

POSITION STATEMENT ON APPLICATION OF MINING AND QUARRYING REGULATIONS 2013 TO FARMING OPERATIONS

These regulations do not cover small-scale farm work.

The possibility that such work could be captured by these regulations has been raised with WorkSafe, and we have determined that this is the result of unintended “creep” of the regulations and want to assure farmers that in most cases they can continue to operate without concern.

For clarity, small-scale, non-complex extraction on farmland for farming purposes **only** is not covered by these regulations. WorkSafe will not apply these regulations to non-complex extraction of gravel from river beds where there is no processing, nor to loading out from stockpiles not associated with active extraction sites.

A final draft to be released shortly of a guidance document for *Surface Mines, Quarries and Alluvial Mines* will formally clarify WorkSafe’s position as outlined above.

The formal definition of a quarry is not contained in the regulations, but in S19N of the Health and Safety in Employment Act and WorkSafe consistently limits its inspection and enforcement to those sites falling under the common meaning of a quarry.



There are some quarrying operations on farms/in forestry that are more closely aligned with the serious risks involved with, for example, high walls and explosives and which would require management in terms of the regulations. In such cases, there are clear requirements on the operator under the regulations and these will be enforced.

Minex (the extractives industry body) has a very helpful document to assist farmers determine whether their operations meet the threshold www.minex.org.nz/am-i-a-quarry-operator/



Further information is also available at www.business.govt.nz/worksafe/information-guidance/all-guidance-items/faqs-cocs-quarries

If you have concerns about whether your operations are captured by the regulations, you can contact hhu.extractives@worksafe.govt.nz and one of our team will assist you.

For your information and assistance, the picture on the previous page illustrates an operation that WorkSafe considers **IS** a quarry, and the picture above is one that **IS NOT** a quarry.