



**Guidance Note
GN0-001**

**Department of Industry and Investment
Guidance Note
Certification requirements for
high-risk work
(All mining operations)**

Occupational Health and Safety Regulation 2001

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Department of Industry and Investment Guidance Note GNO-001: Certification requirements for high-risk work

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PURPOSE

The purpose of this guidance note is to provide guidance and assist in the understanding of the legislation as applicable to the Mining Industry on the requirements of Chapter 9 of the *Occupational Health and Safety Regulation 2001*(OHSR). The provisions of this section came into force on 1 September 2009 and require licenses for certain types of high-risk work undertaken in any mining environment.

SCOPE

This guidance note applies to all mining operations in NSW under the OHSR.

The OHSR is a Regulation supporting and expanding on the provisions of the *Occupational Health and Safety Act 2000* (OHSA) to secure the health, safety and welfare of persons in connection with underground mines, open cut mines and all associated mining workplaces.

This guidance note outlines the requirement of all personnel undertaking certain tasks or using and operating certain types of plant to hold and maintain a licence (certificate of competency) for those activities stipulated. These are divided into two classifications:

- *High-risk work and*
- *Scheduled work.*

This is to further strengthen and maintain the health, safety and welfare of all workers.

When reading this guidance note the reader should consider the following legislation as applicable to their mining operation:

- *Coal Mine Health and Safety Act 2002*
- *Coal Mine Health and Safety Regulation 2006*
- *Mine Health and Safety Act 2004*
- *Mine Health and Safety Regulation 2007*
- *Occupational Health and Safety Act 2000*
- *Occupational Health and Safety Regulation 2001*

DEFINITIONS

certificate of competency means a certificate of competency issued under Part 9.1 of the OHSR.

Note: This definition includes certificates of competency:

1. in force under an Act or regulation repealed (cancelled) by the OHSR immediately before that repeal or
2. issued under Part 9.1 authorising the doing of the same kind of work to which the certificate of competency relates until the expiration of the term (if any) for which it was issued unless it was previously cancelled.

crane means an appliance intended for raising or lowering a load and moving it horizontally. The following however, are excluded from the definition:

- (a) any industrial lift truck, (eg. forklift) earthmoving machinery or tractor;
- (b) any front-end loader, backhoe, excavator or similar plant configured for operation as a crane (eg. Integrated Tool Carrier or telehandler) and
- (c) any non-slewing mobile crane with a capacity of 3 tonnes or less or used only for towing vehicles.

Note: Under the OHSR, the definition of a crane (cl.264A) also excludes other items of plant which have been omitted here as they are not normally found within a mining environment.

dogging means:

- (a) the application of slinging techniques, including the selection or inspection of lifting gear to safely sling a load, or;
- (b) the directing of a crane operator or hoist operator in the movement of a load when the load is out of the operator's view.

fork-lift truck means a powered industrial truck equipped with a mast and elevating load carriage to which is attached a set of tynes or other load holding attachment but does not include any pedestrian-operated fork-lift truck or a pallet truck capable of providing a maximum lift not exceeding 225 millimeters.

hoist means an appliance intended for raising or lowering a load or personnel and includes a mast-climbing work platform, a personnel and materials hoist and a slip form or jump form, but does not include a lift.

licence means a licence issued by WorkCover in accordance with the National Standard authorising a person to perform one or more classes of high-risk work.

loadshifting machine means a forklift truck, order picking forklift truck, dragline, excavator, front-end loader, front-end loader/backhoe or front-end loader of the skid steer type.

materials platform hoist means a powered builder's hoist by which only goods or materials (and not personnel) may be hoisted by means of a car, bucket or platform cantilevered from and travelling up and down externally to the face of a structure.

mobile crane means a crane which forms part of a vehicle.

personnel and materials hoist means a powered builder's hoist comprising a car, structure, machinery or other associated equipment by which people, goods or materials may be hoisted and includes a cantilever hoist, a tower hoist, a multiple winch assembly or winches configured for operation as a hoist for the movement of people.

power crane and power hoist means a crane or hoist driven by other than manual power.

registered training organisation (RTO) means a training organisation registered by a State or Territory registering body in accordance with the Australian Quality Training Framework.

rigging means the exercising of direct control of the movement of equipment and associated gear necessary for the purpose of:

- (a) setting up or dismantling a crane or hoist, or similar plant configured for operation as a crane or hoist or
- (b) placing or securing plant or a load relating to and including the structural members of a building or structure or
- (c) ensuring the stability of the structural members of a building or structure.

scaffolding means the erection, alteration or dismantling of temporary structures that are specifically erected to support platforms but does not include the erection, alteration or dismantling of any such structure if the maximum distance a person or object could fall from the structure is less than 4 meters.

WorkCover means WorkCover NSW.

WHAT TYPE OF WORK REQUIRES A LICENCE?

The OHSR stipulates *high-risk work* for which a licence is required.

HIGH-RISK WORK (CI. 264B – OHSR)

The following undertaking of tasks or operation and use of items of plant require a licence:

Scaffolding

1.1 Basic scaffolding, consisting of scaffolding work connected with the operation or use of plant including:

- (a) modular or prefabricated scaffolds
- (b) cantilevered materials hoists with a maximum working load of 500 kilograms
- (c) ropes and gin wheels,
- (d) safety nets and static lines, and
- (e) bracket scaffolds (tank and formwork).

1.2 Intermediate scaffolding, consisting of all basic scaffolding together with other scaffolding work connected with the operation or use of plant including:

- (a) cantilevered crane-loading platforms
- (b) cantilevered and spurred scaffolds
- (c) barrow ramps and sloping platforms
- (d) perimeter safety screens, fences and shutters
- (e) mast climbers, and
- (f) tube and coupler scaffolds (including tube and coupler covered ways and gantries).

1.3 Advanced scaffolding, consisting of all intermediate scaffolding together with all other scaffolding work connected with the operation or use of plant including:

- (a) hung scaffolds, including scaffolds hanging from tubes, wire ropes or chains, and
- (b) suspended scaffolds.

Rigging

2.1 Dogging, consisting of the application of slinging techniques to move a load (including the selection and inspection of lifting gear) or the directing of a crane or hoist operator in the movement of a load when the load is out of the view of the crane or hoist operator.

2.2 Basic rigging, consisting of dogging and rigging work connected with the erection, movement or placement of plant or materials including:

- (a) movement of plant and equipment
- (b) steel erection
- (c) hoists (including mast-climbing hoists)
- (d) placement of pre-cast concrete

- (e) safety nets and static lines
- (f) perimeter safety screens and shutters, and
- (g) cantilevered crane-loading platforms.

2.3 Intermediate rigging, consisting of all basic rigging together with other rigging work connected with the erection, movement or placement of plant or materials including:

- (a) load-equalising gear
- (b) cranes, conveyors, dredges and excavators
- (c) tilt slabs
- (d) hoists with jibs and self-climbing hoists
- (e) demolition, and
- (f) dual lifts.

2.4 Advanced rigging, consisting of all intermediate rigging together with all other rigging work connected with the erection, movement or placement of plant or materials including:

- (a) gin poles and shear legs
- (b) flying foxes and cableways
- (c) guyed derricks and structures, and
- (d) suspended and fabricated hung scaffolds.

Crane and hoist operation

Operation and use of a:

- 3.1** tower crane (other than a self-erecting tower crane)
- 3.2** self-erecting tower crane
- 3.3** derrick crane
- 3.4** portal boom crane
- 3.5** bridge or gantry crane (other than one that is remotely controlled and has 3 or fewer powered operations)
- 3.6** vehicle-loading crane with a capacity of 10 metre tonnes or more
- 3.7** non-slewing mobile crane with a capacity of greater than 3 tonnes
- 3.8.1** slewing mobile crane with a capacity of up to and including 20 tonnes
- 3.8.2** slewing mobile crane with a capacity of up to and including 60 tonnes
- 3.8.3** slewing mobile crane with a capacity of up to and including 100 tonnes
- 3.8.4** slewing mobile crane with a capacity of more than 100 tonnes
- 3.9** materials hoist
- 3.10** personnel and materials hoist
- 3.11** boom-type elevating work platform with a boom 11 metres or more in length, and
- 3.12** vehicle-mounted concrete-placing boom.

NOTE: 1. Under clause 264C, a licence is **NOT** required for the operation and use at a mining workplace that is a mine, or at a coal workplace of:

- 4.1 a fork-lift truck; and
- 4.2 an order picking fork-lift truck.

2. Under clause 264B, there is other equipment listed which requires a licence but ***is typically not found*** in mining operations. Each mining operation however, must satisfy itself that they do not have and operate plant of the type: boilers, steam turbines or reciprocating steam engines as the clause stipulates.

SCHEDULED WORK (CI. 266 & 267 – OHSR)

Clause 266 lists “Scheduled work” for which a certificate of competency is required, however, under clause 267 of the OHSR, a certificate of competency is ***NOT*** required for the operation and use of the following loadshifting machines when they are used at a mining workplace that is a mine or a coal workplace:

- 10.3 dragline
- 10.4 excavator
- 10.5 front-end loader
- 10.6 front-end loader/backhoe, and
- 10.7 front-end loader of the skid-steer type.

ASSESSMENTS OF COMPETENCY AND ISSUING OF LICENCES

From 1 September 2009, Registered Training Organisations (RTO’s) will manage all of the training and assessment for high-risk work licences in NSW.

Once a person has been deemed competent to perform high-risk work by successfully completing a national unit of competency, the assessor (RTO) will issue to that person a notice of satisfactory assessment specifying the high-risk work for which that person is competent. In applying for a licence, lodgement of an approved form must be made with the RTO and WorkCover NSW will then issue the actual photo licence which will have a duration of five years.

NOTE: Under clause 264E, a qualification obtained in another State or Territory that is approved by WorkCover NSW will be recognised in relation to high-risk work as defined.

WORKCOVER

More information can be obtained from WorkCover by telephoning 13 10 50 or by visiting the following web addresses:

- For details of National Certificates of competency:

<http://www.workcover.nsw.gov.au/licensing/Licencesandcertificates/Pages/Aboutcertificatesofcompetency.aspx>

- For details on the locations of RTOs:

<http://www.workcover.nsw.gov.au/TRAININGASSESSMENT/FINDINGATRAINERORRTO/Pages/default.aspx>

- For details on obtaining a licence:

<http://www.workcover.nsw.gov.au/licensing/Licencesandcertificates/Pages/default.aspx>

EXEMPTIONS

An application for an exemption to clauses 264F (1) & (2) for **Dogging and Rigging high-risk work in underground parts of a mine** has been lodged and is awaiting approval. The surface part of a mine will not be included in this exemption. The exemption will be conditional and will have an expiry date according to the magnitude of the lift. It is proposed that the conditions will have the following details:

- where the load being lifted is 10 tonne or greater, an expiry of 30 June 2010
- where the load being lifted is greater than 1 tonne, an expiry of 31 August 2011
- where the load being lifted is less than 1 tonne, an expiry of 31 August 2012
- the written appointment of any persons undertaking dogging and rigging activities
- competent people undertaking dogging and rigging activities
- appropriate supervision of dogging and rigging activities
- safe systems of work being provided.

Once gazetted, a copy of this exemption will be published on the Department website at:

<http://www.dpi.nsw.gov.au/minerals/safety/legislation>

LEGISLATION

The Occupational Health & Safety Regulation 2001 can be accessed online at:

www.dpi.nsw.gov.au/minerals/safety/legislation/general

QUESTIONS & ANSWERS

Some typical questions and answers relating to a mining workplace might be:

Question 1. Do I need a licence to operate and use a forklift?

Answer 1. No. Under clause 264C, you **do not require a licence** to operate this type of plant in a mining environment, however if the forklift is taken off the mine site then a licence is required.

Question 2. Do I need a licence to operate and use an elevated work platform?

Answer 2. If it is of the **boom type and the boom is 11 meters or more in length then a licence is required**, however if it is of the **scissor type, a licence is not required**.

Question 3. Do I need a licence to operate and use a telehandler?

Answer 3. A telehandler can be adapted to perform a number of functions and depending upon which role is performed a licence may or may not be required. Let's take a closer look;

- If the telehandler is fitted with a bucket, this is considered a front-end loader and as such **does not require a licence.**
- If the telehandler is fitted with a set of fork tynes, this is considered a fork lift truck and as such **does not require a licence.**
- If the telehandler is fitted with a man-basket, this is considered an elevated work platform and like question 2 if the **boom length is 11 meters or longer then a licence is required.**

Question 4. Do I need a licence to operate and use an integrated tool carrier (ITC)?

Answer 4. An ITC can be adapted to perform a number of functions and specifically the following:

- A front-end loader if fitted with a bucket
- A fork-lift truck if fitted with a set of fork tynes, and
- A crane if fitted with a lifting jib.

A licence is not required to operate and use an ITC for any of the above functions or for any other function for which it is capable.

Question 5. Do I need a licence to operate and use a gantry crane which is remotely controlled and has more than three powered operations?

Answer 5. Yes, **a licence is required** because even though it is remotely controlled, it has more than three powered operations.

Question 6. Do I need a licence to sling a pump casing from its in-situ position such that it can be lifted onto the back of a vehicle to take back to the workshop for repairs?

Answer 6. Yes, **a licence is required** to carry out this task which is defined as dogging as it includes selecting lifting gear and slinging the pump casing to be lifted out and sent for repair.

Question 7. 'Do I need a dogging or rigging license where loads are being dragged in underground mines?'

Answer 7. No. Dogging and rigging licenses only apply where the load is being lifted. However, competent people, safe systems of work and fit-for-purpose equipment need to be used when loads are being dragged. See also SB09-03.

End of Questions & Answers

FEEDBACK SHEET

Your comments will be very helpful in reviewing and improving this Guidance Note. Please copy and complete the Feedback Sheet and return it to:

*Inspector of Mechanical Engineering
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Industry & Investment NSW
Locked Bag 21
Orange NSW 2800*

*Fax: (02) 6360 5363
Phone: (02) 6360 5353*

What do you find most useful about this guidance note?

What do you find least useful?

Do you have any suggested changes to the guidance note (and/or nomination form)?

(Optional) Name: _____ **Phone:** _____

Thank you for completing and returning this feedback sheet

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