# Overview

This form must be submitted as part of an **online application** for applicants applying for a new practising certificate that is subject to conditions that restrict the application of the certificate to a specified Tier-2 quarry or any Tier-2 quarry. The NSW Resources Regulator will assess the mines to determine whether it is a Tier-2 quarry. 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 restrict the application of the practising certificate to a specific mine or class of mines.

A Tier-2 quarry is a mine determined by the Resources Regulator using the risk profiling tool (to assess the hazards and complexity of a specified mine). For information on what tier a quarry has been assessed to be, contact the mine operator. The mine operator may assess the quarry by reading our factsheet and completing the risk profiling tool available on our [website](https://www.resourcesregulator.nsw.gov.au/safety-and-health/topics/small-mines-and-quarries/practicing-certificate-requirements-for-quarry-managers). They can also enquire with the Regulator who may have already assessed the quarry by emailing cau@planning.nsw.gov.au

Individuals who did not apply to have their production manager permit converted to a practising certificate during the two-year implementation period to September 2020 must apply and be assessed for a new certificate.

# Instructions

**You must read** [**the guide**](https://www.resourcesregulator.nsw.gov.au/safety-and-health/applications/mining-competence/practising-certificates/application-for-a-practising-certificate) **before completing this application form.**

Your online application must be accompanied by supporting documents, including this fully completed supporting information application form, to demonstrate that you satisfy each of the prerequisite qualifications and the identity verification. You can go to Resources Regulator portal to complete your application by selecting this [link](https://nswresourcesregulator.service-now.com/regulator) and attaching this form.

All documentation must be certified by an independent authorised certifier (except this application form). Refer to [Fact sheet: Certifying documents and identity verification.](https://www.resourcesregulator.nsw.gov.au/__data/assets/pdf_file/0007/671533/Fact-sheet-certifying-documents-and-verifying-identity.pdf)

This form is fillable. The boxes are made to expand to include further information as required. Please click on the 'Enter' key in any box (except for tick boxes) to create a new row.

# Assessment process for certificate

If you have the required qualifications and experience, select the box below:

|  |  |
| --- | --- |
| [ ]  | Experience and qualifications (no examination)See section 5 of guide for requirementsContinue to [Part 1 of application](#_Part_1_–) (pages 3 to 5)\* To upgrade from an existing mine specific certificate to all tier 2 certificate, select this box and complete required sections in full. Include existing practising certificate number:      \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

If you have the required experience but **NOT** the qualifications, select the box below:

|  |  |
| --- | --- |
| [ ]  | Experience only (with examinations - applicable to 30 September 2022)See section 6 of guide for requirementsContinue to [Part 2 of application](#_Part_2_-) (pages 6 to 33) |

# Part 1 – Qualifications and experience only (no examination)

## Experience (5.1.1 of guide)

You must complete the table below in full. You can make changes to the table including adding rows. When typing in details, the row will expand, or you can copy the page into another document to add more entries and obtain sign off, then either insert it back into the application or attach it as a separate page.

**Note:** By providing contact information for persons signing off on your experience, you agree that the Regulator (and any persons engaged for the purposes of managing practising certificates) is authorised to contact them to confirm the details provided, and any circumstances in which you are unable to obtain sign off of your experience.

| APPLICANT NAME: |       |
| --- | --- |

| Date From:(DD/MM/YY) | Date To: (DD/MM/YY)(do not use current) | Period of experience(years, months) | Experience (must include position held and job tasks performed) | Mine | Full name, date, signature and position title of your supervising manager or quarry manager  | Telephone & email contact details of signing manager |
| --- | --- | --- | --- | --- | --- | --- |
| **At least 2 years working in mining operations experience:** you must provide details of your experience in any of the following areas of mining operations. You do not have to have experience in every area: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.
2. Up to one-year equivalent experience working in civil works (to the above 1-3).
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|       |       |       |       |       |       |       |
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| **Six months’ experience in a mining operation with similar inherent hazards:** details of experience with similar inherent hazards to those in Tier-2 quarries as summarised in the list below. You may add details for any other hazards that you think are relevant.Number of workers engaged at the mine, crushing and screening, number of pieces of heavy operating plant, how often the mine is operated and when with number of shifts, continuity and output of mining operations (total tonnes of material excavated), processing involving primary energy sources such as heat e.g. treatment plant, explosives used, electricity - generator or mains supplied, any principal hazards identified at a mine including: ground control, inundation or inrush, roads and other vehicle operating areas, air quality or other airborne contaminant, fire or explosion. Any other risk factors such as: working at heights, confined spaces, chemical hazards, risks to persons outside the mine. |
|       |       |       |        |       |       |       |
|       |       |       |       |       |       |       |
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| **Six months’ supervisory experience:** provide details of supervising workers in mining operations which may include: leading work teams, liaising with and supervising contractors. |
|       |       |       |       |       |       |       |
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|  |  |
| --- | --- |
| **TOTALS OF EXPERIENCE**  | **AMOUNT (please calculate the years of experience you have recorded above)**  |
| Mining operations |       years       months  |
| Mining operations with similar inherent hazards |       years       months  |
| Supervisory |       years       months  |

# Part 2 - Experience only (with examinations) - available for applications submitted up to 30 September 2022

## Details of the quarries at which you propose to exercise this statutory function

|  |  |
| --- | --- |
| Applicant name: |       |

### Mine operator

|  |  |
| --- | --- |
| Name of mine operator(should match Regulator record) |       |
| ACN or ABN |       |
| Postal address |       |
| Suburb |       |
| State |       | Postcode |       |

### Primary contact at the quarry

|  |  |
| --- | --- |
| Name |       |
| Position/title |       |
| Email address |       |
| Telephone |       | Mobile |       |

## Quarries

You **must** complete this table for each quarry at which you propose to exercise the statutory function. *To add more quarries, click 'enter' and the box will expand to fit more information.*

|  |  |  |  |
| --- | --- | --- | --- |
| Name of quarry (ensure they match to Regulator records) | Site address | Total number of people employed at the quarry | Type of mining operations, e.g. quarry, dredge |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

## 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 a practising certificate at the quarry(s) listed above and will provide access to the quarry(s) for an oral examination and risk profiling to confirm whether a person with a Tier-2 Quarry Manager practising certificate may be eligible to exercise the statutory function at the quarry.

|  |  |
| --- | --- |
| Name |       |
| Position/title |       |
| Signature |  |
| Date |       |

# Experience (6.1.1 guide)

You must complete the tables below in full. You can make changes to the table including adding rows. When typing in details, the row will expand, or you can copy the page into another document to add more entries and obtain sign off and then either insert it back into the application or attach it as a separate page.

**Note:** By providing contact information for persons signing off on your experience, you agree that the Regulator (and any persons engaged for the purposes of managing practising certificates) is authorised to contact them to confirm the details provided, and any circumstances in which you are unable to obtain sign off of your experience.

| APPLICANT NAME: |       |
| --- | --- |

| Date From:(DD/MM/YY) | Date TO: (DD/MM/YY) (do not use current) | Period of experience(years, months) | Experience (MUST INCLUDE position held and job tasks performed) | Mine | Full name, date, signature and position title of your supervising manager or quarry manager  | Telephone & email contact details of signing manager |
| --- | --- | --- | --- | --- | --- | --- |
| 1. One year’s experience working in mining operations at a mine: mining operators can include 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. OR
2. if you don’t have sufficient experience for point 1 above, one year’s equivalent experience in civil works eg. Earthmoving, constructing roads, bridges, dams and similar structures.
 |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
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| 1. Working safely: applying the requirements of a safety management system, or elements of one, risk management and conducting risk assessment of workplace activities.
 |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
| 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. |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
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| Worker management: leading work teams, liaising with and supervising contractors. |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |
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| 1. Blasting: only required if you are to supervise blasting at the mine. You must include details of experience in personally participating in or managing the loading and firing of production blasts in a surface mine.
 |
|       |       |       |       |       |       |       |
|       |       |       |       |       |       |       |

|  |  |
| --- | --- |
| **TOTALS OF EXPERIENCE**  | **AMOUNT (please calculate the years of experience you have recorded above)**  |
| Mining operations at a mine OR |       years       months  |
| Equivalent experience working in civil works |       years       months  |
| **AND** if you are to supervise blasting, participating or managing surface mine production blasts |       years       months **OR** number participated in:       |

# Appendix A – Mining legislation questionnaire

**Name of applicant:** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**To be answered by the candidate applying for a quarry manager practising certificate restricted to specific Tier-2 quarry(s).**

The following questions are to demonstrate that you have knowledge of the relevant legislation. They address key points of the legislation that may relate to the quarry(s) where you will exercise the statutory function.

*All questions are to be answered by you, by you alone,* ***MUST be completed in your OWN handwriting*** *and in your own time.* You are encouraged to refer to the legislation and discuss how the legislation is applied at the quarry(s) where you will exercise the statutory function.

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* (*WHS (MPS) Act*)
* Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 (WHS (MPS) Regulation).

Please complete this questionnaire (pages 19-34) and submit it with your application.

## Questions for mining legislation

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| --- |
| **Primary duty of care:** Summarise the primary duty of care on a person conducting a business or undertaking. List at least five 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, WHS (MPS) 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 SMS for your mine. (clause 14(1), WHS (MPS) 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, WHS (MPS) Regulation)      |
| **Principal hazards:** What is a principal hazard? (clause 5, WHS (MPS) Regulation)List five (5) examples of principal hazards. (clause 5, WHS (MPS) Regulation)      |
| **Principal control plans:** Name three principal control plans. (clause 26, WHS (MPS) 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 three particular risks in relation to fitness for work that must be managed? (clauses 43 and 44, WHS (MPS) Regulation)      |
| **Emergency management:** What is the name of the plan that must be prepared to manage emergencies at a mine? (clause 88(1), WHS (MPS) Regulation and clause 43(1), WHS Regulation)Name at least three matters that need to be included in this plan. (clause 88(2), WHS (MPS) 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 people from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking.Name three matters for which information, training and instruction must be provided to each worker at a mine. (clause 104(2), WHS (MPS) Regulation)In what matter is each worker to be trained and competent in? (clause 104(3), WHS (MPS) Regulation)What are the three matters that visitors to the mine must be informed of or be instructed about? (clause 106, WHS (MPS) Regulation)       |
| **Mine record:** Name four matters that must be kept as part of the mine record. (clause 133(2), WHS (MPS) Regulation)      |
| **Notifiable incidents:** The *WHS (MPS) Act* defines notifiable incidents. What are the three types of incidents that are notifiable incidents? (section 14, *WHS (MPS) Act*)When do these notifiable incidents have to be notified to the regulator? (section 15(1), *WHS (MPS) Act)*What has to be done with the site where the incident occurred? (section 17(1), *WHS (MPS) Act*)       |
| **Notifiable incidents:** An incident that results in a serious injury or illness prescribed by the WHS (MPS) Regulation is a notifiable incident. (Section 14(b), *WHS (MPS) Act*). Name at least six prescribed serious injuries or illnesses that come under this category. (clause 178, WHS (MPS) Regulation)      |
| **Dangerous incidents:** What is prescribed as a dangerous incident? (clause 179(a), WHS (MPS) Regulation)Name at least five incidents that could be classified as dangerous incidents and could potentially occur at your mine.      |
| **Appointment of mine operator:** Clause 6(1) WHS (MPS) Regulation provides that the mine holder may appoint a person (individual or company) as the mine operator of a mine only if three conditions are met. What are these three conditions?The appointment of mine operator must be carried out in a certain manner. Name three requirements that the mine holder must satisfy when appointing a mine operator. (clause 6(2), WHS (MPS) Regulation)      |
| **Ground failure:** Name at least three matters that must be considered in developing control measures at your mine. Ground or strata failure is a principal hazard. (Schedule 1 clause 1, WHS (MPS) Regulation)Include items that could potentially relate to your mine now or in the future.      |
| **Roads and other vehicle operating areas:** Name at least three 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, WHS (MPS) Regulation)Include items that could potentially relate to your mine now or in the future.      |
| **Fire and explosion:** Name at least three 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, WHS (MPS) Regulation)Include items that could potentially relate to your mine now or in the future.      |
| **Health control plan**: Name at least three matters that would need to be included in the health control plan for your mine. (Schedule 2 clause 1, WHS (MPS) 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 four 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), WHS (MPS) 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 four 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), WHS (MPS) Regulation)Include items that could potentially relate to your mine now or in the future.      |
| **Statutory functions:** There are up to four 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, WHS (MPS) Regulation)       |
| **Inspections of workplaces:** Regular inspections of the working environment are required at all mines. What are four matters that the mine operator must take into account when making arrangements for inspections? (clause 37(2), WHS (MPS) Regulation)      |
| **Work health and safety reports:** There are 13 matters that need to be included in work health and safety reports to be submitted to the regulator. Name ten matters that are required to be included in the work health and safety report. (Schedule 9, WHS (MPS) Regulation)       |

|  |
| --- |
| **For completion by assessing person:** |
| Assessment result | competent / not yet competent | Date |  |
| Assessment by (name) |  |
| Signature |  |
| Comments |  |

# Appendix B – Explosives questionnaire

Note: You are only required to complete this questionnaire if you are applying for a practising certificate for specified Tier-2 quarry(s) where you will be supervising blasting.

**Name of applicant:** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*All questions are to be answered by you, by you alone,* ***MUST*** *be completed in your* ***OWN*** *handwriting and in your own time.*

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* (*WHS (MPS) Act*)
* Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 (WHS (MPS) 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), WHS (MPS) Regulation)

      |
| 1. What incidents related to explosives must be reported? (WHS (MPS) clauses 128 (5)(j), 179(a)(ii) and 179(f), WHS (MPS) Regulation)

      |
| 1. What must an explosives control plan take into account when setting out control measures for risks to health and safety associated with explosives at a mine? List all considerations. (WHS (MPS) Schedule 2 clause 4(1)), WHS (MPS) Regulation)

      |
| 1. What must an explosives control plan set out in relation to any person transporting, using storing or handling explosives? (WHS (MPS) Schedule 2 clause 4(2)(g), WHS (MPS) Regulation)

      |
| 1. What does the term ‘handling’ cover when dealing with explosives according to the Explosives Act? (section 3(1), *Explosives Act*)

      |
| 1. What activities require a licence under the *Explosives Act*? (clause 17, Explosives Regulation)

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

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

      |
| 1. What are the reporting requirements for the loss or theft of explosives or explosive precursors at a mine? Which authorities must be notified? (clause 102, Explosives Regulation)

      |

|  |
| --- |
| **For completion by assessing person:** |
| Assessment result | competent / not yet competent | Date |  |
| Assessment by (name) |  |
| Signature |  |
| Comments |  |