



**APPLICATION FOR TOURIST and EDUCATIONAL PERMITS**

*Section 84 of the Mine Health and Safety Act 2004*

1. **Type of application** (tick those applying):

- Conduct tourist activities in or about a mine, and /or
- Use a mine principally for educational purposes

2. **Applicant 1 (Please use CAPITAL LETTERS)**

Name (in full): \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone no: \_\_\_\_\_ mobile: \_\_\_\_\_

Email: \_\_\_\_\_

3. **Mine details**

Mine name: \_\_\_\_\_

Mine location: \_\_\_\_\_

Mine type:  Abandoned mine OR  Operating mine (as defined by Section 6 of MHSA)

Mine holder: \_\_\_\_\_

Mine operator (if applicable): \_\_\_\_\_

Land owner/s: \_\_\_\_\_

• Number of people to be usually employed at the mine: \_\_\_\_\_

• Type of mine (above/below ground; quarry; opal mine etc ) \_\_\_\_\_

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## 6. Health and safety

Provide details of the precautions to be taken to protect the health and safety of persons entering the mine for tourist or educational activities. e.g. Mine safety management plan, emergency plan, first aid facilities, PPE to be used, visitor inductions etc.

### 1. MSMP

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### 2. Emergency plan

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### 3. First aid facilities

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### 4. PPE to be used/worn

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### 5. Visitor induction process

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### 6. Other

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7. Signed by applicant: \_\_\_\_\_

Date: \_\_\_\_\_

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## FOR OFFICE USE ONLY

Date application received: \_\_\_\_\_

Receipt no: \_\_\_\_\_

Permit no: \_\_\_\_\_

Date issued: \_\_\_\_\_

Comet event no: \_\_\_\_\_

Trim file no: \_\_\_\_\_

Additional information sought (if any): \_\_\_\_\_

Date for provision of additional information: \_\_\_\_\_

Basis for refusal to issue permit (if applicable) \_\_\_\_\_

## 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.resources.nsw.gov.au/safety/mine-safety-offices](http://www.resources.nsw.gov.au/safety/mine-safety-offices)

**For further information contact your local office.**

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**GUIDANCE NOTE FOR COMPLETING THE APPLICATION FOR A  
TOURIST OR EDUCATIONAL PERMIT**

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**1 APPLICATION**

The person applying for a tourist or educational permit must complete this application form and supply supporting documentation as requested. The completed application should be sent to the Chief Inspector of Mines via the local Regional Inspector of Mines. *Refer NSW Trade & Investment – Mine Safety Office contact details at the end of this guidance note.*

**1.1 Tourist activities in mines or use of mines for educational purposes not allowed without a permit** *(Section 84 - Mine Health and Safety Act 2004)*

A person must not conduct tourist activities in or about a mine or use a mine principally for educational purposes unless:

- (a) the tourist activities are, or the use of the mine principally for educational purposes is, authorised by a permit issued to that person, and
- (b) the person complies with the conditions (if any) to which the permit is subject.

**1.2 Issue of tourist and educational permits** *(Section 85 - Mine Health and Safety Act 2004)*

(1) Any of the following persons may apply for a permit in relation to a mine:

- (a) in relation to a mine that is located on land subject to a mining lease (other than a mining lease in respect of coal), or to a mineral claim, under the *Mining Act 1992*, the holder of which owns the land—the mining lease or mineral claim holder or another person with that holder's consent,
- (b) in relation to a mine that is located on land subject to a mining lease (other than a mining lease in respect of coal), or to a mineral claim, under the *Mining Act 1992*, the holder of which does not own the land—the mining lease or mineral claim holder with the land owner's consent, or another person with the consent of the mining lease or mineral claim holder and the land owner,
- (c) in relation to a mine that is not located on land subject to a mining lease or mineral claim under the *Mining Act 1992*—the owner of the land on which the mine is located or another person with the land owner's consent.

(2) The Minister may, on application being made to the Minister in writing, issue a permit that:

- (a) authorises tourist activities to be conducted in or about the mine, or
- (b) authorises the mine to be used principally for educational purposes, or both, subject to any conditions that the Minister may specify in the permit and any conditions that may be prescribed by the regulations.

(3) An application for a permit is to be in the form approved by the Minister and must be accompanied by any particulars or documents specified in that form or prescribed by the regulations (or both).

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- (4) The Minister may require an applicant for a permit to furnish additional information within a time specified by the Minister and may refuse to issue a permit if such information is not furnished in that time.
- (5) An application for a permit is to be accompanied by the fee determined by the Minister under section 188.
- (6) In determining an application, the Minister may consult with any persons, government agencies or other bodies that the Minister considers appropriate.
- (7) A permit must not be issued under this section in respect of a mine unless the Minister is satisfied that all necessary precautions will be taken by the applicant to protect the health and safety of persons entering the mine.

### **1.3 Revocation or variation of permits** (*Section 86 of the Mine Health and Safety Act 2004*)

- (1) The Minister:
  - (a) may revoke a permit if a condition to which the permit is subject is breached or if the Minister is satisfied that persons cannot enter the mine to which the permit relates:
    - (i) without risk to their safety or health that is higher than that which is reasonably acceptable for tourist or educational activities, or
    - (ii) without risk to their health or safety that is not properly managed by the holder of the permit, and
  - (b) may from time to time attach conditions or additional conditions to a permit or vary the conditions to which a permit is subject.
- (2) A revocation of a permit, a variation of conditions to which a permit is subject or the attachment of conditions or additional conditions to a permit does not take effect until notice of the revocation, variation or attachment is served on the occupier of the mine to which the permit relates. However, if the Minister forms the view that an emergency exists, the Minister is not required to give notice and the revocation or variation or attachment of conditions takes effect immediately.
- (3) A variation may be made under subsection (1) (b) by way of addition, amendment or deletion of conditions.
- (4) The regulations may provide that a permit is taken to be automatically revoked during any period of non-compliance with specified conditions or conditions of a specified class.

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## 2 HEALTH & SAFETY OF PERSONS ENTERING THE MINE FOR TOURIST or EDUCATIONAL ACTIVITIES

A review of the health and safety systems in place at the mine will be conducted by an Inspector of Mines or Mine Safety Officer prior to a permit being issued by the Minister. The objective of the review is to ensure that the applicant can demonstrate that all necessary precautions have been taken by the applicant to protect the health and safety of persons entering the mine for tourist or educational activities. A written report will be provided to the applicant following the review detailing the results of the review. A permit will not be issued unless the Minister is satisfied that all precautions have been taken to protect the health and safety of persons entering the mine for tourist or educational purposes. Documents that may be required for review include:

### 2.1 Mine Safety Management Plan (MSMP)

The applicant must be able to demonstrate that the mine has prepared and implemented a Mine Safety Management Plan (MSMP) for the tourist or educational activities to be conducted at the mine. The MSMP must provide:

- a) the basis for the identification of hazards
- b) the assessment of risks arising from those hazards,
- c) the development of controls of those risks
- d) the implementation of those controls

### 2.2 Emergency Plan

The applicant must be able to demonstrate that the mine has prepared and implemented an emergency plan that includes tourist or educational activities at the mine.

### 2.3 First aid facilities

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 service provider)
- b) suitable first aid equipment to deal with potential emergency events that may occur

### 2.4 PPE to be used/worn

The applicant must supply suitable and well maintained PPE to all persons undertaking the tourist or educational activities and provide instruction in its use.

### 2.5 Visitor induction

The applicant must provide an appropriate visitor induction to all persons prior to them undertaking the tourist or educational activities.



**3 INFORMATION**

Further information or help with your application may be sourced from your local departmental office. *Refer NSW Trade & Investment – Mine Safety Office contact details at the end of this guidance note.*

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**Mine Health and Safety Act 2004 No 74**

**Section 87 - Minister and certain other persons not liable in certain circumstances**

- (1) This section applies if:
- (a) the Minister has issued a permit in relation to a mine to a person, and
  - (b) that person, or any other person, suffers any injury or incurs any loss as a result of any person entering the mine pursuant to the permit.
- (2) The Crown, the Minister and any officer of the Department are not liable for any loss arising out of any injury or loss suffered or incurred by any person who enters the mine area pursuant to the permit.

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**NSW Trade & Investment Mine Safety offices**

<p><b>Armidale</b>  Earth Sciences Building (C2)  Ring Road North  University of New England  P.O Box U86  Armidale NSW 2350  Phone: (02) 6738 8500  Fax: (02) 6772 8664  armidale.metexnotification@trade.nsw.gov.au</p>	<p><b>Maitland</b>  516 High Street  Maitland NSW 2320  PO Box 344  Hunter Regional Mail Centre NSW 2310  Phone: (02) 4931 6666  Fax: (02) 4931 6700  maitland.metexnotification@trade.nsw.gov.au</p>
<p><b>Broken Hill</b>  NSW Government Office Block  Level 2, 32 Sulphide Street  PO Box 696  Broken Hill NSW 2880  Phone: (08) 8088 9300  Fax: (08) 8087 8005  brokenhill.metexnotification@trade.nsw.gov.au</p>	<p><b>Orange</b>  161 Kite Street  Locked Bag 21  Orange NSW 2800  Phone: (02) 6360 5333  Fax: (02) 6360 5363  orange.metexnotification@trade.nsw.gov.au</p>
<p><b>Cobar</b>  NSW Government Office Block  62-64 Marshall Street  PO Box 157  Cobar NSW 2835  Phone: (02) 6836 6000  Fax: (02) 6836 4395  cobar.metexnotification@trade.nsw.gov.au</p>	<p><b>Singleton</b>  Level 1, 1 Civic Avenue  PO Box 51  Singleton NSW 2330  Phone: 02 6571 8788  Fax: 02 6572 1201  maitland.metexnotification@trade.nsw.gov.au</p>
<p><b>Lightning Ridge</b>  Miners Association Building  Lot 60 Morilla Street  PO Box 314  Lightning Ridge NSW 2834  Phone: (02) 6829 9200  Fax: (02) 6829 0825  lightningridge.metexnotification@trade.nsw.gov.au</p>	<p><b>Wollongong</b>  NSW Government Office Block  Level 3, Block F, 84 Crown Street  PO Box 674  Wollongong NSW 2520  Phone: (02) 4222 8333  Fax: (02) 4226 3851  wollongong.metexnotification@trade.nsw.gov.au</p>
<p><b>Lithgow</b>  Hartley Building  Suite 1, 1st Floor, 184 Mort Street  PO Box 69  Lithgow NSW 2790  Phone: (02) 6350 7888  Fax:(02) 63523876  wollongong.metexnotification@trade.nsw.gov.au</p>	