

February 2025

Statutory function description

Undermanager of underground coal mines

Introduction

| Type | Details |
|--------------------------------|------------------------|
| Name of the statutory function | Undermanager |
| Class of mine | Underground coal mines |
| Key statutory function? | No |
| 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 individuals to develop training and/or mentoring programs to support individuals to practice in the function
- 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 2, section 6:

The statutory function of Undermanager is to supervise the mining operations at the mine for a shift during which:

1. The statutory function of Undermanager is to supervise the mining operations at the mine for a shift during which:
 - a. there are more than 15 persons underground, or
 - b. secondary extraction is occurring at the mine, or
 - c. major changes are being made to the ventilation system for the mine.
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:

Supervise mining operations for a shift: Provide direct and general supervision (refer to key terms) of workers in the area of the underground mine they are responsible for. The level and type of supervision should be appropriate to the workplace risks and worker competence. This may include but not be limited to a combination of the following activities:

- Coordinate, instruct, advise and verify WHS requirements to be implemented across the shift and workplaces, including to ensure:
 - all underground workers, other than mining supervisors, are under the supervision of a deputy allocated to that part of the underground mine
 - a mining supervisor is assigned to, and present, in any part of the mine where coal extraction is occurring
 - a competent person remains on the surface, and is readily available to be contactable, whilst ever persons remain underground.
- Co-ordinate management of risk, including risk assessment processes and particularly those involving principal hazards.
- Consult on WHS matters with mining supervisors and workers, as required.
- Organise sufficient and appropriate WHS resources for workers.
- Implement the safety management system for required plans and controls.
- Implement task/work plans and verification they are controlling risks from hazards.
- Investigate and report on incidents with other mining supervisors, including preserving the scene for certain reportable incidents.
- Implement the emergency plan to manage workers to safely withdraw or escape

- Conduct physical inspections or cause them to be conducted by mining supervisors or competent people, for a designated part of the mine as required by the safety management system, including the mine inspection plan.
- Report or receive reports on outcomes of inspections and take appropriate action to manage hazards or risks identified, in accordance with the safety management system.
- Monitor data and information for the management of risks and their controls, including shift reports.
- Review risk assessments and controls to ensure they refer to the appropriate standards, where applicable, and control the risks from hazards.
- Manage WHS matters referred to them from mining supervisors or that are identified as hazards/risks that exist across part or all of the shift and workplaces.

Secondary extraction

- Implement plans for secondary extraction and verify they are controlling risks from hazards.

Ventilation system

- Ensure major changes to the ventilation system (see key terms) are risk managed and planned, in conjunction with the ventilation officer.

Scope and relationships

This statutory function applies to underground coal mines.

An individual will follow the management structure set out in the mine safety management system.

They should be aware of possibly interacting with other individuals exercising statutory functions at the mine:

- Deputy – assist with supervising, monitoring, and reviewing the WHS and safety management system requirements.
- Mining engineering manager – for the development of mining engineering standards and procedures that are to be applied, and for them to be monitored and reviewed to remain current.
- Electrical and mechanical engineering managers – apply the electrical and mechanical engineering standards and procedures forming part of mining operations, together with supervision of the lifecycle of electrical and mechanical plant and installations at the mine.
- Ventilation officer – assist with applying and monitoring the arrangements required under the ventilation control plan.
- Fire officer – assist with maintaining fire-fighting equipment.
- Mining surveyor – assist with preparing the mine survey plan for prescribed items.
- Qualified electrical and mechanical tradespersons – as required.

Statement of minimum tasks

The individual should carry out the following tasks for required elements of the mine's safety management system to supervise workers and inspect work areas as applicable at the mine.

Generally

For the applicable elements of the safety management system:

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

Mine inspection plan.

Principal hazards

Manage the implementation of the principal hazard management plans for all applicable prescribed principal hazards referred to in section 4 of the WHS(M&PS) Regulation, and any others.

Principal control plans

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

(Refer to scope and relationships for implementation with other statutory function holders.)

Specific control measures (application as prescribed in the WHS laws¹)

Manage the implementation of specific control measures for all mines and underground mines, coal mines and underground coal mines.

Emergency and survey plans

Manage the implementation of emergency plans.

Assist to ensure the accuracy and content of mine survey plans (refer to scope and relationship above).

Information, training, instruction, and consultation

Implement the delivery of information, training, and instruction.

Participate in mine consultation processes internally and externally to manage consultation across the shift.

Monitoring, auditing, and review

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:

¹ 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*.

- 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.
- Manage the preservation of incident sites.

Participate in the audits and reviews of the safety management system, as required.

Mining supervisor

This statutory function is a mining supervisor under the WHS(M&PS) Regulation schedule 15 to carry out specified tasks:

- Responsibilities for supervision of workers in a part of the mine, as set out in the safety management system.
- As a mining supervisor for an underground coal mine:
 - Where provided, have and operate a portable gas detector in compliance with WHS laws.
 - Where informed by a worker or where they form a suspicion or belief of a place of risk where air quality and air safety standards are not being met, then taking the action prescribed under WHS laws
 - Where directed by the mine operator, be present whenever extraction of coal or mineral is taking place, or where legislatively prescribed for other circumstances
 - Inspection of all safely accessible parts of each inspection area at an underground coal mine, including:
- for the areas, frequency and levels of atmospheric gases and contaminants set out in the inspection plan
- after a withdrawal
 - Where safety concerns arise from the inspections, respond as required.
 - Record and review inspections, as required in the inspection plan.

Note: the safety management system forms part of the overall management system that is in place at the mine². The mine management system may follow a management approach such as:

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

Regardless of what management approach is used at the mine, the individual should exercise the statutory function to meet the safety management system and WHS laws requirements.

² Section 18(4) of the WHS(M&PS) Regulation.

Work practices

How the undermanager exercises the statutory function will be determined by the mine operator in the safety management system and the applicable legislation, in particular WHS laws. A typical cycle of work practices during a shift that an undermanager may undertake is set out below:

Shift Commencement on surface.

- Source any information relevant to managing the mining operations for the shift so they may act upon it at the surface before going underground e.g., mine plans, authority to mine, control room monitoring, etc.
- Incoming undermanager may make contact with the outgoing undermanager(s) for a verbal report and to clarify anything necessary.
- Communicate with other incoming shift supervisors and any other workers, including the mining engineering manager, if necessary, of any significant WHS issues that they need to be informed of, with reference to the legislated written reports.
- Allocate the appropriate resources to workers that are required at the surface in conjunction with other mining supervisors, e.g., transport etc.
- Attend or conduct start of shift communication meeting with workers at the surface or underground, which will include mining supervisors on the shift.

For the shift at the underground mine for which the Undermanager is responsible

Shift start up

- Reads and signs off on outgoing undermanager report for the previous shift and communicates contents to workers as required.
- Gather information to establish status of risks to hazards within mining operations and communicate to workers, mining and other supervisors as required.
- May inspect work areas, cause them to be inspected, or rely on information available from reports and/or communication with workers, as required by the safety management system, to ensure risks are controlled before work commences.
- Consult with and provide relevant information and instruction to workers to enable them to safely carry out their assigned work.

During the shift

- Manage workers and the work activities being carried out, including attending underground parts of the mine as required.
- Consult with workers and supervisors in relation to any changing conditions/requirements, risk management, resourcing etc.
- Manage mine inspection plan for the shift and make entries in the shift report, as required.
- Carry out inspections / supervision for work areas during the shift, prioritised by the risk of operations and task, and make entries in shift report.

- Monitor hazards and risks, including air contaminants (e.g., dust) and gas levels, using instruments as required.
- Ensure that risk controls are applied and controlling the hazards and their risks.
- Provide oversight of workers and work practices (including contractors), with reference to any work procedures and plans.
- Manage plant being used and workers entering the work area(s), in particular mobile plant movements.

End of shift

- Consult/ communicate with shift mining and other supervisors to establish status of mining operations and compliance with the safety management system.
- Complete shift report and sign off on it.
- Communicate with incoming undermanager, if applicable, so they have any necessary information to plan and organise the incoming shift.
- As far is reasonable practicable and applicable, monitor and support any incoming shift workers to have safe mining operations and a safe workplace e.g. power isolated.

Scheduled tasks (as directed as part of planning for the shift and mine):

- Implement the safety management system so workers remain familiar with the emergency exits and facilities.
- As directed, manage workers to participate in the testing of the emergency plan as required, which is legislated as at least every 12 months.
- As directed, manage workers to participate in the mine training program for workers that may include the legislated required training in self-rescuers.

Authority

The WHS(M&PS) Regulation enables the function and an individual to practice it by:

- 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 ³ |
|-------------------------------------|--|
| 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. |
| Fit for purpose | Something that is sufficient to do the job it was designed to do. This definition is taken from the NSW code of practice: mechanical engineering control plan |
| 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. |
| Major changes to ventilation system | Includes changes which are outside the scope of normal ventilation changes made during the production cycle (e.g., main fan shutdowns, reversal of ventilation, etc.) that may be identified through the safety management system. |
| 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"> • WHS legislation and codes of practice • international and Australian standards • guidance information from various sources that are credible, current, and substantive. • industry publications such as WHS reports. |

³ Some meanings are derived from the Macquarie Dictionary and added to for context.

| Term | Definition ³ |
|-------------------------------|---|
| 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. |
| 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 ⁴ | An underground mine that is a coal mine. |
| Underground mine ⁵ | 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. |
| Verify | Confirm or substantiate by examination or comparison. In this description, it means directly or indirectly checking that requirements of the safety management system are being satisfied, e.g., direct supervision, reading reports. |

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⁴ Section 15 of the WHS(M&PS) Regulation.

⁵ Section 15 of the WHS(M&PS) Regulation.