



# Mine Safety LEGISLATION UPDATE

No. 4/2009 (LU09-04)

17 December 2009

## Competence of people operating shafts and winding systems

The following advice is provided to mine operators to help ensure the competency of people operating shaft and winding systems. This advice has been prepared in consultation with the Metalliferous Mines and Extractive Industries Competence Board.

Under the previous *Mines Inspection Act 1901 Division 2*, a person, who was in charge of machinery powered by “steam, water, electricity, gas, oil, or air, or any two or more of them as motive power (except water power used for pumping)”, was required to hold a Certificate of Competence as an Engine Driver. The certificate was obtained by passing an examination.

The *Mine Health and Safety Act 2004* no longer specifies the Engine Driver function and its requirement for a Certificate of Competency. However, the Act does require, under Part 5, the operators of mines to prepare mine safety management plans, which includes risk management of the site and addressing the requirements of regulations made under the Act.

Under clause 38 of the *Mine Health and Safety Regulation 2007* the operator of a mine must undertake a risk assessment of the shafts and winding systems. In practice, this means that the risk assessment must include the provision of competent people to operate the systems.

The attached guidance for the ten key requirements for OHS has been adapted to how employers can carry out their duties to ensure their people are competent to operate the site shaft or winding systems. In particular, the focus should be on training and assessment to enable site engine drivers / shaft hoist equipment operators to gain the necessary competence to perform the work. Mine operators must then ensure they have a documented system to validate the individual competencies required in the workplace.

For further information refer to the Industry & Investment NSW Mine Safety website at [www.dpi.nsw.gov.au/minerals/safety](http://www.dpi.nsw.gov.au/minerals/safety) for Safety Alerts and information relating to this subject and / or contact your regional Industry & Investment NSW Mine Safety office.



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## Ten key requirements for OHS in relation to shaft and winding systems

EMPLOYER DUTY	General question	Legislative support	Competency Requirements
1. Consultation	What do workers think about safety?	OHS Act 2000, s 13-19; OHS Reg 2001 ch 3 (applies to mines)	What do people think about their competence and training for shaft and winding systems
2. Hazard identification	What are the possible dangers?	OHS Reg 2001 cl 9	Are there any ways in which people are not yet competent to carry out their work?
3. Risk assessment	How serious are the risks to workers which arise from these dangers?	OHS Reg 2001 cl 10, (to be authorized by employer)	What are the risks associated with people not being competent in any areas identified?
4. Risk management	What can be done to eliminate or reduce those risks?	OHS Reg 2001 cl 11, MHSR s 14, MHSR cl 14 (b) and (d), cl 38	Identify how the risks can be managed, including training
5. Information	What do workers need to know to be safe?	OHS Act 2000 s 8(1)(d); 11 (1)(b); OHS Reg 2001 cl 13, 16.	Develop or revise instructions and training programmes to control the risks
6. Instruction and training	How can I train workers to identify and deal with risks?	OHS Act 2000 s 8 (1)(d); OHS Reg 2001 cl 13	Deliver training to ensure people are competent to carry out their tasks
7. Supervision	What management structure is in place to see that safe procedures are being followed?	OHS Act 2000 s 8(1)(d); OHS Reg 2001 cl 14	Organise adequate supervision for the operations of shaft and winding systems for compliance to instructions and training delivered
8. Monitoring	Have I checked to see that my risk management is working?	AS/NZS 4360:2004	People operating and/or maintaining shaft and winding systems are competently carrying out their work safely
9. Review	Is my risk management plan still valid in light of changing conditions?	OHS Reg 2001 cl 12	Procedures and training are reviewed to take into account any changes
10. Revising	Do I need to change anything? Have I changed what I need to change?	OHS Reg 2001 cl 12	Provide any additional training to ensure people remain competent to operate shaft and winding systems

For further information contact your local Industry & Investment NSW Mine Safety office:

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