
19. The introduction for the first time of a vehicle with a non-flameproof (fire-protected) diesel engine to a NERZ	3 months
20. The use of voltages in excess of 4000 V in an ERZ1 for electrical plant and cables associated with longwall mining	3 months
21. Barrier mining (meaning the mining of a barrier or protective pillar against the external boundaries of the workings of the mining operation, against any outcrop of the seam and between any underground workings and any open-cut workings. The requirement to notify is triggered when the width of the barrier is proposed to be less than 40 m between adjoining workings of adjacent mining operations)	3 months
22. > multi-seam mining > formations of small pillars > shallow depth of cover > mining under massive roof conditions > mining under significant bodies of water=	3 months

2. Details of mine operation and mine operator

Name of mining operation:

Site address:

Name of mine operator:

Site senior executive details

Name:

Address:

Email:

Work phone:

Mobile phone:

3. Details of the high risk activity Proposed commencement date and location of activity

Proposed commencement date: DD / MM / YEAR

Are you seeking a shorter period of notice? Yes No

Preferred commencement date: DD / MM / YEAR

If yes, please provide reasons why a shorter period of notice should be directed:

1. Describe the nature of the proposed high risk activity, including particulars of how the activity is to be carried out. You may attach additional information if there is insufficient space. If the nature of the proposed activity is clearly described in documents attached in accordance with the requirements specified in this form, a brief description including reference to that document below is sufficient.

2. Describe the proposed location of the activity. If the proposed location is clearly identified on surveys, plans, etc attached to this notification, a brief description referring to that document here is sufficient.

3. Attach a risk assessment for the high risk activity.

4. Attach the relevant parts of the safety management system for the mining operation that describe the systems, procedures, plans and other means that will be used to control risks to health and safety associated with the carrying out of the activity (guidance is provided in respect of some activities in Table 1):

- > where applicable, include geotechnical assessments/ reports undertaken for the high risk activity
- > where applicable, include information on the competency of workers who will be carrying out the high risk activity
- > include information on emergency preparedness for the high risk activity.

4. Attachments

List the attachments to this notification. If you are submitting the documents electronically and the attachment is a separate document, list the document title.

QUESTION NUMBER	TITLE OF DOCUMENT ATTACHED
1. Additional information about the nature of the high risk activity (if required)	
2. Additional information about the location of the high risk activity (if required)	
3. Risk assessment (mandatory)	
4. Parts of safety management system (mandatory)	
5.	
6.	
7.	
8.	