

Exemption from provisions of Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016

In accordance with section 220 of the Health and Safety at Work Act 2015 (the Act), I Nicole Rosie, Chief Executive, exempt **Pike River Recovery Agency Te Kāhui Whakamana Rua Tekau mā Iwa (PRRA)** from compliance with regulation 170(4)(a) of the Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016 (the Regulations).

I do so –
being satisfied that:

- the extent of the exemption is not broader than is reasonably necessary to address the matters that gave rise to it; and
- the exemption is not inconsistent with the purpose of the Act.

This exemption is subject to the following terms and conditions:

- (1) The exemption applies only in respect of re-entry and recovery of the drift up to the phenolic plug.
- (2) During the re-entry and recovery up to the phenolic plug, the phenolic plug must –
 - (a) Remain in place; and
 - (b) Maintain a sufficiently high atmospheric flow resistance and low leakage flow to allow the area between the roof fall and the phenolic plug to –
 - i. be positively pressurised relative to the ventilation in the open drift and the old mine workings; and
 - ii. remain nitrogen-filled.
- (3) If there is a change that could have a significant impact on how the PRRA can safeguard the health and safety of workers and others, PRRA must –
 - (a) Respond in accordance with the critical controls included in its principal control plans, principal hazard management plans, and associated standard operating procedures and trigger action response plans; and
 - (b) Inform WorkSafe immediately of any significant change.

This exemption takes effect on 5 December 2019 and expires on 5 December 2024 unless it is sooner replaced or revoked.

Signed at Wellington this 3 day of December 2019



Nicole Rosie
Chief Executive
WorkSafe New Zealand