

February 2025

## Statutory function description

# Mechanical engineering manager of underground coal mines

### Introduction

Type	Details
Name of the statutory function	Mechanical engineering manager
Class of mine	Underground coal mines
Key statutory function?	Yes
Mining Supervisor?	No

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 5:

1. The statutory functions of mechanical engineering manager are:
  - a. to develop, supervise, monitor, and review the mechanical engineering standards and procedures forming part of the mining operations at the mine, and
  - b. to supervise the installation, commissioning, maintenance, and repair of mechanical plant at 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:

**Develop, supervise, monitor, and review the mechanical engineering standards and procedures forming part of the mining operations at the mine.**

### Develop

Establish the mechanical engineering standards and procedures through appropriate consultation, investigation, and analysis methods, with reference to any design principles, engineering, and technical standards relevant to legislative requirements, WHS and risk management.

The individual must develop the mechanical engineering control plan or supervise a person to do so for the mine operator<sup>1</sup>. The development of the plan should be ongoing as changes as required.

### Supervise

Provide supervision of mechanical engineering standards and procedures through the processes of the mine safety management system. This may include but not be limited to a combination of the following activities:

- Verify and give advice on implementation.
- General supervision, and to a lesser extent, direct supervision, as required.
- Participate in the management of risk, including risk assessment processes and particularly those involving principle hazards.
- Maintain an understanding of WHS hazards and risks in the mining operations that are required to be controlled or eliminated and applying this knowledge.

### Monitor

Periodically obtaining data and information to verify whether the mechanical engineering standards and procedures are being applied and achieving their purpose (i.e., 'fit for purpose'):

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<sup>1</sup> Section 30(5)(a) of the WHS(M&PS) Regulation.

- Analyse reports and information provided by other statutory function holders and consultative mechanisms under the safety management system.
- Observe mining operations and verifying compliance with legislation to support a safe and healthy workplace for all mine workers.
- Ensure that mechanical engineering standards and procedures used in any plans, such as trigger action response plans (TARPs), are relevant and timely.
- Verify mechanical engineering standards and procedures achieve the required level of control in principal hazard management plans and principal control plans.
- Evaluate audit outcomes on the effectiveness of the safety management system against its mechanical performance standards and procedures.

## Review

Measuring the effectiveness of the mechanical engineering standards and procedures against the performance standards of the safety management system (in particular, the mechanical engineering control plan) so they remain current, effective, and improved where possible. They may rely on other workers and the safety management system processes for review activities to be completed, including one or more of the following:

- Review and evaluate audit results, health and safety performance outcomes, and remedial actions.
- Review risk assessments and controls to ensure they refer to the appropriate standards, where applicable, and control the risks from hazards.
- Consider relevant external information sources such as original equipment manufacturer, regulator and other safety and health type alerts.

Specifically, the individual must periodically review the mechanical engineering control plan or supervise a person who is doing so for the mine operator<sup>2</sup>. The plan must be reviewed periodically, the timing of which should be specified in the safety management system by the mine operator, e.g., in response to events.

**Supervise the installation, commissioning, maintenance, and repair of mechanical plant at the mine.**

## Supervise

Provide a combination of direct and general supervision (refer key terms) for workers and their activities associated with mechanical plant and installations for the following prescribed parts of its lifecycle:

- Installation – includes transportation and possible assembly at the workplace.
- Commissioning – verifies conformance to the specified requirements, including risk controls.
- Maintenance and repair – plant and installations continue to operate in the designated manner, which may involve repair and other related activities such as overhaul.

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<sup>2</sup> Section 30(5)(b)(i) of the WHS(M&PS) Regulation.

Note: the function does not include the supervision of decommissioning. Decommissioning is part of the life cycle of mechanical plant which is risk managed under the mechanical engineering control plan.

The individual may supervise; in conjunction with other individuals exercising a statutory function, or a competent person (see Scope and relationships below), so workers have access to technical advice on mechanical plant and installations at the mine at any time necessary for WHS.

## Scope and relationships

Applies to underground coal mines only.

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:

- 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.
- Undermanager – assisting with the application and monitoring of the safety management system, including communicating on hazards and controls for parts of the mine across a shift.
- Deputy – assist with applying the safety management system and mechanical engineering control plan.
- Electrical engineering manager – for the development of electrical engineering standards and procedures forming part of the mining operations, together with supervision of the installation, commissioning, maintenance and repair of electrical plant and installations at the mine.
- Mining surveyor – assist with preparing the mine survey plan for prescribed items, if required by the safety management system or necessary for WHS.
- Ventilation officer – assist with implementing, applying, and monitoring the arrangements required under the ventilation control plan.
- Fire officer – assist with maintaining fire-fighting equipment.
- 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 develop, supervise, monitor, and review mechanical engineering standards and procedures.

### Generally

For the applicable elements of the safety management system:

- Manage risks.
- Develop mine mechanical engineering standards and procedures and applying them through supervision of activities related to mechanical plant and installations.
- Review procedures for contractors and their management plans.

## Principal hazards

Support the development of principal hazard management plans for any aspects related to mechanical plant and supervision of the applicable plans.

## Principal control plans

Carry out and/or supervise the development and review of the mechanical engineering control plan.

Assist in the development and implementation of other principal control plans that apply to the legislated elements of lifecycle for mechanical plant (refer to Scope and relationships for implementation with other statutory function holders).

## Specific control measures (application as prescribed in the WHS laws<sup>3</sup>)

Develop and supervise the application of the specific control measures for all mines, underground mines, surface, and underground coal mines to mechanical plant, as applicable.

## Emergency and survey plans

Assist in the development of standards and procedures for mechanical plant, including as they apply to emergency plans.

## Information, training, instruction, and consultation

Provide information, training and instruction as required on setting mechanical engineering standards and procedures that have been established.

Participate in mine consultation processes internally and externally as directed.

## Review

Review the performance of the standards and procedures for mechanical plant against the specified standards of the safety management system as part of supervising.

Conduct or assist in the audits and reviews of the safety management system, as required, including the prescribed review of the mechanical engineering control plan.

## Key statutory function

The mechanical engineering manager is a key statutory function under the WHS(M&PS) Regulation schedule 15. Only one person is nominated by the mine operator in the safety management system to exercise the key statutory function.

### Note

The safety management system forms part of the overall management system that is in place at the mine<sup>4</sup>. The mine management system may follow a management approach such as:

- plan, do, check, act

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<sup>3</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*.

<sup>4</sup> Section 18(4) of the WHS(M&PS) Regulation.

- 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. Work practices

There are no typical work practices across all mechanical engineering managers at underground coal mines. The individual should develop their work practices according to the requirements specified by the mine operator and the safety management system.

In general, the work practices of a mechanical engineering manager vary according to the mine and mine operator.

#### Authority

The WHS(M&PS) Regulation enables the function and an individual to practise in 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 <sup>5</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.
Fit for purpose	Something that is sufficient to do the job it was designed to do. This definition is taken from the <a href="#">NSW code of practice: mechanical engineering control plan</a> .
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.
Plant <sup>6</sup>	Includes: <ul style="list-style-type: none"> <li>• any machinery, equipment, appliance, container, implement and tool, and</li> <li>• any component of any of those things, and</li> <li>• anything fitted or connected to any of those things.</li> </ul>
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	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.  The standards may include: <ul style="list-style-type: none"> <li>• WHS legislation and codes of practice</li> <li>• international and Australian standards</li> </ul>

<sup>5</sup> Some meanings are derived from the Macquarie Dictionary and added to for context.

<sup>6</sup> Section 4 *Work Health and Safety Act 2011*.

Term	Definition <sup>5</sup>
	<ul style="list-style-type: none"> <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.
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 coal mine <sup>7</sup>	An underground mine that is a coal mine.
Underground mine <sup>8</sup>	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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<sup>7</sup> Schedule 15 of the WHS(M&PS) Regulation.

<sup>8</sup> Schedule 15 of the WHS(M&PS) Regulation.