



**NSW
Resources
Regulator**

MONTHLY BUSINESS ACTIVITIES REPORT

September 2021



Document control

Published by NSW Resources Regulator

Title: Monthly business activities report – September 2021

First published: November 2021

Authorised by: Executive Director NSW Resources Regulator

CM9 reference: DOC21/868334

AMENDMENT SCHEDULE

Date	Version	Amendment
November 2021	1	First published

© State of New South Wales through Regional NSW 2021. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute Regional NSW as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

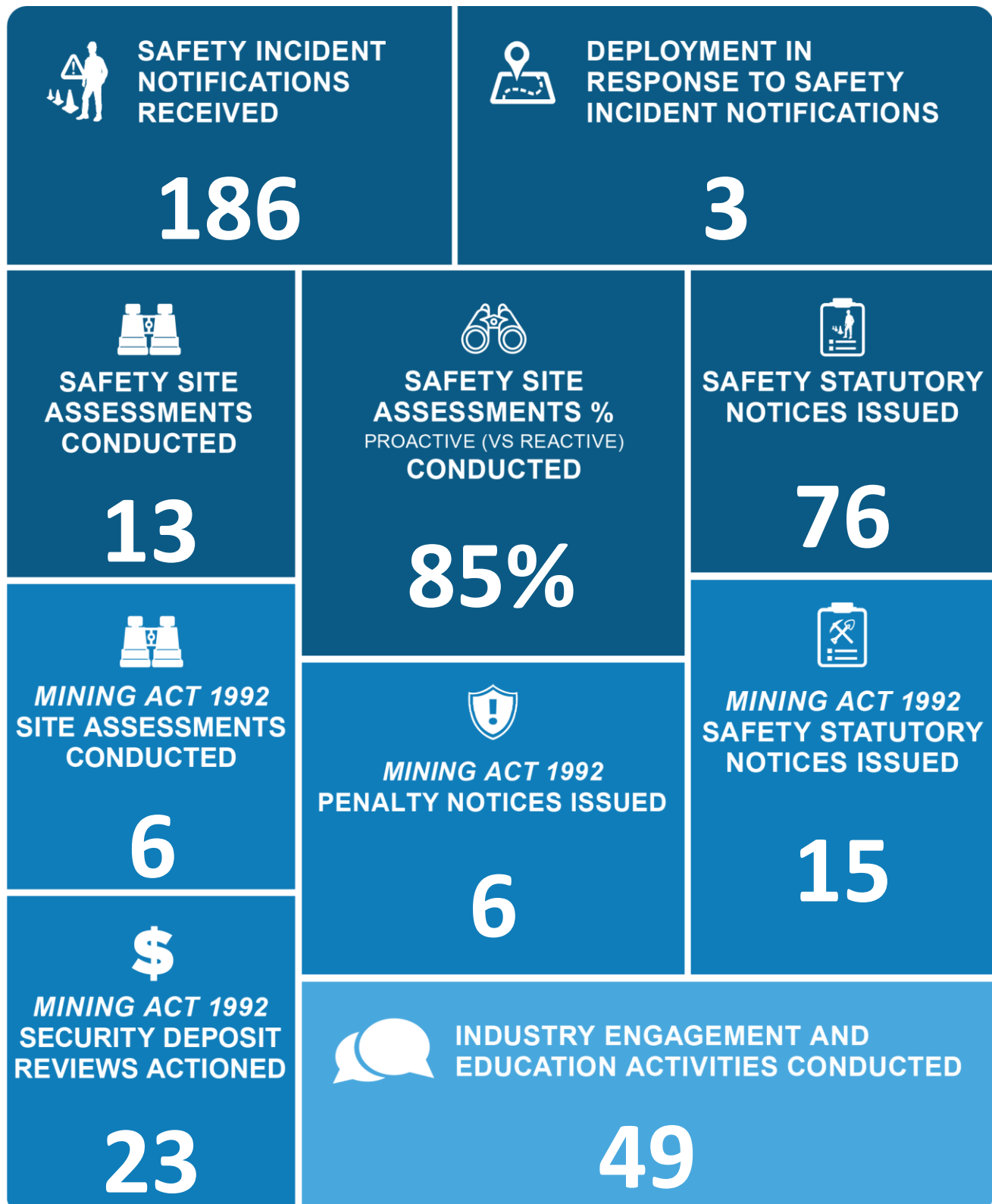
Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (November 2021) and may not be accurate, current or complete. The State of New South Wales (including Regional NSW), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Contents

Activities at a glance	4
Key Activities.....	5
Work Health and Safety activities	6
Incident notifications	6
Safety assessments	7
Compliance activities	11
Mining competencies activities	12
Mining authorisation activities	12
<i>Mining Act 1992</i> regulatory activities.....	15
Mining Act assessments.....	15
Mining Act compliance activities	16
Mining Act requests for service	18
Compliance concerns and non-compliances	20
Safety non-compliance breaches.....	20
Mining Act non-compliance breaches	21
Key enforcement actions	22
Industry engagement activities	23
Committees and other industry body involvement.....	23
External education and engagement activities	23
Publication and alerts	24

Activities at a glance

Summary of our regulatory activities in September 2021



Key Activities

The NSW Resources Regulator's key compliance and enforcement activities during the month:

- [investigation information release](#) on a worker who suffered serious injuries after falling into a conveyor chute
- [media release](#) regarding prosecution proceedings that have commenced against two Inverell men for alleged breaches of mining laws
- Six penalty notices totalling \$17,500.00 were issued under the *Mining Act 1992*:
 - Five were issued to Perilya Broken Hill Limited totalling \$15,000.00 (see page 22)
 - One was issued to Manuka Resources Limited for \$5,000.00

Published reports included the following:

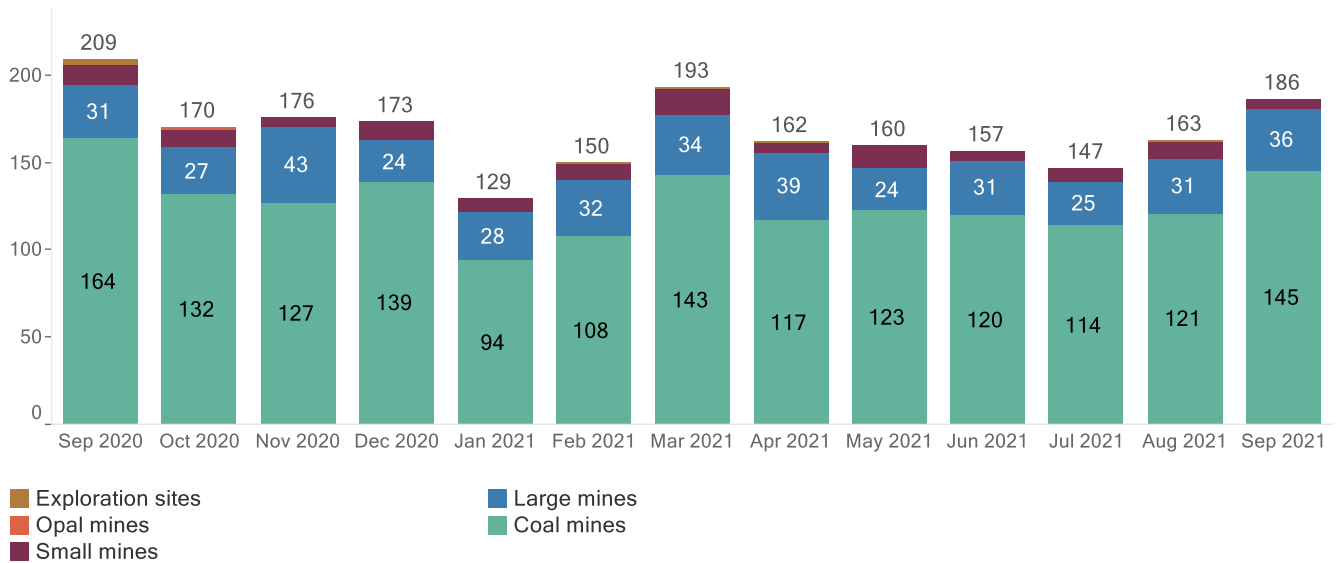
- 2020 – 2021 business activities overview [report](#)
- Six consolidated [reports](#) on the Regulator's safety assessment program
- quarterly safety [report](#) – April to June 2021
- fires on mobile plant [report](#) for January to March 2021
- Compliance audit program reports for [Hillgrove Mine](#), [Mandalong Coal Mine](#), [Werris Creek Coal Mine](#) and the [EL7750 exploration drilling program](#)
- Exploration and mining rehabilitation report January – June 2021 [report](#)

For more activities refer to [Mine Safety News](#) and [Mine Rehabilitation News](#).

Work Health and Safety activities

Incident notifications

SAFETY INCIDENT NOTIFICATIONS RECEIVED BY SECTOR



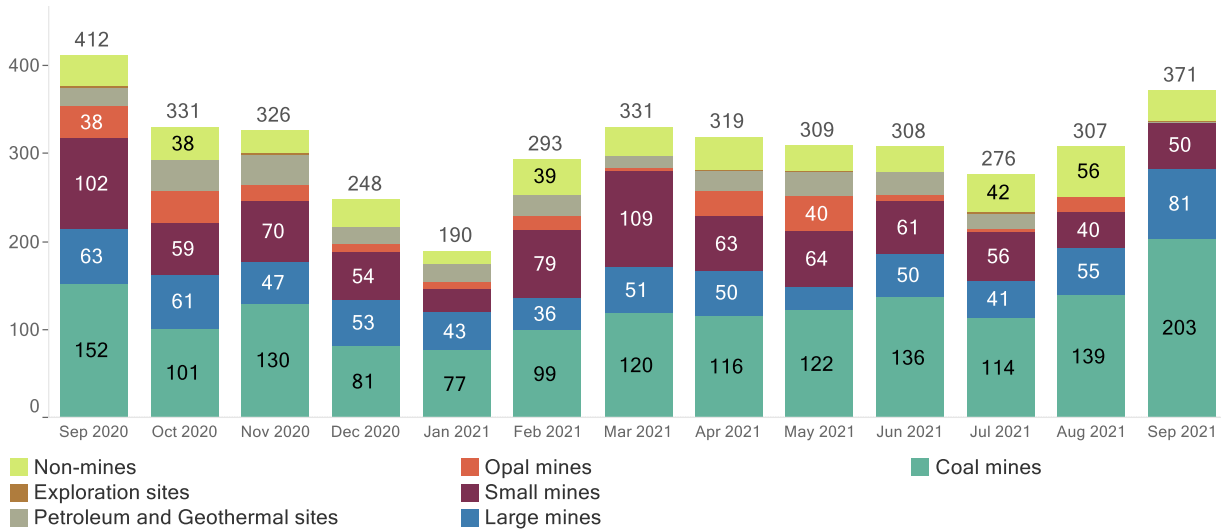
DETAILS OF SAFETY INCIDENTS WHERE INSPECTORS WERE DEPLOYED

DATE NOTIFIED	REPORTING SECTOR	PRINCIPAL MINING HAZARD	INCIDENT
05/09/2021	Coal mines	Ground or strata failure	There was a roof fall in an inbye where a continuous miner was trapped, where the fall was rib to rib and estimated to extend 15 to 20 metres. Workers were in the crib room at the time of the fall preparing to perform tasks.
13/09/2021	Coal mines	Fire and explosion - surface	A fire has occurred on a grader. The auto fire suppression system initiated with residual fire being extinguished with a hand-held extinguisher. There were no injuries.
18/09/2021	Large mines – Metalliferous and Quarries	Ground or strata failure	During shift change over there was a fall of ground at a 4 way intersection. Approximately 2 metres of ground fell from above the entire width of the intersection. No one was in the area at the time of the fall.
TOTAL			3

Safety assessments

Safety assessments commenced

SAFETY ASSESSMENTS COMMENCED BY SECTOR*

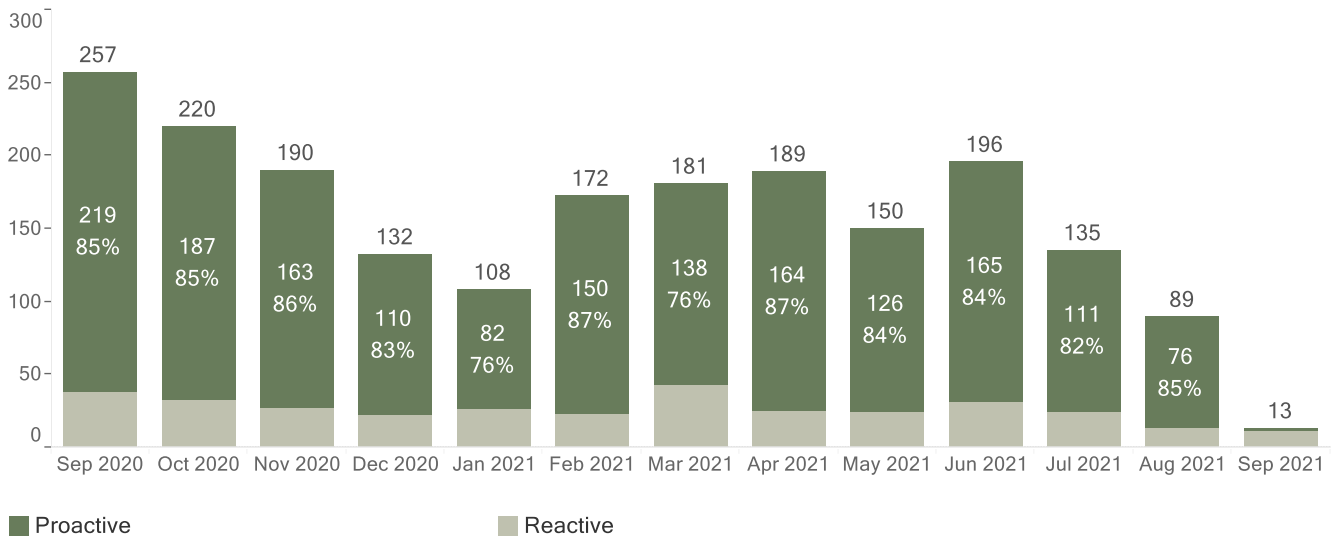


*The decrease in site assessments and increase in desktop assessments is due to COVID-19

Proactive and reactive safety assessments

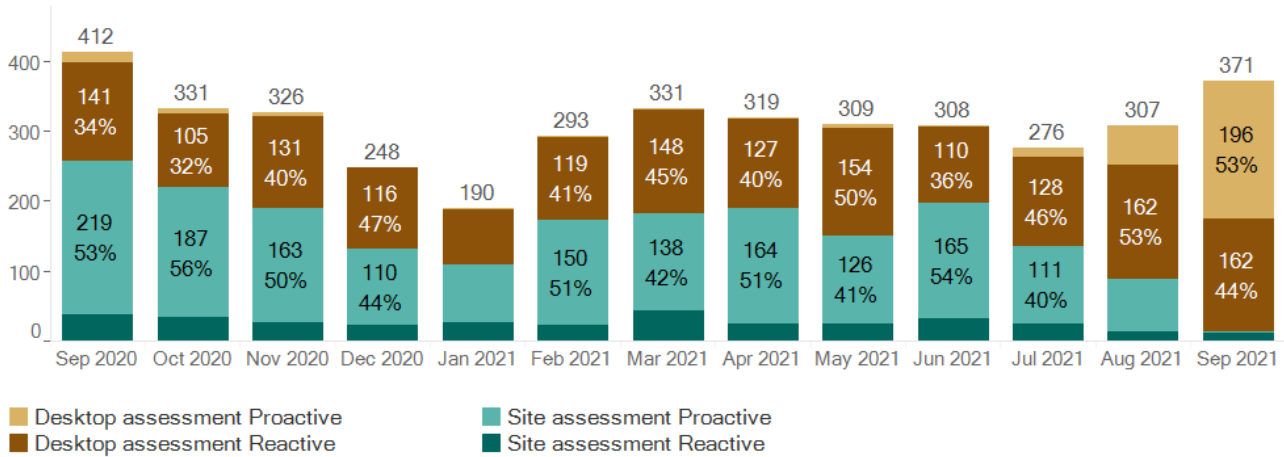
Proactive assessments include targeted assessments and planned inspections. Assessments conducted in response to incident notifications, targeted interventions, high-risk activity notifications and action

SAFETY SITE ASSESSMENTS COMMENCED BY NATURE*



*The decrease in site assessments is due to COVID-19, with desktop assessments conducted instead.

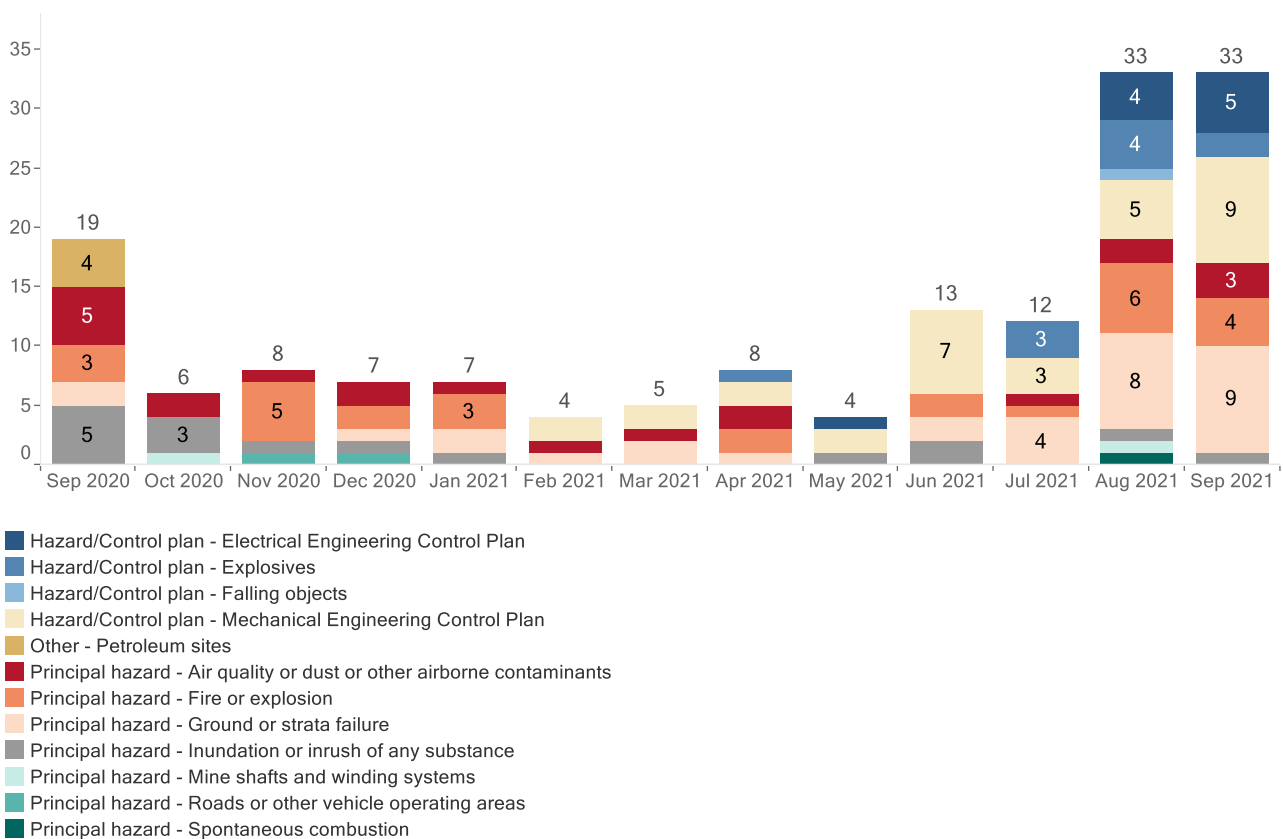
SAFETY ASSESSMENTS COMMENCED BY CATEGORY AND NATURE*



*The decrease in site assessments and increase in desktop assessments is due to COVID-19

Safety targeted assessment program

TARGETED SAFETY ASSESSMENTS COMMENCED*



* Due to COVID-19, the August and September figures also include desktop assessments.

DETAILS OF TARGETED SAFETY SITE ASSESSMENTS

HAZARD	SECTOR	MINE
Air quality or dust or other airborne contaminants	Coal – Underground	Metropolitan Colliery
		Russell Vale Colliery
		Ulan West Operations
Ground or strata failure	Coal – Surface	Mangoola Coal Mine
		Boggabri Coal Mine – Open Cut
	Coal - Underground	Myuna Colliery
		Ulan Underground Mine
	Metalliferous – Surface	Cowal Gold Mine
	Metalliferous – Underground	Hillgrove Mines
		Dargues Gold Mine
		North Mine
		Southern Operations
	Inundation or inrush of any substance	Coal – Underground
Fire or explosion	Metalliferous - Surface	Marulan South Limestone Mine
		Cleary Bros – Albion Park
		Holcim – Albion Park Quarry
		Peppertree Quarry
Hazard Control Plan – Electrical Engineering	Coal – Surface	Bulga Surface Operations
		Mount Pleasant Operation – Thiess Pty Ltd
		Mt Arthur North – (incl CHPP)
	Coal – Underground	Appin Colliery
		Narrabri Colliery
	Coal – Surface	Bengalla Mine

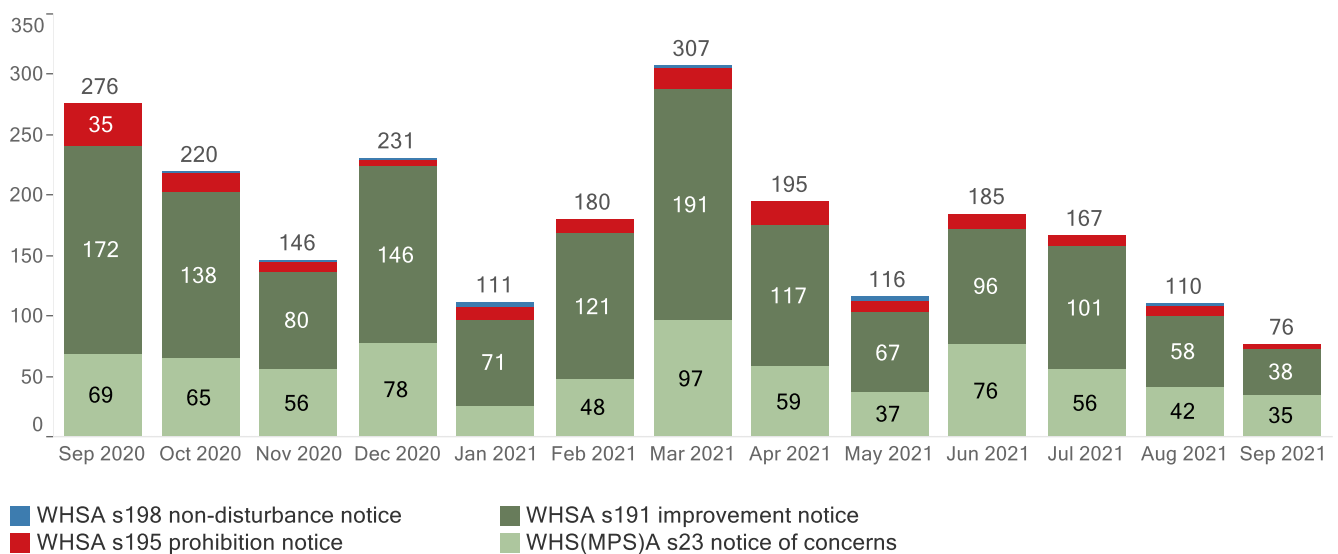
HAZARD	SECTOR	MINE
Hazard Control Plan – Mechanical Engineering – Structural Collapse		Mount Thorley Coal Processing Plants
		Rixs Creek Mine – Integra UG ROM Stockpile
		Wambo Coal Handling & Preparation Plant
Hazard Control Plan – Mechanical Engineering – Entanglement	Metalliferous - Surface	Boral Dunmore Quarry
		Hanson – Bass Point Quarry
	Metalliferous – Underground	Cadia East UG
		CSA Mine
		Northparkes Mine
Hazard Control Plan – Explosives	Coal – Surface	Wilpinjong Coal Mine
		Moolarben Coal Operations – Open Cut
TOTAL		33

Compliance activities

Notices issued

In September 2021, we issued 76 statutory notices under the *Work Health and Safety Act 2011* which were 38 improvement notices, 35 notice of concerns and three prohibition notices.

SAFETY NOTICES ISSUED BY NOTICE TYPE



Prohibition notices issued

In September 2021, three prohibition notices were issued under section 195 of the *Work Health and Safety Act 2011*.

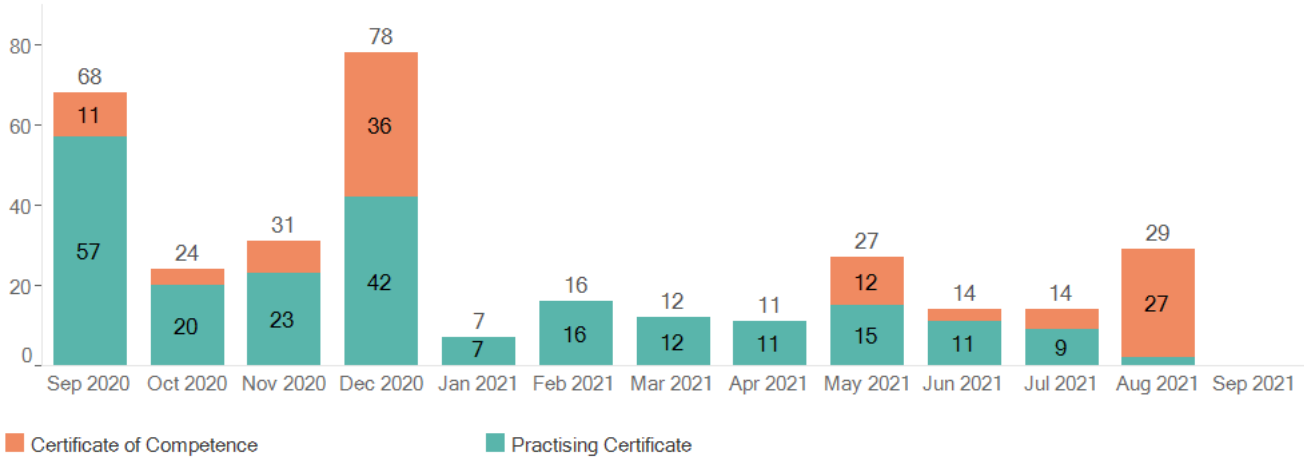
PROHIBITION NOTICES ISSUED

ISSUED TO PCBU*	MINE LOCATION	PROHIBITED ACTIVITY
Newcrest Mining Limited	Cadia East UG	For any vent door which may be operated remotely, no person shall make use of the personal access door to move from one side of the vent door to the other.
CMOC Mining Pty Limited	Northparkes Mines	Entering the exclusion zone of the northern embankment of TSF2 as defined in the document "TSF2 Exclusion Barricades".
CMOC Mining Pty Limited	Northparkes Mines	Depositing tailings on TSF2.
TOTAL		3

* Person conducting business or undertaking

Mining competencies activities

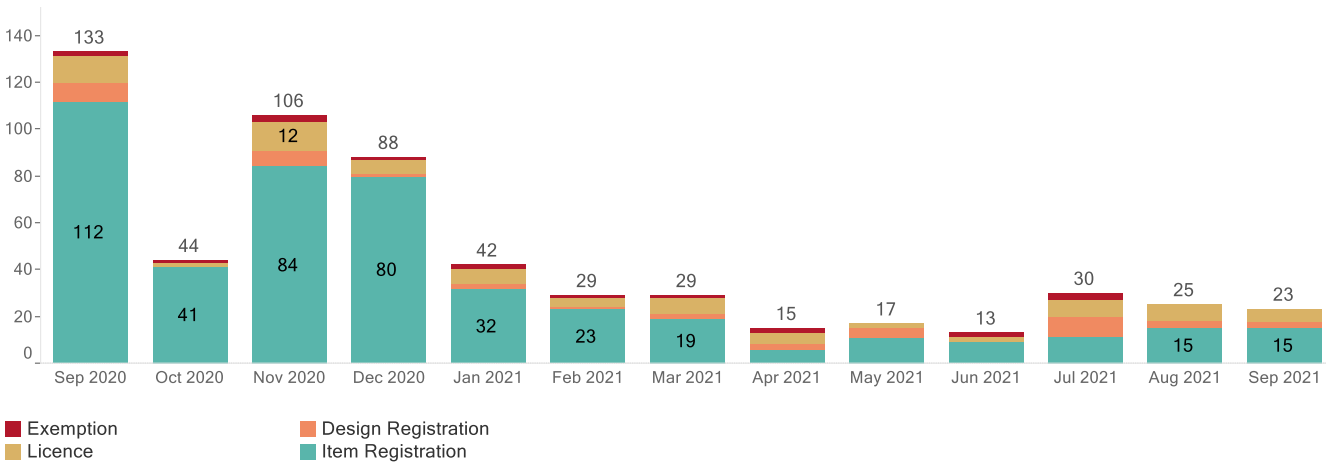
COMPETENCE AND PRACTISING CERTIFICATES GRANTED



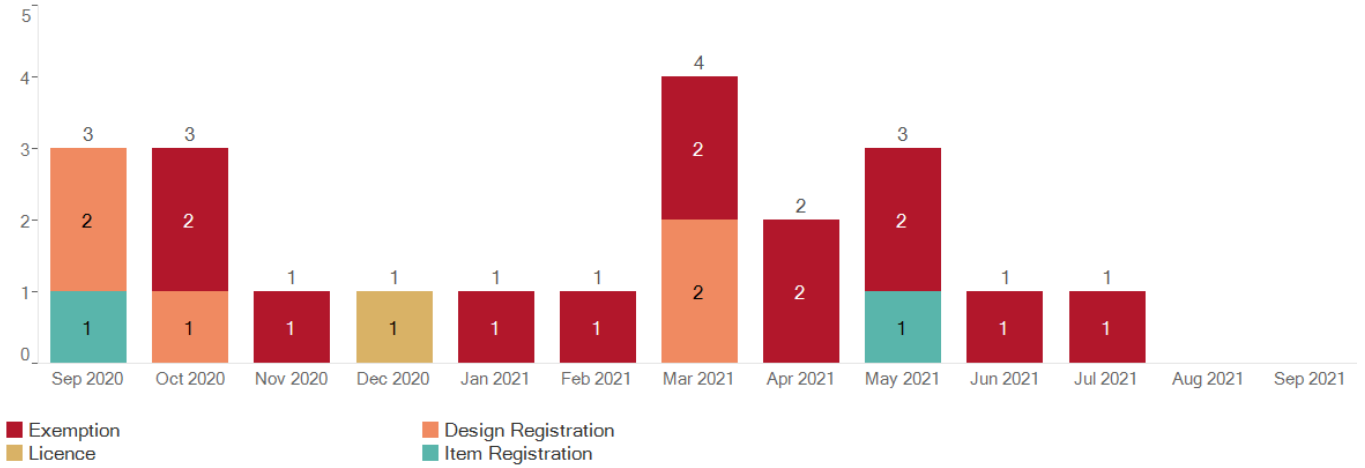
Mining authorisation activities

Safety mining authorisations include licence applications to carry out prescribed high-level activities, plant item registrations, design registrations and exemptions.

EXEMPTIONS, LICENCE, DESIGN & ITEM REGISTRATIONS GRANTED



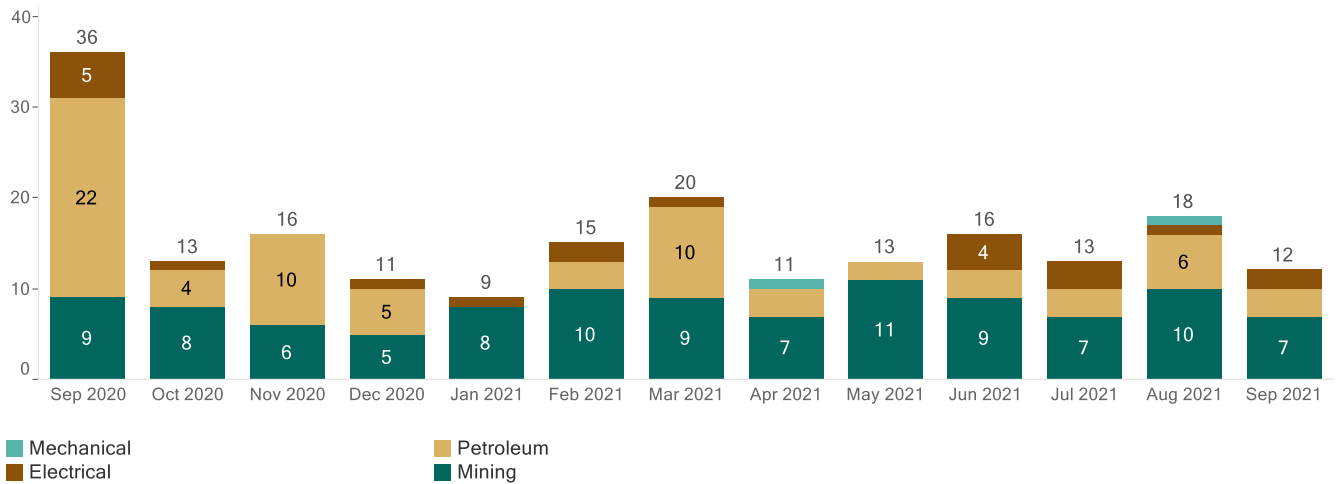
EXEMPTIONS, LICENCE, DESIGN & ITEM REGISTRATIONS NOT GRANTED



In September 2021, there were no applications requesting exemption from specific provisions of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.

High-risk activities notifications

HIGH-RISK ACTIVITY NOTIFICATIONS RECEIVED BY ENGINEERING DISCIPLINE



HIGH-RISK ACTIVITY NOTIFICATIONS RECEIVED

MINE	LEGISLATION*	TYPE OF NOTIFICATION	NO.
Dendrobium Colliery	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar.	1
Tomingley Gold Mine	WHS(MPS) Reg Sch 3 cl 35	The establishment, operation, alteration or decommissioning of a tailings storage facility.	1
Dendrobium Colliery	WHS(MPS) Reg Sch 3 cl 18	Carrying out mining operations in an outburst control zone.	1
Peak Gold Mine	WHS(MPS) Reg Sch 3 cl 35	The establishment, operation, alteration or decommissioning of a tailings storage facility.	1
Cadia East UG	WHS(MPS) Reg Sch 3 cl 2	Electrical work on energised electrical equipment.	1
Springvale Mine Underground Operation	WHS(MPS) Reg Sch 3 cl 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining.	1
Mandalong Mine	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar	1
Tahmoor Colliery	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar	1
PPL0004 Elizabeth Macarthur 13	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well	1
PPL0004 Glenlee 2	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well	1
PPL0004 Glenlee 4	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well	1
Bulga Surface Operations	WHS(MPS) Reg Sch 3 cl 27	The establishment, operation, alteration or decommissioning of an emplacement area	1
TOTAL			12

*Work Health and Safety (Mines and Petroleum Sites) Regulation 2014

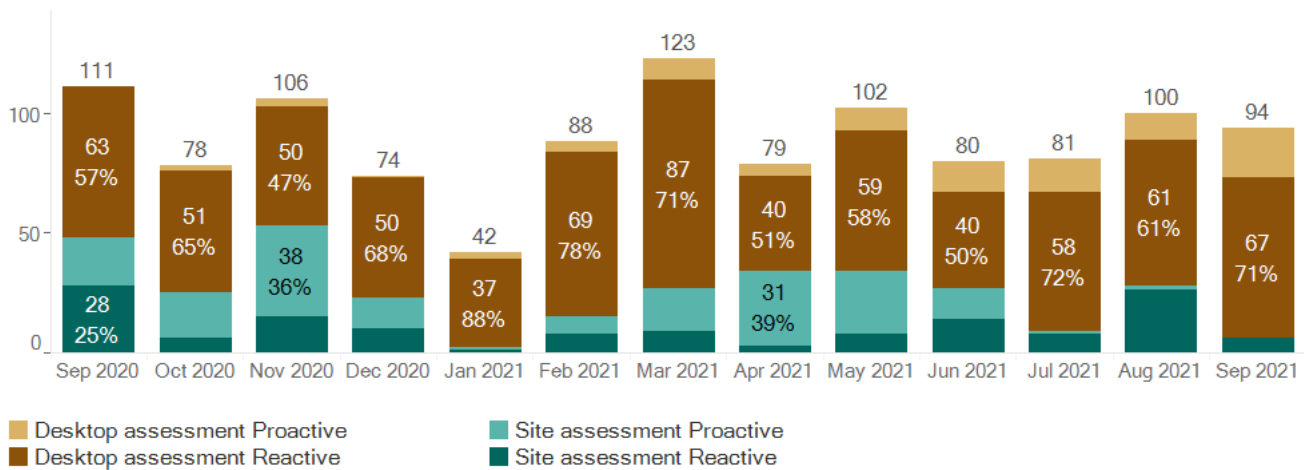
Mining Act 1992 regulatory activities

Mining Act assessments

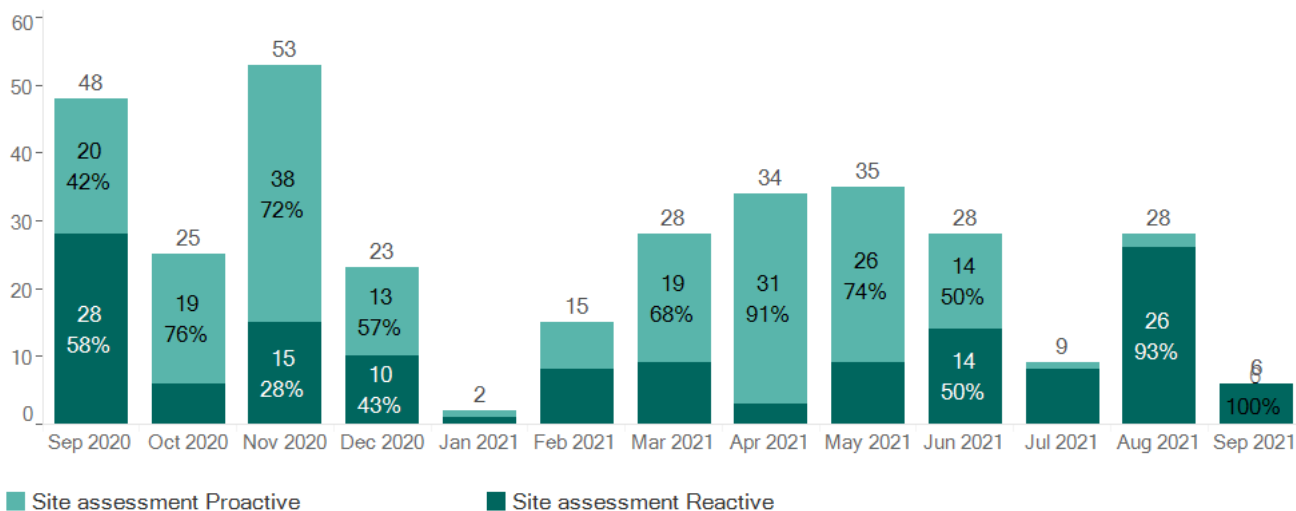
Proactive and reactive assessments

We undertake both proactive and reactive site assessments. Proactive site assessments include planned inspections, compliance inspections and regulatory audits. Reactive site assessments include assessments conducted in response to lodgement of mining operation plans, annual reports, security reviews, applications to conduct exploration activities, title dealings and action requests.

MINING ACT ASSESSMENTS COMMENCED BY CATEGORY AND NATURE



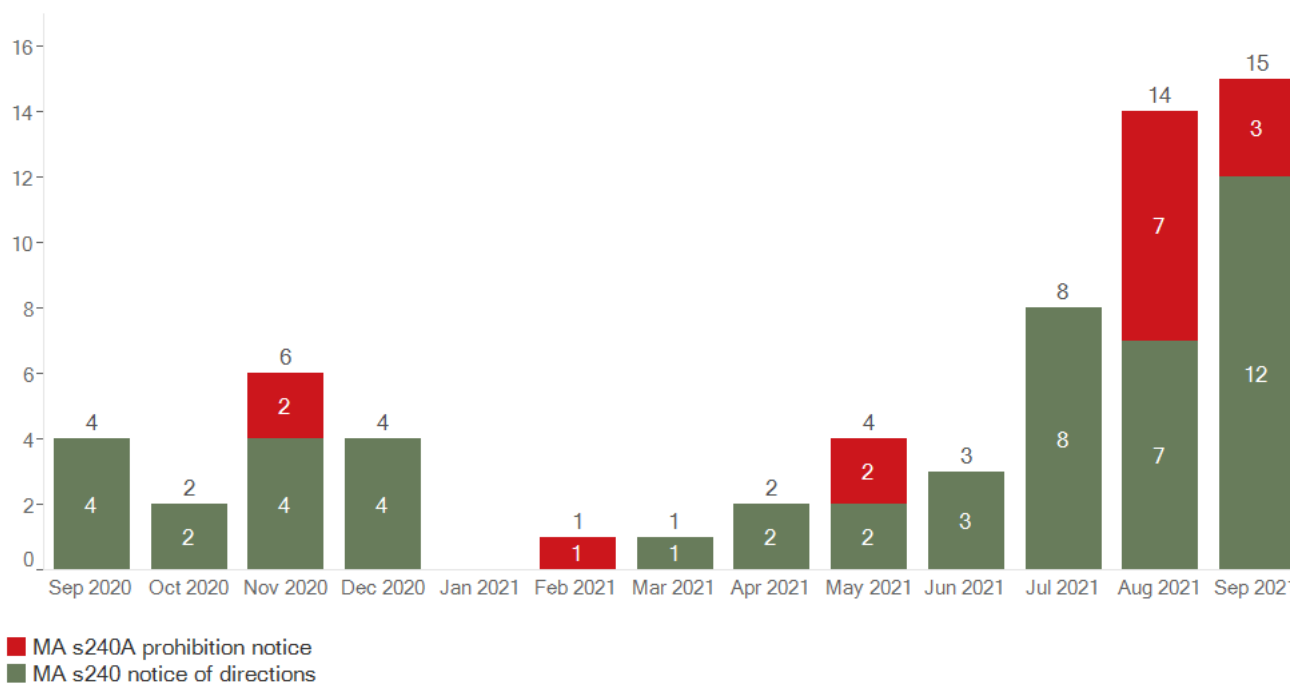
MINING ACT SITE ASSESSMENTS COMMENCED BY NATURE



Mining Act compliance activities

Statutory notices issued

MINING ACT STATUTORY NOTICES ISSUED



NOTICES OF DIRECTIONS ISSUED DETAILS

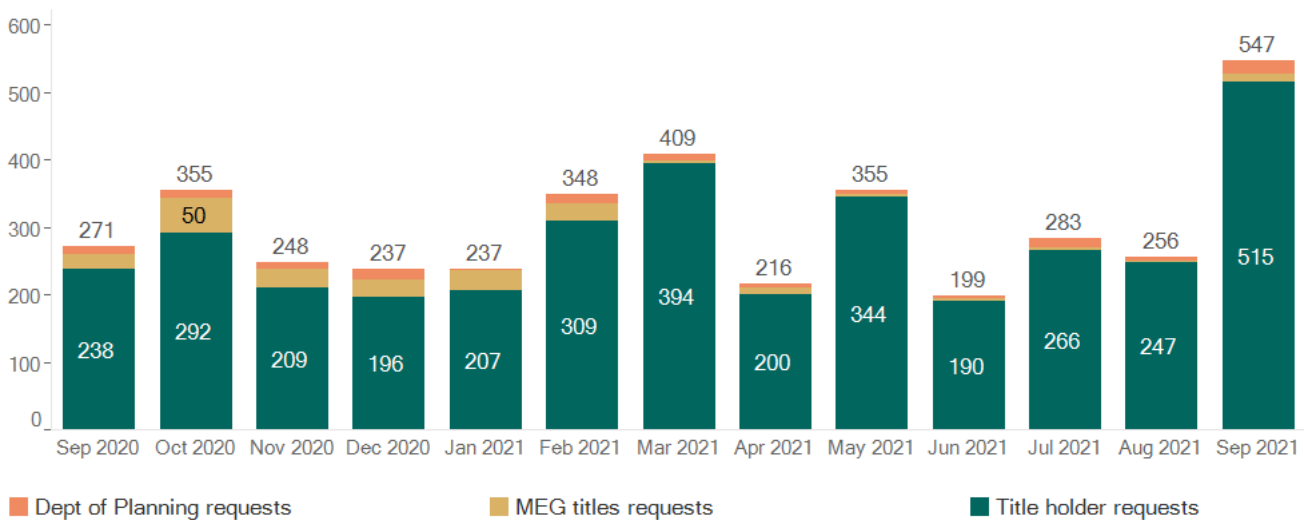
ISSUED TO	LOCATION	SUMMARY S.240 OF THE MINING ACT 1992 DIRECTION
AQC Dartbrook Pty Ltd	Dartbrook Mine	Engage and assist suitably qualified person to undertake an assessment of risks to rehabilitation. Revise Rehabilitation Cost Estimate (RCE) and submit electronically. Prepare progress report on measures and actions undertaken relating to above.
Broken Hill Operations Pty Ltd	Rasp Mine	Nominate a suitably qualified expert in waste material characterisation and management to prepare a 'waste rock management strategy'. Submit the 'waste rock management strategy'.
Individual	ML 1558 (1992)	Rehabilitate all areas of disturbance in accordance with the conditions of ML 1558 (1992). Submit a final rehabilitation report and form ESF2 Rehabilitation completion and/or review of rehabilitation cost estimate which demonstrates that rehabilitation has been completed.
Jervois Mining Limited	EL 8203 (1992)	Provide a final ESF2 Rehabilitation completion and/or review of rehabilitation cost estimate and/or notification of mine or petroleum site closure and submit electronically.

ISSUED TO	LOCATION	SUMMARY S.240 OF THE <i>MINING ACT 1992</i> DIRECTION
Perilya Broken Hill Limited	Southern Operations	Nominate a suitably qualified and experienced soil science expert to undertake characterisation analysis of the soils and materials on the mine site. Submit a final report prepared by above expert.
Perilya Broken Hill Limited	North Mine	Nominate a suitably qualified and experienced soil science expert to undertake characterisation analysis of the soils and materials on the mine site. Submit a final report prepared by above expert.
Perilya Broken Hill Limited	Potosi Operations	Nominate a suitably qualified and experienced soil science expert to undertake characterisation analysis of the soils and materials on the mine site. Submit a final report prepared by above expert.
Shoalhaven Coal Pty Ltd	Invincible Colliery	Engage a suitably qualified expert(s) to undertake an assessment of the landform stability and surface water management structures located in the rehabilitated landform. Prepare and submit a report providing details of the assessment above.
Shoalhaven Coal Pty Ltd	Invincible Colliery	Engage a suitably qualified expert(s) to undertake an assessment of rehabilitation material inventories at the mine. Prepare and submit a report providing details of the assessment above.
Shoalhaven Coal Pty Ltd	Cullen Valley Mine	Engage a suitably qualified expert(s) to undertake an assessment of rehabilitation material inventories at the mine. Prepare and submit a report providing details of the assessment above.
Shoalhaven Coal Pty Ltd	Cullen Valley Mine	Engage a suitably qualified expert(s) to undertake an assessment of the landform stability and surface water management structures located in the rehabilitated landform. Prepare and submit a report providing details of the assessment above.
Individual	MC 61195	Rehabilitate the land that is affected by activities under MC 61195.
TOTAL		12

Mining Act requests for service

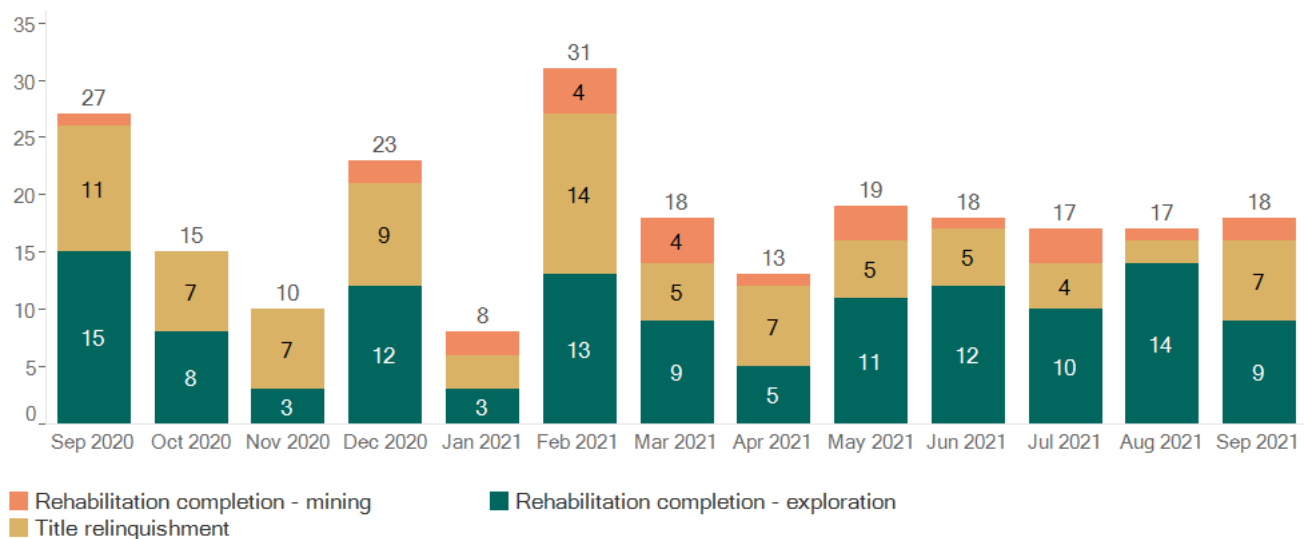
Requests for service includes requests from title holders, Mining, Exploration and Geoscience concerning the administration of mining authorisations and requests from either the NSW Department of Planning or a local consent authority relating to development assessment applications under the *NSW Environmental Planning and Assessment Act 1979*.

MINING ACT REQUESTS FOR SERVICE ACTIONED



Mining Act rehabilitation completion

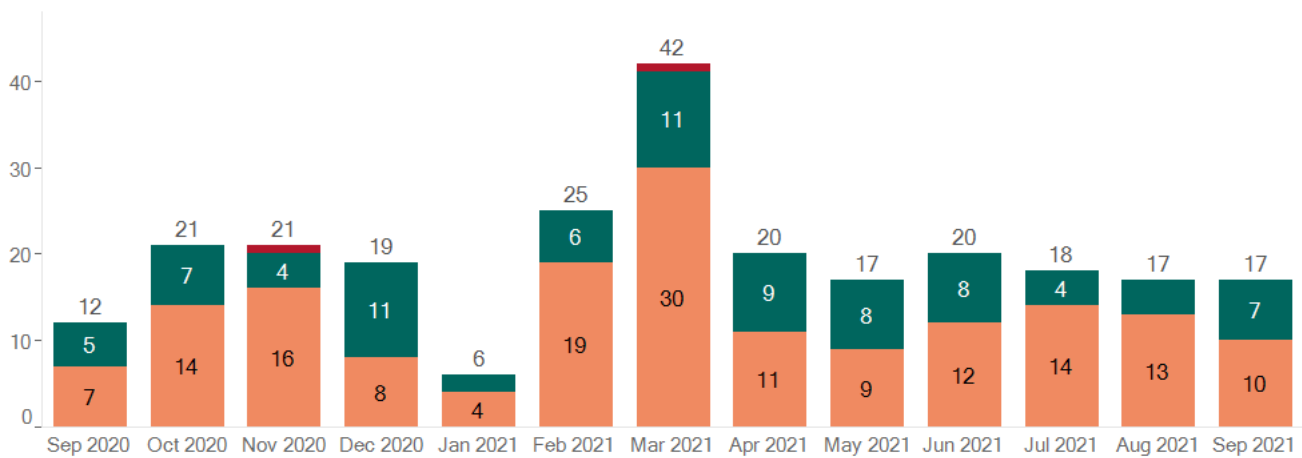
MINING ACT REHABILITATION COMPLETION ACTIONED



Rehabilitation security deposit review

Our inspectors regularly assess the surface disturbance (or proposed disturbance) of a mine or exploration site to calculate the security deposit. This is known as the assessed deposit. Once the assessed deposit is determined, we advise Mining, Exploration and Geoscience who vary the condition of the title and seek the additional funds - or in the case of satisfactory rehabilitation, returns some or all of the security deposit.

REHABILITATION SECURITY DEPOSIT REVIEWS ASSESSED



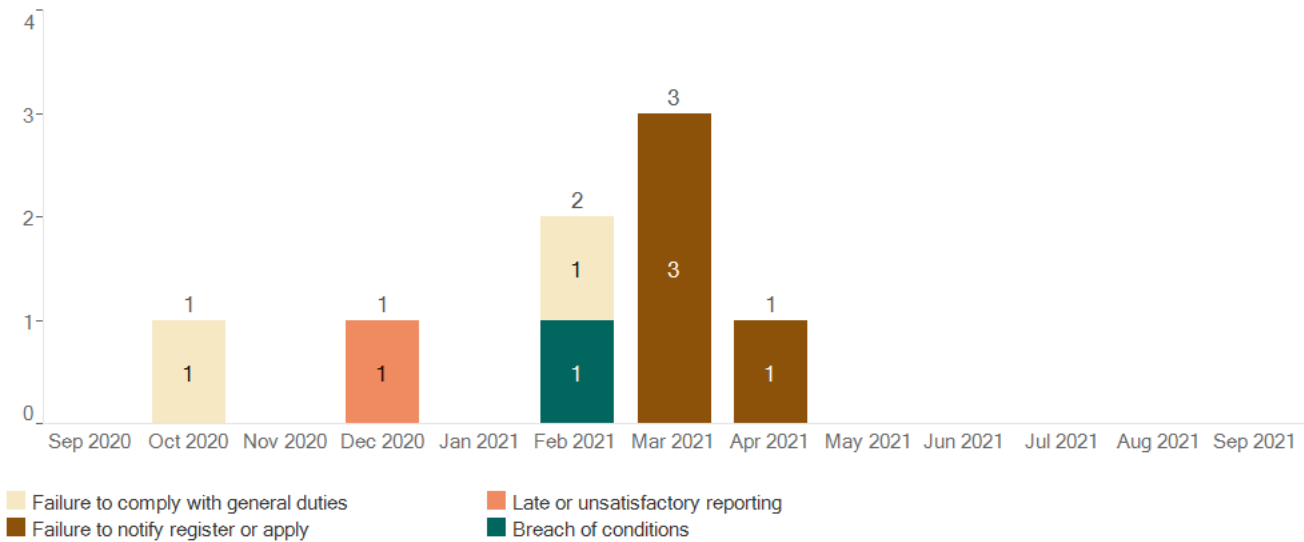
- Security - Review by Minister (Appeal) s.261BE Mining Act 1992
- Security Deposit Review - Mining
- Security Deposit Review - Exploration

Compliance concerns and non-compliances

Safety non-compliance breaches

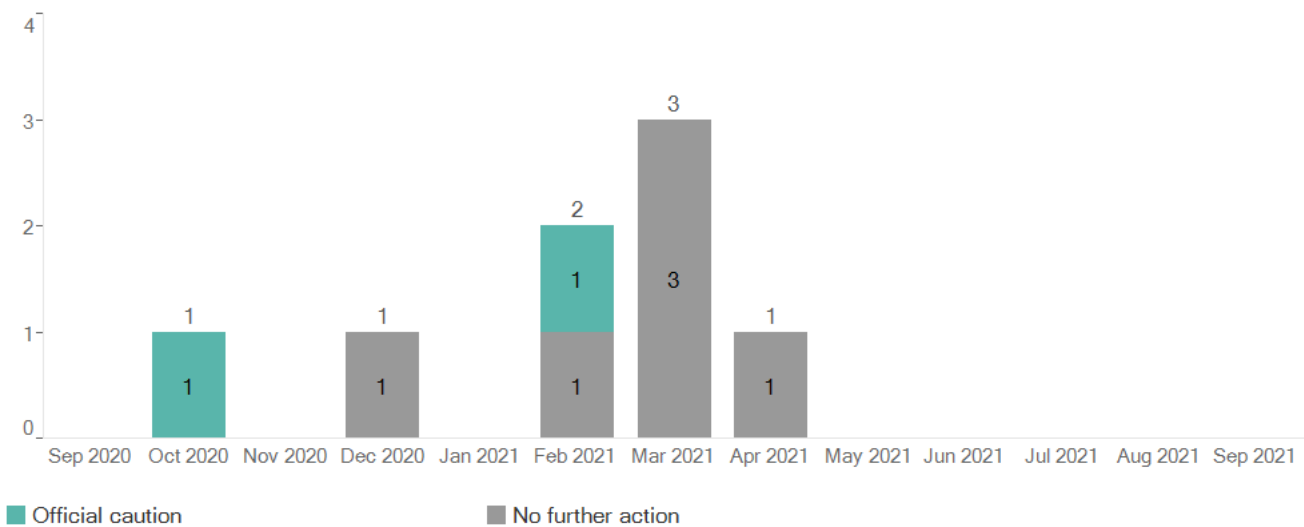
Non-compliance breaches sustained by category

SAFETY NON-COMPLIANCE BREACHES SUSTAINED BY CATEGORY



Non-compliance breaches sustained by regulatory response

SAFETY NON-COMPLIANCE BREACHES SUSTAINED BY REGULATORY RESPONSE

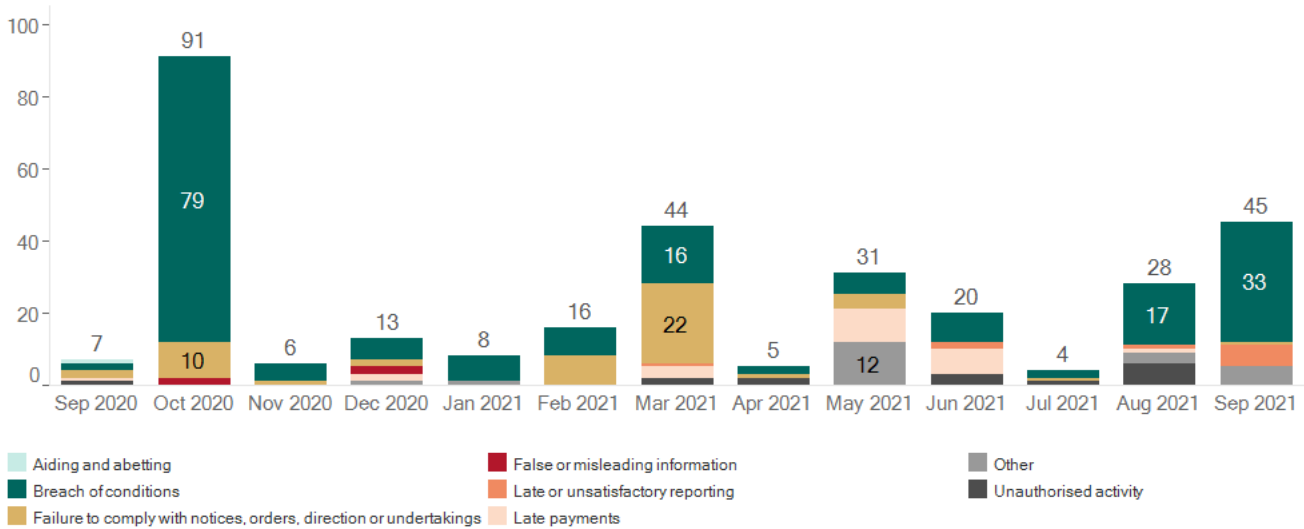


Mining Act non-compliance breaches

Non-compliance breaches sustained by category

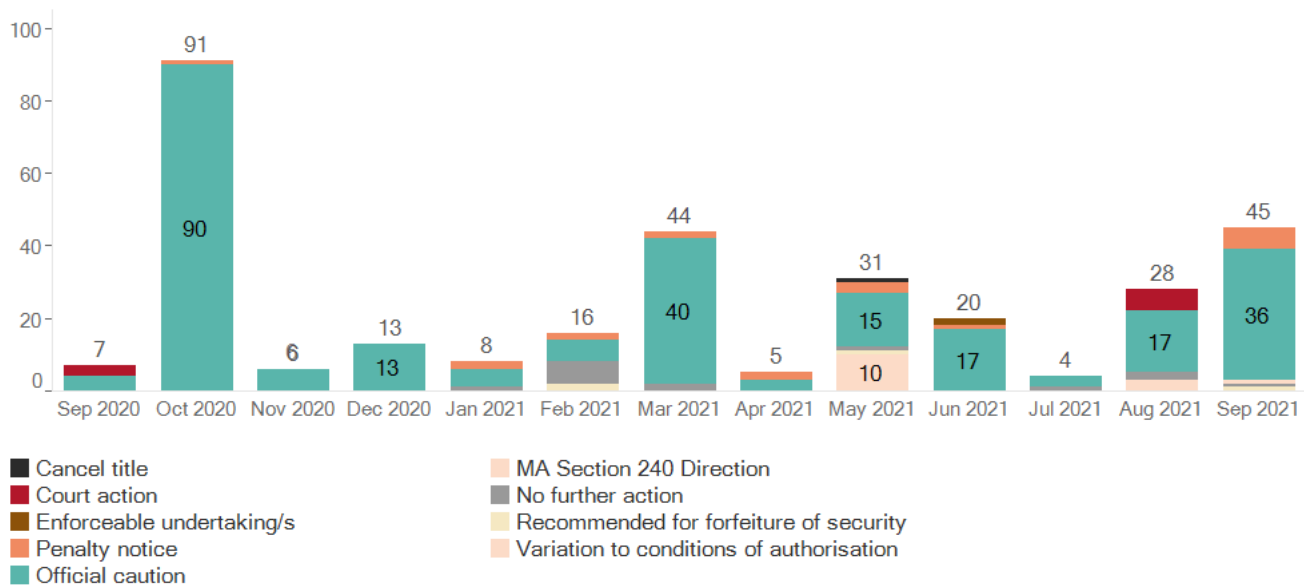
Compliance categories shown in the figure below is non-exhaustive.

MINING ACT 1992 NON-COMPLIANCE BREACHES SUSTAINED BY CATEGORY



Non-compliance breaches sustained by regulatory response

MINING ACT 1992 NON-COMPLIANCE BREACHES SUSTAINED BY REGULATORY RESPONSE



Key enforcement actions

MINING ACT 1992 KEY ENFORCEMENT ACTIONS

DATE	ENTITY	AUTHORITY	ACTION	AMOUNT	ALLEGATION/FINDING
01 Sep	Individual	MC 60262	Prohibition	N/A	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting or mining operations without authorisation to do so.
02 Sep	Manuka Resources Ltd	ML 1659 (1992)	Penalty	\$5,000	Failure to comply with s240 of the <i>Mining Act 1992</i> .
13 Sep	Individual	MC 60286	Prohibition	N/A	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting or mining operations without authorisation to do so.
13 Sep	Perilya Broken Hill	CML 11 (1973)	Penalty	\$2,500	Breach condition authorisation by having a stockpile of spilled tailings onsite without authorisation.
13 Sep	Perilya Broken Hill	CML 9 (1973)	Penalty	\$2,500	Breach condition authorisation when batters were found not to have reached rehabilitation and objectives criteria in accordance with Mining Operations Plan.
13 Sep	Perilya Broken Hill	CML 8 (1973)	Penalty	\$2,500	Breach condition authorisation due to ongoing issues with erosion since 2 August 2017 which have not been prevented by titleholder.
13 Sep	Perilya Broken Hill	CML 5 (1973)	Penalty	\$2,500	Breach condition authorisation for failure to conduct rehabilitation monitoring.
13 Sep	Perilya Broken Hill	CML 4 (1973)	Penalty	\$2,500	Breach condition authorisation for failure to undertake research and rehabilitation trials in the required period.
24 Sep	Individual	N/A	Prohibition	N/A	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting or mining operations without authorisation to do so.

Industry engagement activities

Committees and other industry body involvement

COMMITTEES AND OTHER INDUSTRY BODY INVOLVEMENT

COMMITTEE/BODY	DETAIL
Earth Moving Equipment Safety Round table	Monthly meeting – Tyres and rims
Earth Moving Equipment Safety Round table	Monthly meeting – Equipment fires
Muswellbrook Local Emergency Management Committee	Quarterly meeting
Illawarra Local Emergency Management Committee	Quarterly meeting
Upper Hunter Mining Dialogue - Joint Environment Working Group	Quarterly meeting
TOTAL	5

External education and engagement activities

WORKSHOPS AND INFORMATION SESSIONS

TYPE OF ACTIVITY	LOCATION	DETAIL
Industry forum	Online	NSW Mine Rehabilitation Forum 2021
Industry forum	Online	Mine Rehabilitation Portal webinar for industry representatives
TOTAL		2

Publication and alerts

MEDIA RELEASES, SAFETY BULLETINS AND PUBLICATIONS

TYPE	NUMBER
Guidance material	4
Investigation information release	1
Media release / News item	6
Mine Rehabilitation News	1
Mine safety news	3
Reports	18
Safety alert	2
Safety bulletin	2
Video	1
Weekly summary	4
Grand Total	42