

FORM | WHS (MINES AND PETROLEUM SITES) LEGISLATION

Quarry manager

March 2018

Overview

Under the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 (the regulation), a person

- is eligible to hold a practising certificate in respect of a statutory function if the regulator is satisfied that the individual is competent to exercise that function
- must hold a practising certificate to exercise the statutory function of quarry manager, to supervise mining operations at a mine (other than underground mines or coal mines).

A quarry manager practising certificate may be issued subject to conditions that limit the application of the certificate to a particular mine(s) only.

This application form should be used only by applicants applying for a practising certificate that is subject to conditions that limit the application of the certificate to a particular mine(s) only. This will generally be applicable to small mines only.

Instructions

You must read the guide before completing this application form.

Your application must be accompanied by supporting documents to demonstrate that you satisfy each of the prerequisite qualifications and the identity verification. All documentation must be certified by an independent authorised certifier.

Information about lodging your application is provided at the end of this application form.

1. Personal details

Detail required	Complete details here
First name/s*	
Last name*	
Preferred name	
Salutation	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/> Dr <input type="checkbox"/> Other
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other
Date of birth (DD/MM/YYYY)	
Place of birth (town/city, state)	
Country of birth (if other than Australia)	
Home address (incl. suburb and postcode)	
Postal address (incl. suburb and postcode)	
Personal email address	
Work email address	
Home telephone	
Mobile	
Current place of employment	

* Please note, you must provide your full legal name.

NOTE: Updates on the progress of your application will be emailed to your nominated email address(es). If you are issued a practising certificate, your certificate will be sent to your postal address. Please keep your contact details up to date with the mining competence team.

2. Details of the mine(s) at which you propose to exercise this statutory function

2.1. Mine operator

Please provide details of the mine operator below.

Detail required	Complete details here
Name of mine operator	
ACN or ABN	
Postal address	
Suburb	
State	
Postcode	
Answer for the primary contact at the mine	
Name	
Position/title	
Email address	
Telephone	
Mobile	

2.2. Mine(s)

If you propose to exercise this statutory function at a number of mines, you **must** complete the table below for each mine.

Name of mine	Site address	Total number of people employed at the mine	Type of mine, e.g. quarry, dredge, borrow pit

2.3. Agreement from authorised representative of the mine operator

To be completed by an authorised representative of the mine operator:

I support the applicant being assessed for the practising certificate to exercise statutory functions at the mine(s) listed in 2.2 below, and will provide access to the mine(s) for an oral examination.

Name	
Position/title	
Signature	
Date	

3. Identity verification documents

Please tick the boxes below to indicate which documents are attached to your application. You must supply one document from the Group A list of documents and one document from the Group B list of documents.

You must attach a certified copy of all the documents provided. See section 4 of the information sheet for how to certify your documents.

✓ Group A documents: must have name, date of birth and place of birth

- Birth certificate
- Citizenship certificate
- Current passport
- Expired passport that has not been cancelled and was current within the past two years
- Other documents of identity having the same characteristics as a passport, including diplomatic documents and some documents issued to refugees

✓ Group B documents: must have photograph, name and current residential address

- Driver's licence issued by an Australian state or territory
- Roads and Maritime Services (formerly RTA) photo card

- Identification card issued to a public employee

- Identification card issued by the Commonwealth, a State or Territory government as evidence of the person's entitlement to a financial benefit

4. Practical experience (mandatory – see guide)

Provide evidence showing you have the appropriate practical experience by completing the table below. You must provide details of practical experience, including the nature of the work undertaken and the name and location of the operation(s). Once completed, this table should reflect the practical experience requirements set out in section 5.1.1 of the guide.

NOTE: By providing reference contact information, you agree that the department (and any persons engaged for the purposes of managing practising certificates) is allowed to contact your referees to confirm your experience and any circumstances in which you are unable to obtain verification of your experience.

Date: From (DD/MM/YY)	Date: To (DD/MM/YY)	Experience Position held	Job tasks performed	Mine (Quarry)	Full name, signature and position title of your supervising manager or human resources officer (or reason(s) if signatures cannot be obtained)	Telephone contact details
1. Mining operations: drainage, open cut or quarry production, overburden removal, plant operation, road formation, site formation, site rehabilitation, carrying out crushing and screening, drilling operations, blasting operations, planning and implementing mine development plans/designs, slope stability investigations, mine design.						

Date: From (DD/MM/YY)	Date: To (DD/MM/YY)	Experience Position held	Job tasks performed	Mine (Quarry)	Full name, signature and position title of your supervising manager or human resources officer (or reason(s) if signatures cannot be obtained)	Telephone contact details
2. Working safely: applying the requirements of a Safety Management System, or elements of one, risk management and conducting risk assessment of workplace activities.						
3. Plant, including machinery and equipment: managing and/or operating (e.g. truck, excavator), managing or carrying out minor repairs and basic mobile equipment servicing, maintaining crushing and screening plant operations						

Date: From (DD/MM/YY)	Date: To (DD/MM/YY)	Experience Position held	Job tasks performed	Mine (Quarry)	Full name, signature and position title of your supervising manager or human resources officer (or reason(s) if signatures cannot be obtained)	Telephone contact details
4. Worker management: leading work teams, liaising with and supervising contractors.						
5. Blasting: only required if the mine for which you are applying conducts blasting.						

Total experience (please calculate): years months

Full legal name:

5. Qualifications

Complete the table below and attach a certified copy of any relevant qualifications and any statements of attainment or transcripts listing the subjects completed. See section 9 of the guide for how to certify documents.

Current First Aid Certificate (mandatory)

Qualification	Institution/training organisation	Date of issue

Relevant mining and use of explosives qualifications (if any)

Qualification	Institution/training organisation	Date of issue

Relevant mining licences (if any)

Qualification	Institution/training organisation	Date of issue

6. Declaration

I declare that:

- to the best of my knowledge, the information provided in this form and any attachment(s) to this form, is true and correct in every detail
- the questionnaire(s) in the appendices were completed personally and are my own work
- I consent to the Department of Planning and Environment disclosing my personal information to the Mining and Petroleum Competence Board and any persons engaged for the purposes of managing practising certificates under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Details required	Complete details here
Name	
Position/title	
Contact telephone	
Mobile	
Signature	
Date	

NOTE: Giving false or misleading information is a serious offence under section 268 of the *Work Health and Safety Act 2011*, and *Part 5A of the Crimes Act 1900*.

Clause 144 of the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* provides for the cancellation of a practising certificate on a number of grounds, including if the certificate was improperly obtained, whether on the basis of false or misleading information.

7. Payment of fees

The fee for an assessment is payable when submitting your application. The fee payable is \$100 (no GST).

Please indicate below which method you are using to pay the fee:

- I have attached a cheque or money order made payable to the Department of Industry
- I have paid online by credit card.

Instructions to pay via the online payment system:

1. Go to www.regonline.com.au/quarrymanager_cond
2. Enter your email address and select continue.

3. Enter your full name and to create a new password with a minimum of 8 characters.
4. Enter your personal and credit card details
5. Select finish.

Checklist

To avoid delays in processing your application and to confirm that your form is ready for submission, use this checklist. Have you

- completed all the relevant fields in the personal details in section 1?
- completed all the details of mine(s) in section 2 and had the agreement signed by an authorised representative of the mine operator?
- provided identity documentation in section 3?
- completed all details of your practical experience in section 4 and had it signed?
- included certified copies of your qualifications as required in section 5?
- completed the declaration in section 6?
- attached a cheque or money order, or made payment online (section 7)?
- completed the questionnaire in appendix A and attached it to this form?
- completed the questionnaire in appendix B and attached it to this form? (Note: this is only for mine sites that carry out blasting.)

Submitting the form

We prefer that applications be submitted via email. Alternatively, you may mail or fax your application form to us. Please only submit your application form via one method.

Email: minesafety.competence@planning.nsw.gov.au (preferred option)

Mail: Mining Competence Team, NSW Department of Planning and Environment,
PO Box 344, HRMC NSW 2310

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (March 2018). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment or the user's independent advisor.

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Appendix A - Mining legislation questionnaire

To be answered by the applicant for a quarry manager practising certificate.

The following questions are for you to demonstrate that you have knowledge of the relevant legislation. They address key points of the legislation that may relate to your mine.

All questions are to be answered by you, and by you alone, in your own time. You are encouraged to refer to the legislation and discuss how the legislation is applied at your mine(s).

Please refer to:

- *Work Health and Safety Act 2011* (WHS Act)
- *Work Health and Safety Regulation 2017* (WHS Regulation)
- *Work Health and Safety (Mines and Petroleum Sites) Act 2013* (WHSMPSS Act)
- *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* (WHSMPSS Regulation).

Please return your answers with your application on the form provided below to provide your own understanding of the legislation.

Questions

Primary duty of care: Summarise the primary duty of care on a person conducting a business or undertaking. List at least 5 matters that the person conducting a business or undertaking must ensure, so far as is reasonably practicable. (Section 19, WHS Act)

Reasonably practicable: What is the meaning of “reasonably practicable” in ensuring health and safety? (Section 18, WHS Act)

Consultation: When is consultation with workers required? (Section 49, WHS Act and clause 121, WHSMPS Regulation)

Managing risks to health and safety: What is the hierarchy of control measures in clause 36 of the WHS Regulation and why do you think duty holders are required to follow a particular order when minimising risks to health and safety?

First Aid: What are the duties on a person conducting a business or undertaking in relation to providing first aid? (Clause 42, WHS Regulation)

First Aid: What provisions for first aid do you have at your mine?

Safety Management System: A Safety Management System (SMS) is required for all mines. Name at least 10 things that must be included in the Safety Management System for your mine? (Clause 14(1), WHSMPS Regulation)

Contractor at the mine: If a contractor is proposing to carry out mining operations at the mine, what must the contractor provide to the mine operator before work commences? (Clause 21, WHSMPS Regulation)

Principal Hazards:

What is a principal hazard? (Clause 5, WHSMPS Regulation)

List five (5) examples of principal hazards (Clause 5, WHSMPS Regulation)

Principal Control Plans: Name 3 principal control plans (Clause 26, WHSMPS Regulation)

Fitness for Work: The mine operator must manage risks to health and safety including risks that might arise if someone is not fit for work. What are the 3 particular risks in relation to fitness for work that must be managed? (Clauses 43 and 44, WHSMPS Regulation)

Emergency management:

What is the name of the plan that must be prepared to manage emergencies at a mine? (Clause 88(1), WHSMPS Regulation and Clause 43(1), WHS Regulation)

Name at least 3 matters that need to be included in this plan (Clause 88(2), WHSMPS Regulation and Clause 43(1), WHS Regulation)

Information, training and instruction:

As part of the primary duty, a person conducting a business or undertaking must ensure the provision of suitable and adequate information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking.

Name 3 matters for which information, training and instruction must be provided to each worker at a mine. (Clause 104(2), WHSMPS Regulation)

In what matter is each worker to be trained and competent in? (Clause 104(3), WHSMPS Regulation)

What are the 3 matters that visitors to the mine must be informed of or be instructed about? (Clause 106, WHSMPS Regulation)

Mine record: Name 4 matters that must be kept as part of the mine record. (Clause 133(2), WHSMPS Regulation)

Notifiable incidents:

The WHSMPS Act defines notifiable incidents. What are the 3 types of incidents that are notifiable incidents? (Section 14, WHSMPS Act)

When do these notifiable incidents have to be notified to the regulator? (Section 15(1), WHSMPS Act)

What has to be done with the site where the incident occurred? (Section 17(1), WHSMPS Act)

Notifiable incidents: An incident that results in a serious injury or illness prescribed by the WHSMPS Regulation is a notifiable incident (Section 14(b), WHSMPS Act).

Name at least 6 prescribed serious injuries or illnesses that come under this category. (Clause 178, WHSMPS Regulation)

Dangerous incidents:

What is prescribed as a dangerous incident? (Clause 179(a), WHSMPS Regulation)

Name at least 5 incidents that could be classified as dangerous incidents and could potentially occur at your mine.

Appointment of mine operator:

Clause 6(1) WHSMPS Regulation provides that the mine holder may appoint a person (individual or company) as the mine operator of a mine only if 3 conditions are met. What are these three conditions?

The appointment of mine operator must be carried out in a certain manner. Name 3 requirements that the mine holder must satisfy when appointing a mine operator. (Clause 6(2), WHSMPS Regulation)

Ground failure: Name at least 3 matters that must be considered in developing control measures at your mine. Ground or strata failure is a principal hazard. (Schedule 1 clause 1, WHSMPS Regulation)

Include items that could potentially relate to your mine now or in the future.

Roads and other vehicle operating areas: Name at least 3 matters that would need to be considered in developing control measures at your mine if roads and other vehicle operating areas was a principal hazard. (Schedule 1 clause 4, WHSMPS Regulation)

Include items that could potentially relate to your mine now or in the future.

Fire and explosion: Name at least 3 matters that would need to be considered in developing control measures at your mine if fire and explosion was a principal hazard. (Schedule 1 clause 6, WHSMPS Regulation)

Include items that could potentially relate to your mine now or in the future.

Health control plan: Name at least 3 matters that would need to be included in the health control plan for your mine. (Schedule 2 clause 1, WHSMPS Regulation)

Include items that could potentially relate to your mine now or in the future.

Mechanical engineering control plan: Assume a mechanical engineering control plan is required for your mine.

Name at least 4 matters that would need to be taken into account at your mine when developing control measures for risks to health and safety associated with the mechanical aspects of plant and structures (Schedule 2 clause 2(3), WHSMPS Regulation)

Include items that could potentially relate to your mine now or in the future.

Electrical engineering control plan: Assume that an electrical engineering control plan is required for your mine. Name 4 matters that would need to be taken into account at your mine when developing control measures for risks to health and safety associated with electricity at the mine. (Schedule 2 clause 3(3), WHSMPS Regulation)

Include items that could potentially relate to your mine now or in the future.

Statutory functions: There are up to 4 statutory functions prescribed for mines (other than underground mines and coal mines). Which of these functions would be required at your mine? (Schedule 10 clauses 31 to 34, WHSMPS Regulation)

Inspections of workplaces: Regular inspections of the working environment are required at all mines. What are 4 matters that the mine operator must take into account when making arrangements for inspections? (Clause 37(2), WHSMPS Regulation)

Quarterly reports: There are 13 matters that need to be included in quarterly reports to be submitted to the regulator. Name 10 matters that are included in the information in the quarterly report. (Schedule 9, WHSMPS Regulation)

Assessment Result:	Date:
Assessed by (name):	
Signature:	
Comments:	

Appendix B - Explosives questions

ONLY TO BE COMPLETED BY CANDIDATES APPLYING FOR A PRACTISING CERTIFICATE FOR A MINE SITE THAT CARRIES OUT BLASTING.

All questions are to be answered by you, and you alone, in your own handwriting. Use the words from the legislation or your own understanding of the legislation, unless otherwise stated.

Please refer to the following:

- *Work Health and Safety (Mines and Petroleum Sites) Act 2013* (WHSMPA Act) and
- *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* (WHSMPA Regulation)
- *Explosives Act 2003* (Explosives Act)
- *Explosives Regulation 2013* (Explosives Regulation)
- Australian Standards.

Questions

1. Which Act and which Australian Standard must be complied with when dealing with explosives or explosive precursors at a mine? (Clause 31(2)(b), WHSMPS Regulation)
2. What incidents related to explosives must be reported? (WHSMPA Clauses 128 (5)(j), 179(a)(ii) and 179(f), WHSMPS Regulation)
3. What must an explosives control plan take into account when setting out control measures for risks to health and safety associated with explosives at the mine? List all considerations. (WHSMPA Schedule 2 clause 4(1)), WHSMPS Regulation)

4. What must an explosives control plan set out in relation to any person transporting, using storing or handling explosives? (WHSMPs Schedule 2 clause 4(2)(g), WHSMPS Regulation)

5. What does the term 'handling' cover when dealing with explosives according to the Explosives Act? (Section 3(1), Explosives Act)

6. What activities require a licence under the Explosives Act? (Clause 17, Explosives Regulation)

7. What are the main requirements when storing explosives at a mine? (Clauses 27, 35(1), 84(1), 85 and 90(1), Explosives Regulation)

8. What does a blasting explosives user's licence (BEUL) authorise the holder to do? List four activities. (Clause 28 (1), Explosives Regulation)

9. What are the reporting requirements for the loss or theft of explosives or explosive precursors at a mine? In particular, which authorities must be notified? (Clause 102, Explosives Regulation)

Assessment Result:	Date:
Assessed by (name):	
Signature:	
Comments:	