



NSW DEPARTMENT OF
PRIMARY INDUSTRIES



Guidance Note
GNM-003

NSW DPI Guidance Note **Preparing a Mine Safety** **Management Plan**

Mine Health and Safety Act 2004
Mine Health and Safety Regulation 2007
Occupational Health and Safety Act 2000
Occupational Health and Safety Regulation 2001

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NSW DPI Guidance Note: Preparing a Mine Safety Management Plan

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PURPOSE

This Guidance Note is to provide a guide for metalliferous and extractive mines, quarries and opal mines to develop their Mine Safety Management Plan (MSMP). This guide contains specific topics required by NSW safety laws to be included within MSMP's. Part (A) outlines additional new requirements that are to be included within a MSMP. Part (B) outlines the requirements that continue to apply to a MSMP.

NOTE:

- If the word "Section" is used it refers to a Section within the *Mine Health and Safety Act 2004*. If the word "Clause" is used it refers to a Clause within the *Mine Health and Safety Regulation 2007*. However, if parts of the *Occupational Health and Safety Act 2000* or the *Occupational Health and Safety Regulation 2001* are referred to they will be stated specifically.

SCOPE

The NSW safety laws for mines and quarries are:

- *Mine Health and Safety Act 2004*
- *Mine Health and Safety Regulation 2007*
- *Occupational Health and Safety Act 2000*
- *Occupational Health and Safety Regulation 2001*
- *Explosives Act 2003*
- *Explosives Regulation 2005*

This Guidance Note states what specific topics the law requires to be included in a MSMP. Each heading mentions in brackets the relevant Sections of the Mine Health and Safety Act and, in some cases, the relevant Clauses of the Mine Health and Safety Regulation.

Where the Occupational Health and Safety Act and Regulation are referred to, the relevant Sections and Clauses are specifically mentioned as well. It is recommended that the relevant legislation be referred to when reading this document.

This Guidance Note refers to other reference material that is available that will assist you in developing and implementing a Mine Safety Management Plan. This reference material will help in developing a structure to capture specific Mine Safety Management Plan material that relates to mines and quarries.

DUTIES

What does the law require?

- The Mine operator must prepare a Mine Safety Management Plan stating how the occupational health and safety of all persons will be protected (Section 27).
- No work directly related to mining is to be carried out unless:
 1. the Mine Safety Management Plan is implemented, and
 2. the Emergency Plan is implemented (Sections 28 and 43).

- The Mine operator is to ensure that the Mine Safety Management Plan is complied with on site. This includes contractors (Section 29).

Contents of the Mine Safety Management Plan

(A) Additional requirements to be included within a MSMP

The MSMP must now include in addition to what was previously required, the following topics (Section 30 and Clause 14). Details are expanded below:

- (1) The management structure.**
- (2) How risks are to be managed.**
- (3) Arrangements for the safe use of plant and electricity.**
- (4) The contractor management plan.**
- (5) The Emergency Plan**

(1) The Management Structure,

The MSMP must include the Management Structure that exists at your site and must include (as required by Section 35):

- all management positions,
- Production Manager to be particularly mentioned (Clause 15),
- responsibilities and accountabilities of positions
- supervisor positions
- engineering positions (if any).

NOTE:

(1) Must maintain the management structure so that temporary and permanent positions are filled in a timely manner (Section 35 (3)).

(2) In an emergency the management structure may be suspended and replaced for the duration of the emergency (Section 35 (4)).

(3) The operator must keep a register on the site showing names of current persons in the structure and occupants of the positions for the previous 5 years. The register is to be made available to government officials, check inspectors and persons who work at the mine (Section 36).

(4) Under Sections 54-60 persons in management positions and supervisors have a duty to comply with the MSMP and to inform the operator of any non-compliance with the MHS Act, MHS Regulations, OHS Act or OHS Regulations.

(5) Only competent persons may perform specified functions (Section 108 and Clause 109).

(2) How Risks are to be managed:

The MSMP must include how you will (Section 30 (2))

- identify hazards,
 - assess risks associated with those hazards,
 - develop controls for those risks,
 - implement those controls, and
 - conduct regular site inspections
- (also required by OHS Regulation Clauses 9-11, 34-38 and 174O-174ZA).

In assessing risks attention must be paid to the specific requirements of parts 4 and 5 of the MHS Regulation.

Part 4 clauses 35-45 deals with risk assessments relating to prescribed hazards, this part imposes additional requirements beyond the requirements set out in the OH&S Regulation.

Part 5 clauses 46-79 outlines specific risk control measures that must be undertaken and documented; that is things **you must do if certain risks exist**.

Those areas of risk that require specific risk control measures are:

- Ground Stability
- Inrush
- Atmosphere (ventilation)
- Shaft design, construction and use
- Explosives
- Electrical safety
- Structures and buildings

(3) Arrangements for the Safe Use of Plant and electricity,

The MSMP must include what arrangements are in place to produce the best safety outcomes when (clause 14 (b)):

- acquiring fit-for-purpose plant, and its
 - commissioning,
 - operation, and
 - maintenance.
- (see also Part 5 of the OHS Regulation Clauses 135–138 re plant).
- dealing with electrical safety (Clauses 58 to 68)

(4) The Contractor Management Plan,

The MSMP must have a Contractor Management Plan which is to include (as required by Sections 37-40, 62-66 and Clause 29):

- how the risks arising from the use of contractors will be managed,

- before contractors start, the assessment of contractors' OHS policies, procedures, competence of persons, OHS performance and their plant being fit-for-purpose,
- site induction of contractors, contractor employees and sub-contractors,
- monitoring of contractor's compliance with OHS requirements,
- communication arrangements between the operator and the contractor and the consultation arrangements with the contractor's employees,
- arrangements by the operator on how the contractor is to be assessed as being familiar with the relevant parts of the mine's MSMP,
- arrangements by the operator to inform the contractor of any changes to the MSMP,
- arrangements by the operator to assess contractors' safety management plan which are to be supplied to them (Section 63), and
- arrangements by the operator to assess contractors' and sub-contractors' safe work method statements which is to be supplied to them (Sections 64 and 66)

(5) The Emergency Plan,

The MSMP is to include an Emergency Plan which is to include (as required by Sections 41-45 and Clauses 32-34):

- an up-to-date plan of the mine,
- an emergency evacuation plan,
- details covering any possible emergency associated with storing and handling dangerous goods. Such as:
 - diesel,
 - petrol,
 - motor spirit,
 - explosives, and/or
 - oxygen

A draft plan should be given to and advice sought from the NSW Fire Brigades and the Rural Fire Service (as required by OHS Regulation Clause 174ZC).

- means of warning of an emergency,
- provision of resources, personnel and training for dealing with emergencies,
- integration with emergency response plans of any emergency services organisations,
- first aid arrangements (including facilities and competent persons),

- arrangements for treating electric shocks and burns and for the training of persons providing such treatment,
- an escape and rescue plan for safe egress from underground mines in an emergency, and
- arrangements for the safe removal of electrical power in an emergency either by the mine or the electricity supply authority.

(B) Requirements that continue to apply to an MSMP

(1) The Occupational Health and Safety Policy for the site and its objectives. (Clause 14 (a))

(2) The arrangements for training, instructing and informing persons on Occupational Health Safety matters. (Clause 14 (d))

(3) The arrangements for supervision. (Clause 14 (e))

(4) The arrangements for communication. (Clause 14 (f))

The MSMP must provide for

- exchanging information between shifts regarding hazards,
- systems to communicate in the event of imminent risk.

In addition, underground mines will require:

- a system to record the name of persons underground and their probable location, and
- a voice communication system from the surface to critical parts of underground.

(5) The site safety rules and arrangements on how every person that comes to the site will be informed of these rules. (Clause 14 (g))

(6) The arrangements for the control of documents and keeping of records. (Clause 14 (h))

The MSMP should state what arrangements are in place to:

- use, distribute and control documents
- instruct persons in the use, distribution and control of documents

(7) Summaries of, or references to:

The Mine Safety Management Plan is to contain summaries of and references to each of the following (as per Section 30 (1))

- Mine Health and Safety Regulations,
- any OHS systems, policies, programs, plans and procedures, and
- any codes, standards or guidelines that apply.

Reference Material Available to Help Develop a Mine Safety Management Plan

AS 4801:2001 and AS 4804: 2001 Occupational Health and Safety Management Systems

by Standards Australia/Standards New Zealand, 2001

These are Australian Standards for establishing OHS management systems. This document provides detailed essential topics that should be included when developing an OHS management systems (such as a MSMP). It is more suitable for more complex systems, such as safety systems implemented by larger mines.

SMALL MINES SAFETY MANAGEMENT KIT 2nd Edition

by the NSW Department of Primary Industries and the Institute of Quarrying Australia, 2006

This is a document that provides a basic kit for small mines or quarries to develop a basic MSMP. The kit provides information to develop the first group of safety programs on issues that may be regarded as first priority. Templates are made available to assist in immediate implementation of these programs when limited resources are available to the small mines and quarries.

SAFETY MANAGEMENT PLAN WORKBOOK

by the Institute of Quarrying Australia, July 2000

This reference document provides suggestions on the contents that could be included in a MSMP. The issues mentioned within this document relate to matters or systems that mines and quarries would basically need to have in place to manage safety. It provides suggested structures, programs and procedure outlines with examples and suggested forms as well as a way of scheduling to ensure that the MSMP develops over time.

RISK MANAGEMENT POCKET GUIDE

by the NSW Department of Primary Industries and the Institute of Quarrying Australia, 2007

This pocket guide provides material as prompts for managers and individuals in identifying and reporting hazards in mines and quarries, as well as assessing their risks, providing controls, monitor progress and adopting a systematic approach. The guide includes forms, such as for generating a Job Safety Analysis (JSA), Safe Work Method Statements and Major Hazard Management. This guide includes pocket-sized prompts and a CD to enable it to be easily presented to the workforce.

MINERALS INDUSTRY SAFETY HANDBOOK

by the NSW Department of Primary Industries, July 2002

This handbook was developed from safety guidelines and input from several Australian states and is therefore used by the mining industry throughout Australia. It provides a depth of knowledge to manage safety in almost any matter the mining industry is involved in. It also provides information on developing procedures and processes and administration of safety systems.

MDG 1010 RISK MANAGEMENT IN THE MINERALS INDUSTRY

by the NSW Department of Primary Industries, July 1997

This handbook provides information to assist mine management, departmental personnel and associated industries in the process of risk reduction and risk management.

MDG 1014 GUIDE TO REVIEWING A RISK ASSESSMENT OF MINE EQUIPMENT AND OPERATIONS

by the NSW Department of Primary Industries, July 1997

This guideline provides information to assist department personnel, accredited assessing authorities, mine management, and those involved in the review of the risk assessment process.

MINES HEALTH AND SAFETY SELF AUDIT TOOLS,

by the NSW Department of Primary Industries, 2007

Self audit tools are available to download at:
<http://www.dpi.nsw.gov.au/minerals/safety/resources/tools>.

They include:

- Exploration drilling hazard checklist,
- General workplace inspection checklist,
- and many more

Others being developed include:

- Mine Safety Management Plans
- Contractor Management

NSW OPAL MINING SAFETY GUIDELINES

by the NSW Department of Primary Industries, 2002

This publication is aimed specifically for use by miners working in the White Cliffs and Lightning Ridge opal fields. The main objective is to provide information that will help them better manage their safety while mining in the opal fields. The publication complements the opal mining Safety Awareness Course and Mine Operators Workshop conducted by the NSW DPI at Lightning Ridge and White Cliffs. It can also be purchased at the Lightning Ridge or Broken Hill offices of the DPI..

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