



NSW DEPARTMENT OF
PRIMARY INDUSTRIES
ABN 51 734 124 190

Mine Health and Safety Act, 2004
APPLICATION FOR PRODUCTION MANAGER PERMIT

1. Applicant (USE CAPITAL LETTERS)

Name (in full): _____

Address: _____

Telephone No: _____ Fax No: _____ Mobile: _____

Email: _____

Date of Birth: _____ Place of Birth: _____

2. Mine

Name: _____

Location: _____

Telephone No: _____ Fax No: _____ Email: _____

• Total number of persons employed: _____

• Type of Mine (Above/Below Ground; Quarry; Dredge; Pit etc)

• *"Has the Chief Inspector served notice under MHSR 2007 Section 17 requiring a production manager to have specific knowledge or skills to be appointed for the mine, if yes what knowledge and skills are required?"*

3. Set out full details of your practical mining experience including details of any certificate or permit issued to you under the Mines Inspection Act or Mine Health and Safety Act 2004 or in any other State. (To be attached).

4. Any relevant qualifications: _____

5. Supporting documentation (To be attached, tick box when done):

- documentary evidence of practical mining experience issued by the relevant mine mentioned in 3 above;
- copy of any relevant qualifications mentioned in 4 above;
- verification of Legislation and Guidelines, Annexure A;
- application fee of \$100 (no GST);
- notification of production manager, Annexure B;
- evidence of first aid; and
- completed mining legislation questionnaire, Annexure C

6. Sign the following Statutory Declaration (Page 4)

VERIFICATION OF LEGISLATION AND GUIDELINES

The purpose of this verification is to ensure that (as a minimum) the Mining Legislation and Australian Standards in regard to major hazards at the mine are available for the production manager.

(y/n/na)

Mine Health and Safety Act 2004	
Mine Health and Safety Regulation 2007	
Occupational Health and Safety Act 2000	
Occupational Health and Safety Regulation 2001	
Minerals Industry Safety Handbook	
Explosives Act 2003	
Explosives Regulation 2005	
MDG 15 - Guideline for Mobile and Transportable Equipment for Use in Mines (free from DPI internet site)	
The following Australian Standards and updated versions when issued:	
AS 1657 - 1992	Fixed platforms, walkways, stairways ladders –and Design, Construction and Installation
AS 1755 - 2000	Conveyors - design, construction, installation and operation - Safety Requirements
AS 1674.1 - 1997	Safety in welding and allied processes Part 1: Fire Precautions
AS 1674.2 - 2003	Safety in welding and allied processes Part 2: Electrical
AS 2187.1-1998	Explosives - Storage, transport and use - Storage
AS 2187.2-1993	Explosives - Storage, transport and use - Use of Explosives
Other Australian Standards as advised by Inspector or Mine Safety Officer	

Signed by applicant_____

Witnessed by Inspector/Mine Safety Officer_____

Date_____

NOTIFICATION OF NOMINATION FOR A PRODUCTION MANAGER

(To be completed by a representative of the mine operator)

Name of mine operator: _____

In accordance with the provisions of Section 18 of the Mine Health and Safety Regulations 2007, as the representative of the mine operator for the

_____ (name of the mine)

situated at _____ (location of mine)

I, _____ (representative of the mine operator) nominate

_____ (name of proposed production

manager) as the production manager of the mine.

I, as the representative of the mine operator, make the following declarations:

- The above nominated person has been adequately and appropriately trained and is competent to supervise production operations at the mine.

- I have reviewed and discussed the mining legislation questionnaire (Annexure C) with the proposed production manager.

Signed _____ (representative of the mine operator)

Date _____

I accept the above nomination.

Signed _____ (Proposed production manager)

Date _____

STATUTORY DECLARATION

I, _____

of _____

do solemnly and sincerely declare that the above is a true and faithful statement of the particulars required and I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Oaths Act, 1900.

MADE and signed before me

at _____

Signed _____

this day _____

Date _____

of _____ 20

_____ Justice of the Peace

_____ JP Registration No.

PENALTIES FOR FORGERY OR FALSE DECLARATION IN CONNECTION WITH A PERMIT OR CERTIFICATE

Section 25 of the Mine Health and Safety Regulation 2007, reads as follows:

Suspension and cancellation of production manager permit

- (1) The Chief Inspector may suspend or cancel a production manager permit if satisfied that the holder of the permit:
- (a) is no longer competent to perform the functions authorised by the permit, or
 - (b) can no longer be relied on to perform the functions authorised by the permit without endangering the health and safety of the holder or any other person, or
 - (c) has contravened a condition of the permit, or
 - (d) has made a statement, in or in connection with an application for the permit, that the holder knew, when the statement was made, to be false or misleading in a material particular.

FOR OFFICE USE ONLY

Date application received: _____

Receipt No: _____

Permit No: _____

Date Issued: _____

Comet Event No: _____

Trim File No: _____

PLEASE FORWARD APPLICATIONS TO:

The Regional Inspector of Mines
c/- **YOUR LOCAL OFFICE**

Contact details for local offices can be sourced from the Department's internet site at:

www.dpi.nsw.gov.au

For further information contact your local office.

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MINING LEGISLATION QUESTIONNAIRE

Questions to be answered by applicants for a Production Manager Permit

All the following questions should be answered by you, personally, in your own time. They are intended to assess your knowledge and understanding of the provisions of the legislation applicable on a mine site. Your answers may also be discussed with the representative of the Mine Operator.

You are referred to the Mine Health and Safety Act, 2004 and the Mine Health and Safety Regulation 2007 as well as the Occupational Health and Safety Act 2000 and Occupational Health and Safety Regulation 2001 to assist you to answer these questions.

Please return your answers with the application.

Note: Write the answers using words from the legislation or your own understanding of the legislation unless otherwise stated.

Occupational Health and Safety Act 2000 and Regulations 2001

1) What are the duties of an employer in relation to the OH&S Act 2000?

OH&S Act section 8

2) When is consultation required at the mine site?

OH&S Act section 15.

Mine Health and Safety Act 2004

1) Mine Safety Management plans are required for all mines.

a. What should be included in the MSMP?

b. How should the MSMP be prepared? **MHSA Section 30, 31**

2) What are the safety responsibilities of a person acting in a supervisory capacity (production manager) at a mine? **MSHA section 58 – 60**

3) If a person contravenes or doesn't comply with any of the Acts or Regulations they shall be guilty of an offence against the Act. Under what conditions would the production manager not be guilty for the same offence, if the offence related to the production operations? **MHSA section 176**

7) The MHS Act has certain requirements for the operator of a mine to report serious accidents and dangerous incidents that occur at a mine:

a. How and when should such reports be made?

b. To whom should they be given?

c. What detail should be reported?

d. What should happen to the scene of the accident or incident? *Section 88-89, Reg cl 146 - 148*

8) What are the requirements for recording Medical & First Aid Treatments at a mine?

Section 92

9) The MHS Act 2004 gives inspectors and mines safety officers powers to assist them in their duties. What are the powers given to an inspector and mine safety officer? Mention key points only. *Section 131 – 137*

Mine Health and Safety Regulation 2007

1) What has the Mine Health and Safety Regulation 2007 to say about the responsibilities of a Production Manager at a mine? **MHS Regulation Clause 16**

2) a) When is it necessary for the operator of the mine to notify the Chief Inspector of Mines of a qualified production manager?
b) What information is required to be supplied to the Chief Inspector?
c) Under what conditions may this occur?

MHSR Clause 18, 20, 21

3) The Mine Health and Safety Regulation requires matters relating to safety to be documented.
(a) What information must the Mine Holder give to the Mine Operator in relation to health and safety?
(b) What must the Mine Operator do with this information?

MSHR Clause 12 - 13

6) A Mine Operator needs to implement an Emergency Management Plan. What contents does the emergency plan need to address?

and

If you are working in an underground mine.

(a) What must the operator provide for safe egress?

(b) When and how often must the operator review his Escape Rescue Plan?

MSHR clause 32 & 34

7) The Mine Health and Safety Regulation 2007 mentions prescribed hazards:

(a) What considerations must the Mine Operator do, when assessing these hazards?

(b) For your mine list the prescribed risks that are mentioned in the Regulations?

(c) How must the prescribe hazards be documented?

MSHR Clause 35 - 45

<p>8) What are the measures for documenting Risks Assessments?</p> <p>MSHR Clause 73 - 74</p>
<p>9) (a) What matters must a fitness for work program address and how should it be implemented?</p> <p>(b) How should a Production Manager respond should they have reason to believe that a person at their mine is under the influence of alcohol or drugs?</p> <p>MSHR Clause 82, 83</p>
<p>10) What are the Mine operator's responsibilities with respect to health surveillance of people working? MSHR Clause 86 – 89</p>

<p>11) Notifications</p> <p>(a) What must you report when an electrical incident occurs? 145 (d)</p> <p>(b) Name the incidents that relate to these numbers 145(c), 145(g), 145(i), 145(j), 145(k), 145(p)?</p>
<p>12) Accident statistics for your mine need to be reported every quarter. What information must be reported? MHSR Clause 155</p>
<p>13) What are the conditions under which an Inspector of Mines may order withdrawal of persons from a mine or part of a mine? MHSR Clause 158</p>
<p>14) What is your interpretation for regular inspections of a mine? MHSR Clause 14(c)</p>

15) An electrical shock occurs on your site. What protocols must you follow to ensure the person receives the correct care? Refer electrical protocol provided in the PM Pack

NSW Department of Primary Industries

Mine Health and Safety Act 2004

GUIDANCE NOTE FOR COMPLETING THE APPLICATION FOR A PRODUCTION MANAGER PERMIT

1 APPOINTMENT OF PRODUCTION MANAGER

A production manager must be appointed for each mine that has production operations¹. The appointment must be accepted by the person nominated by the Operator of the mine and the nomination forwarded to the Chief Inspector of Mines (this nomination should be forwarded to your local Department Office).

2 PRODUCTION MANAGER QUALIFIED

The Operator of the mine must ensure that the production operations at the mine are supervised by a person who is qualified² to be a production manager.

A production manager:

- will hold a production manager permit and will occupy a position of authority at the mine; and
- may be responsible for a number of mines subject to any determination by the Chief Inspector of Mines.

3 DISCRETION REGARDING PERMITS

3.1 A production manager permit is issued for a particular mine or a number of mines.

3.2 A production manager permit is subject to such conditions as are specified in the permit.

3.3 If subject to conditions, the permit has effect only while the conditions are complied with.

3.4 In all cases an applicant must meet the qualification criteria for a permit based on education, experience and assessment by the Chief Inspector.

4 PRODUCTION MANAGER PERMIT

4.1 General

In a mine where 20 people or less are employed, a person may be issued with a Production Manager Permit by the Chief Inspector of Mines if that person is able to demonstrate the ability and experience to supervise production operations at the mine in question.

¹ **Production operations** include development works carried out for the purposes of production operations at a mine.

² A person is **qualified** if they are the holder of one of the following:

- a) a certificate of competency as production manager
- b) a certificate of service as production manager
- c) a production manager permit.

4.2 Educational Requirements

There are no specific formal educational requirements for a person to receive a Production Manger Permit, but the Chief Inspector must be satisfied that the level of education is relevant to the type of mining and any special skills needed.

4.3 Experience Requirements

A nominated production manager must have sufficient relevant experience to satisfy the Chief Inspector as to that person's ability to supervise the production operations at the mine in question.

4.4 Application

The applicant for a production manager permit must complete an application and supply supporting documentation that is listed on the application. An example of "evidence of practical mining experience" and a form for your "testimonials" is included for your information.

4.4.1 Evidence of Practical Mining Experience

A written statement of the applicant's mining experience including:

- dates of experience
- name of mine/operation
- scope of duties performed, including supervision tasks
- number of persons working at the mine supervised.

4.4.2 Evidence of First Aid

The applicant must be able to demonstrate that the mine has adequate first aid capabilities. This must include:

- a) a qualified first-aider at the mine (ie has a current qualification from a recognised provider)
- b) suitable first aid equipment to deal with the potential emergency events that may occur (ie first aid kit(s) that are kept well stocked, with enough supplies to deal with multiple injuries and related to the nature of injuries which could occur and the number of persons working at the mine),
- c) a designated and suitable treatment area if "permanent" facilities are on site (ie an area that is kept for the specific purpose of treating injuries/illness).

5 INFORMATION

Further information or help with your application may be sourced from your local departmental office.

Refer to the Department's internet site: www.dpi.nsw.gov.au "Contact us" tab for office locations and contact details.

6 EXAMPLE: EVIDENCE OF PRACTICAL MINING EXPERIENCE

PRACTICAL MINING EXPERIENCE FOR Mr I.M. Applicant

- **Whatarippa Mine, Forbes**

From 1 January 1981 to present

Duties: maintenance of crushing/screening plant, supervising contactor blasting (3 people), supervising quarrying (2 people)

- **Sydney Quarry, Penrith**

From 2 April 1977 to 30 December 1980

Duties: assisting weighbridge and plant operation, loader operator, leading hand for quarrying and rehabilitation (6 people).

- **Go-in-broke Quarry, Dubbo**

From 2 June 1972 to 30 December 1976

Duties: trainee loader and crushing plant operator