

February 2025

## Statutory function description

# Quarry manager of mines other than underground mines or coal mines

### Introduction

Type	Details
Name of the statutory function	Quarry manager
Class of mine	Mines other than underground mines or coal mines
Key statutory function?	Yes
Mining Supervisor?	Yes

Statutory functions are certain safety-critical roles in the mining and extractives industry that are regulated by the department. This document has been developed for people who exercise specific statutory functions to help them understand their duties, key relationships, tasks, and work practices. Schedule 10 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 (WHS(M&PS) Regulation) regulates statutory functions.

This document will:

- inform you of what exercising your function involves
- help mine operators and you to develop training or programs to support your competency
- assist mine operators to develop their safety management system, including management arrangements
- guide mine operators and you when identifying maintenance of competence learning to be undertaken.

Please note, a list of key terms and legislative provisions can be found at the end of this document.

## Guidance on statutory function

Extract from the WHS(M&PS) Regulation Schedule 10, Part 5, section 31:

1. The statutory function of quarry manager is to supervise mining operations at the mine, and
2. The requirement for nomination to exercise the statutory function is that the individual nominated must hold a current practising certificate that authorises the exercise of the statutory function.

### Exercising the function

An individual exercising the function should:

- access, understand, apply and monitor the relevant parts of the safety management system, including principal hazard management plans and principal control plans
- source and apply current knowledge in the management of work health and safety risks that are relevant to mining operations
- lead the management of risk, including risk assessment processes and in particular those involving principal hazards
- develop, apply and monitor risk controls
- maintain the currency of standards and procedures applied under the safety management system
- implement training, instruction and assessment of workers, including any supervisors
- facilitate work health and safety consultation, coordination and cooperation activities
- investigate incidents
- conduct and monitor workplace inspections to identify hazards and check risk controls are in place
- report to the mine operator any deficiencies or significant deviations from the safety management system
- supervise by providing general supervision and direct supervision of mining operations (refer to key terms) as required by the safety management system.

## Scope and relationships

The statutory function of quarry manager applies to all mines that are not:

- underground mines
- coal mines.

If you exercise this statutory function, you must follow the management structure set out in the safety management system. You may have to interact with other individuals exercising statutory functions at the mine. These people include:

- Electrical engineer (if the total connected power is greater than 1,000 kilowatts or high voltage is used), who you will help apply the electrical engineering standards and procedures forming part

of mining operations, together with supervision of the lifecycle of electrical plant and installations at the mine.

- Mining surveyor (if a mine survey plan required), who you will assist with preparing and certifying the mine survey plan for prescribed items, if required by the safety management system or if it necessary to control work health and safety risks.
- Qualified electrical tradesperson as required.

## Statement of minimum tasks

If you exercise a statutory function, you should carry out the following tasks in relation to the mine's safety management system.

### Generally

For the applicable elements of the safety management system:

- Manage risks.
- Inspections.
- Supervise contractors and their management plans.

### Principal hazards

Supervise the implementation of the principal hazard management plan for all applicable prescribed hazards in section 4 and any other relevant sections of the WHS(M&PS) Regulation.

### For principal control plans

Supervise the implementation of principal control plans as required for the mining operations.

Implement projects with other statutory function holders (refer to scope and relationships).

### Specific control measures (application prescribed in the WHS laws<sup>1</sup>)

Develop, apply, and monitor specific control measures for all mines.

### Emergency and survey plans

Supervise the implementation of emergency plans.

Assist other statutory function holders to ensure the accuracy and content of mine survey plans (refer to scope and relationships).

### Information, training, instruction, and consultation

Participate in mine consultation processes internally and externally.

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<sup>1</sup> Means the *Work Health and Safety Act 2011*, *Work Health and Safety Regulation 2017*, *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022*

## Monitoring

Monitor the performance of the safety management system against the specified standards as part of supervising.

Monitor the compliance of the safety management system with reporting mine incidents, matters and reportable incidents to the regulator, including:

- notify the regulator of a high-risk activity prescribed by the WHS(M&PS) Regulation for electrical work on energized electrical equipment.
- notify the regulator where an incident occurs prescribed as a notifiable incident by the WHS(M&PS) Regulation.

Supervise the preservation of incident sites.

Conduct or assist in the audit and review of the safety management system, as required.

## Additional responsibilities

### Key statutory functions

The statutory function of quarry manager is a key statutory function. Only one person can be nominated for a key statutory function. The mine operator is responsible for nominating the person in the safety management system to exercise the key statutory function. Key statutory functions are defined in clause 135 of the WHS(M&PS) Regulation.

### Mining supervisor

This statutory function of quarry manager is a mining supervisor. This does not generate any specific additional obligations. The term ‘mining supervisor’ is defined under the WHS(M&PS) Regulation schedule 15.

**Note:** the safety management system forms part of the overall management system of a mine<sup>2</sup>. The mine management system may follow a management approach, such as:

- plan, do, check, act
- identify, assess, control and review.

You should exercise your statutory function to meet your obligations under your safety management system and the WHS laws. Which management approach is used at your mine does not affect your obligations.

## Work practices

There are no typical work practices across all quarry managers at all mines. You should develop your work practices according to the requirements specified by the mine operator and the safety management system at your mine.

In general, the work practices of a quarry manager vary according to the mine and mine operator. In NSW, mines can range from small mining operations operated by an individual or private company

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<sup>2</sup> Section 18(4) of Work Health and Safety (Mines and Petroleum Sites) Regulation 2022

and with very few workers to large, complex mines operated by publicly listed companies and with an extensive workforce.

## Authority

The WHS(M&PS) Regulation defines statutory functions, authorises you to exercise your function, and outlines the statutory function framework through a number of clauses:

- section 132: only an individual who meets the requirements can exercise the function and only if they are nominated by the mine operator.
- section 133: the mine operator must ensure the nominated individual continues to meet the requirements and is able to exercise the function.
- section 134: an individual must inform the mine operator if they cannot exercise the function.

## Key terms

Table 1. Key terms

Term	Definition <sup>3</sup>
Apply	To put into practical operation or to put to use, e.g., an inspection program.
Develop	To bring into being or activity, generate or evolve. The term includes further adding to and amending standards and procedures that form part of the safety management system.
Implement	To put into effect, either directly or by causing others to carry out actions.
Lifecycle	For mining operations, this means the activities for exploration, construction, commissioning, extraction, and those in connection with it, and the decommissioning of a mine.
Mining operations	For a definition of this term, refer to section 7 of the <i>Work Health and Safety (Mines and Petroleum Sites) Act 2013</i> . Mining operations includes lifecycle activities.
Monitor	To check, observe, supervise and/or record the operation of a mine, part of a mine, workers, or related activities so as to assess the suitability of mining engineering standards and procedures to manage potential or actual risks.
Review	A retrospective assessment of something with the intention of instituting change if necessary.
Safety management system	All activities planned and documented by the mine operator to be carried out to manage health and safety risks at the mine in an organised manner.
Standards and procedure	<p>Written internal or external documents that set out or provide guidance on how mining operations should be carried out to achieve a performance level for WHS. This may include mining, electrical, mechanical, or other areas.</p> <p>The standards may include:</p> <ul style="list-style-type: none"> <li>• WHS legislation and codes of practice</li> <li>• international and Australian standards</li> <li>• guidance information from various sources that are credible, current, and substantive.</li> <li>• industry publications such as WHS reports.</li> </ul>
Supervise	Oversee or direct some part of mining operations. The mining engineering manager should normally provide general supervision, but at times may exercise direct supervision, such as to verify critical controls are working or high-risk activities are being managed. This could include, for example, commissioning a large new piece of plant.

<sup>3</sup> Some meanings are derived from the Macquarie Dictionary and added to for context.

Term	Definition <sup>3</sup>
Direct supervision	Verifying through direct observation that mining operations and any contractors involved are applying the requirement of the safety management system
General supervision	Where the individual may not always be present or directly responsible for supervising the activities but will monitor to ensure that the safety management system is implemented, applied and monitored, and provide advice to supervisors and workers.
Underground mine	Means that part of a mine that is beneath the surface of the earth and includes plant and structures that extend continuously from the surface into that part of the mine but does not include a part of the mine in which high wall mining is being carried out. (clause 3, WHS(M&PS) Regulation).

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