



**NSW
Resources
Regulator**

Resources Regulator Annual Report

2019 - 2020

Incorporating the Mine and Petroleum Site Safety Levy



RESOURCES
REGULATOR
**TELEPHONE
MENU**



1300 814 609

For all other enquiries, **PRESS 2** 8.30AM - 4.30PM MON - FRI

**NOTIFY AN
INCIDENT**

🕒 24/7

To notify a safety incident,
or to enquire about an
incident you have already
notified, **PRESS 1**



**AUTHORISATIONS, PLANT REGISTRATION,
LICENCES & EXEMPTIONS** PRESS 2

**COMPETENCE, PRACTISING CERTIFICATES
& MUTUAL RECOGNITION** PRESS 3

MINE SAFETY GENERAL PRESS 4

MINING ACT COMPLIANCE PRESS 5

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2019-20 activities overview

This annual business activities overview shows key compliance and enforcement activities undertaken by the NSW Resources Regulator across NSW's mining sector. It profiles regulatory activities we performed under work health and safety and Mining Act legislation.

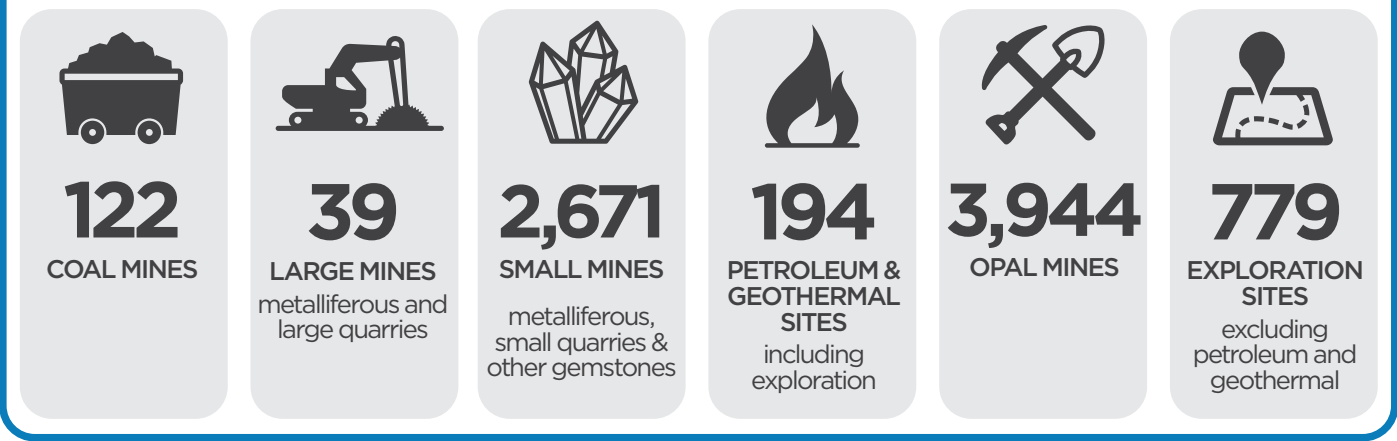
Key safety activities

We are the **state's work health and safety regulator for mines and petroleum sites.**

7,749

Active mines (FY 2019-2020)

The NSW Resources Regulator regulates safety activities in the following industry sectors

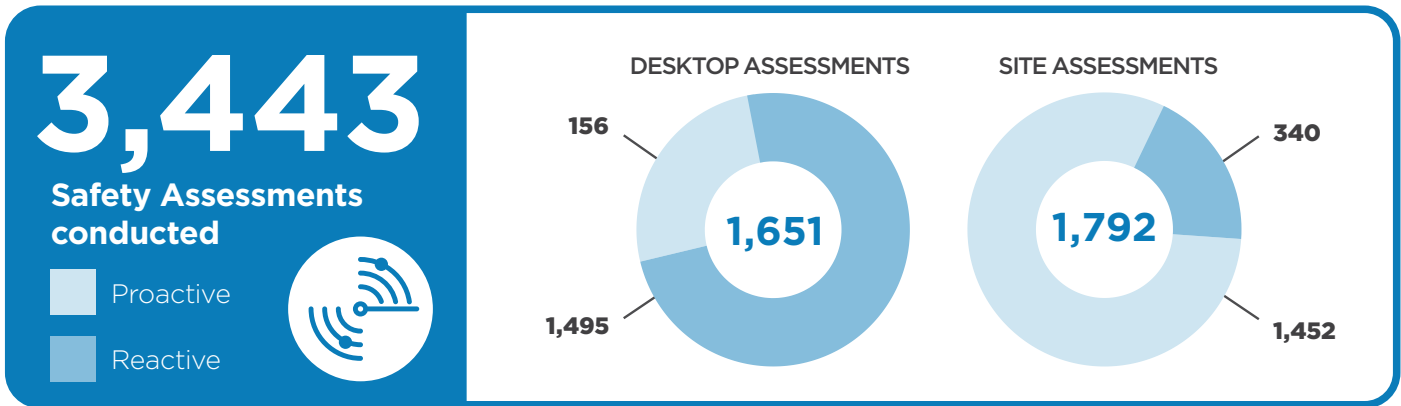


* by requirement to report as notified by mines.

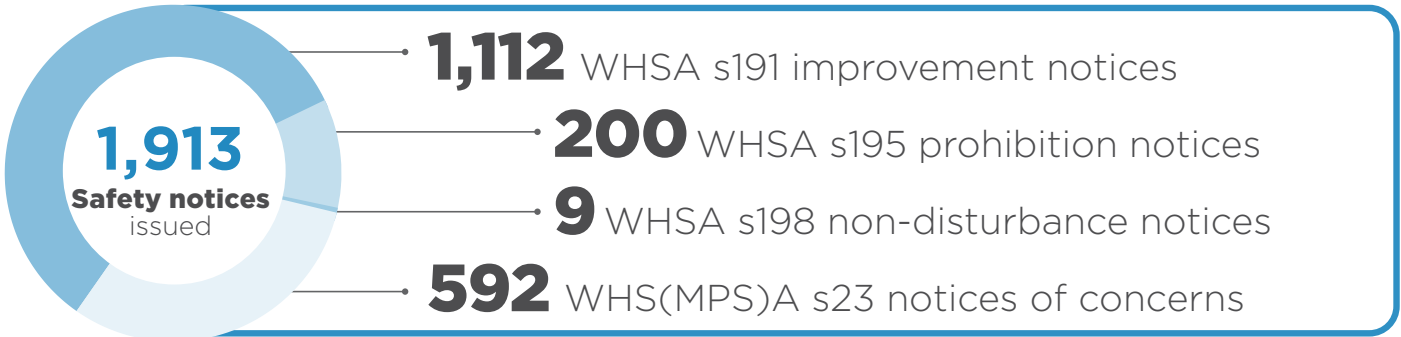
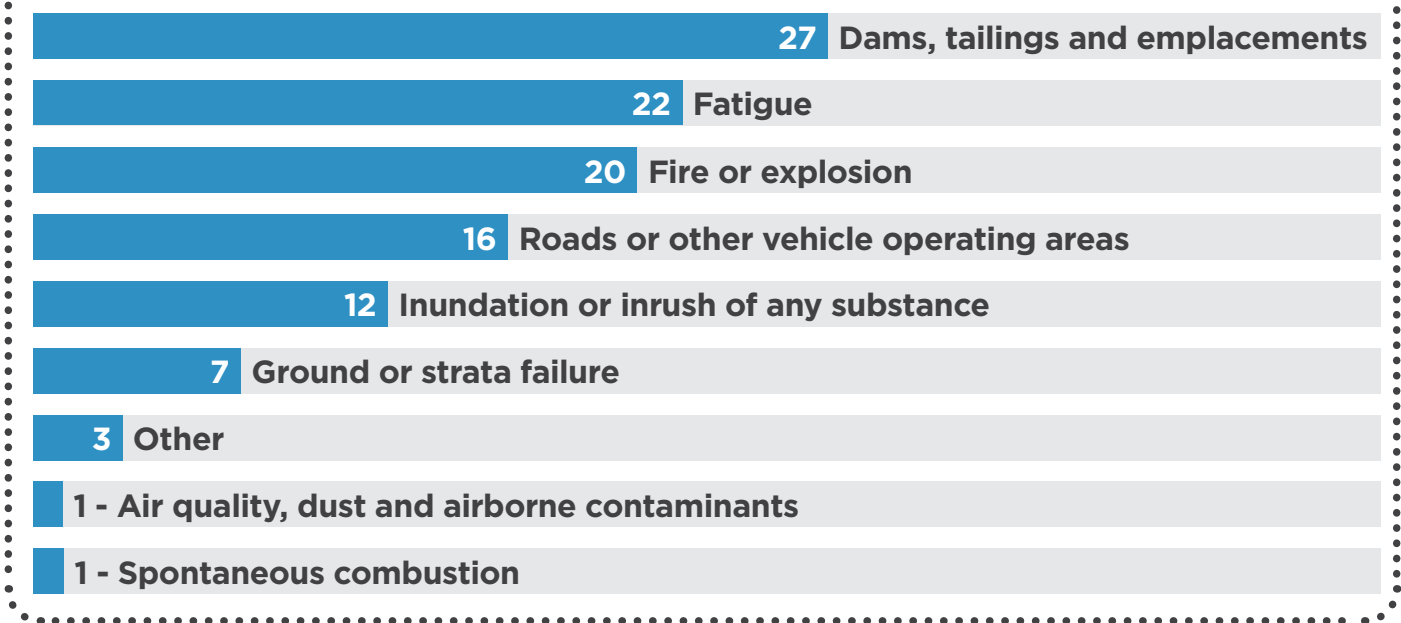
The actual number of incidents, injuries and illnesses recorded may differ from original incident notifications following assessment of the notified event.



2019-20 activity overview



109 Targeted safety site assessments commenced



3 Causal safety investigations completed

- Workers evacuated after gas levels rise ([IIR19-02](#))

Collision between semi-autonomous dozer and manned excavator ([IIR19-04](#))

Worker injured by pin ejecting under pressure ([IIR19-09](#))

2019-20 activities overview

Key Mining Act activities

We conduct compliance and enforcement activities under the *Mining Act*, with a focus on **mine rehabilitation**.

2,011 current mining titles (as at 30/6/2020)



566
COAL



1,445
MINERALS

Source: Titles Administrations System (TAS) generated 30/6/2020. Petroleum titles excluded.

3,358 current small scale titles (as at 30/6/2020)



3,204
LIGHTNING RIDGE



154
WHITE CLIFFS

Source: Opal Claims System (OCS) generated 30/6/2020

195



Mining Act compliance concern allegations received

387



Mining Act compliance concern potential breaches alleged

377



Mining Act compliance concern breaches sustained



377

Mining Act compliance breaches sustained by category

254 Breach of conditions

62 Late or unsatisfactory reporting

23 Late payments

15 False or misleading information

9 - Failure to comply with notices, orders, directions or undertakings

4 - Unauthorised activity


10 - Other

2019-20 activity overview



3,913
Mining Act requests for service actioned

331 Mine rehabilitation security deposit reviews conducted

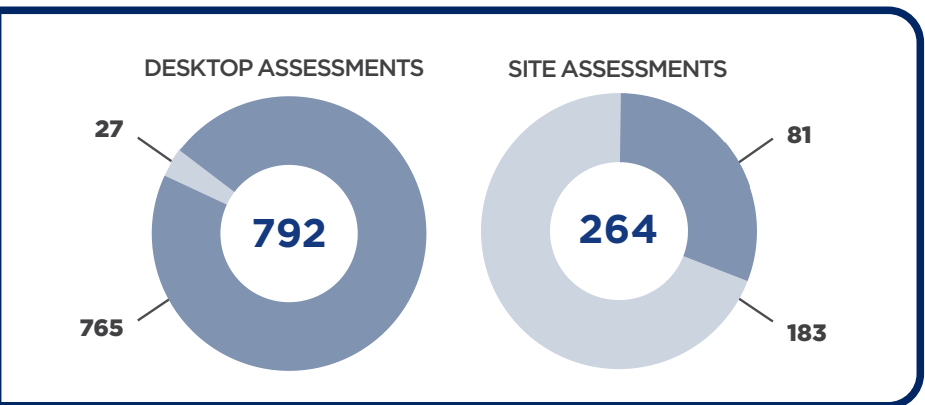


SECURITY DEPOSIT REVIEWS

- 131 - mining
- 194 - exploration
- 3 - petroleum operations
- 3 - by Minister (Appeal) s.261BE Mining Act 1992

1,056
Mining Act assessments conducted

- Proactive
- Reactive

62 Mining Act notices issued

- 1 Mining Act s240A prohibition notices
- 61 Mining Act s240 notices of directions

8 Rehabilitation Information Releases published

- | | | | |
|---|--|--|--|
| Whitehaven open cut coal mine (IIR19-08) | Castillo Copper exploration project (IIR19-10) | Nymboida Clay Mine (IIR19-12) | Kemspey Clay Mine (RIR20-01) |
| Catherine Hill Bay Coal Prep Plant (RIR20-02) | Westside open cut coal mine (RIR20-03) | Fieldsend Clay Mine (RIR20-04) | Ulan Coal Mine (RIR20-05) |

2019-20 activity overview

Our enforcement actions

SAFETY

ISSUED

19

OFFICIAL CAUTIONS

ISSUED

1

PENALTY NOTICES

ACCEPTED

3

ENFORCEABLE UNDERTAKINGS

- 2 enforceable undertakings rejected
- 5 enforceable undertakings notice of variations accepted
- 4 enforceable undertakings finalised

ISSUED

0

stop work orders



3

prosecutions commenced

5

prosecutions finalised



MINING ACT

ISSUED

240

OFFICIAL CAUTIONS

ISSUED

39

PENALTY NOTICES

ACCEPTED

1

ENFORCEABLE UNDERTAKINGS

ISSUED

2

suspension of operations

ISSUED

3

cancellation of titles



3

prosecutions commenced

3

prosecutions finalised



Engaging with industry



21

Safety alerts and bulletins



6

Investigation reports




18

Information releases

2019-20 activities overview


Engaging with industry



conducted

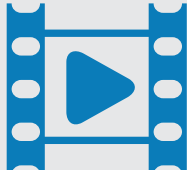
92

workshops and education sessions



4
MAJOR EVENTS

1,329
INDUSTRY ATTENDEES



127.9k
VIEWS OF OUR EDUCATIONAL VIDEOS

5,300
HOURS OF WATCH TIME

33%
SUBSCRIBER GROWTH ACROSS OUR THREE EXTERNAL NEWSLETTERS

38%
AVERAGE OPEN RATE ACROSS ALL NEWSLETTERS (GOV AVG 28%, ALL INDUSTRY AVG 21%)

For further information regarding these activities please refer to [Monthly business activities report June 2020](#).

About us

The NSW Resources Regulator is a stand-alone regulator within the Department of Regional NSW.

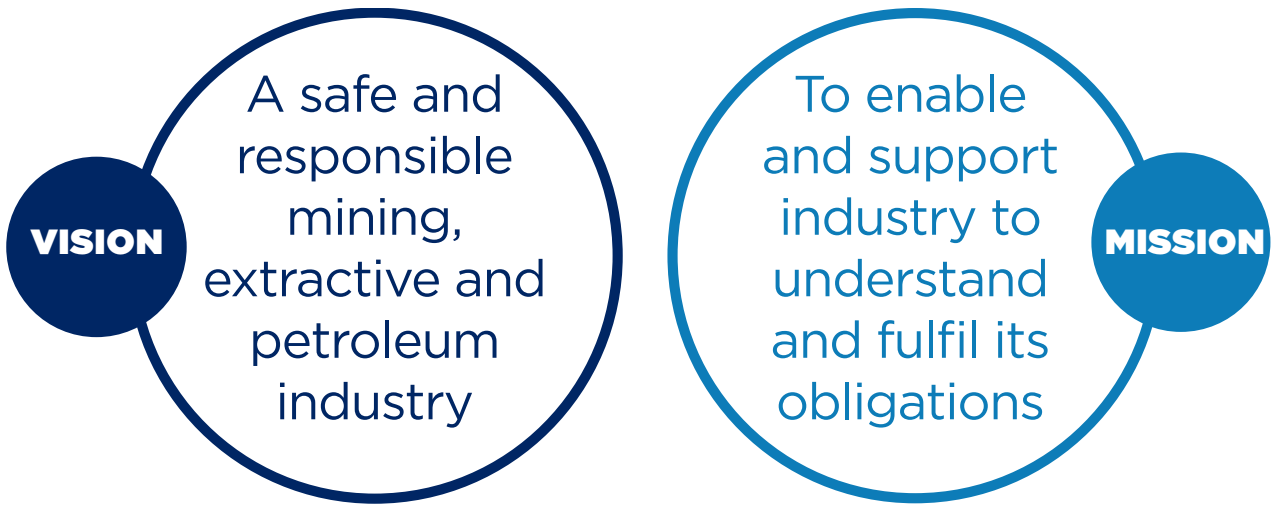
We are responsible for regulating:

- work health and safety at NSW mine and petroleum sites
- compliance under the Mining Act 1992.

Our activities are designed to ensure a consistent and responsive regulatory approach and provide increased transparency and community confidence.

In administering these functions, we undertake various regulatory activities such as:

- receiving and considering complaints, safety incident notifications and requests from interested parties
- conducting inspections, audits and investigations
- assessing licensing and registration applications
- issuing prohibition and other statutory notices
- taking enforcement action such as issuing penalty infringement notices or commencing prosecution proceedings
- taking other administrative actions such as suspension or cancellation of authorities.



Key initiatives and outcomes

Compliance and enforcement

The Resources Regulator has a risk-based and outcomes-focused approach to compliance and enforcement. While the laws we administer set minimum standards that industry must meet, we seek to encourage a positive compliance culture, where industry demonstrates best practice by actively adopting measures and practices over and above legislative requirements.

Our regulatory activities are guided by our [compliance and enforcement approach](#).

Compliance priorities

By publishing our [compliance priorities](#), we aim to provide increased transparency, community and industry confidence in our regulatory activities and increase levels of voluntary compliance.

During the 2019/2020 financial year (the reporting period) the following priorities were identified within our compliance program:

| PRIORITY | SECTOR | PERIOD |
|--|-------------------------------|-----------------------|
| Dust - worker exposure, monitoring and reporting | Small and metalliferous mines | July - December 2019 |
| Conveyor Belts - lifeline standards and fire risk | Underground coal | July - December 2019 |
| Roadway and intersection design standards | Surface coal | July - December 2019 |
| Tailings management | Coal and metalliferous | July 2019 - June 2020 |
| Compliance management and systems | Mining leases | July - December 2019 |
| Key statutory functions at quarries and nomination of statutory positions | Small mines | January - June 2020 |
| Change management (ensuring change management procedures are in place) | Metals and petroleum | January - June 2020 |
| Autonomous mining systems | Engineering | January - June 2020 |
| Self-escape systems in underground mines | Coal and metalliferous | January - June 2020 |
| Progressive rehabilitation | Mining leases | January - June 2020 |
| Subsidence management | Mining leases | January - June 2020 |

COVID-19 response

We implemented a [response plan](#) to manage the risk of COVID-19 transmission arising from the declared pandemic. The plan is consistent with the advice from NSW Health and the broader NSW government approach and takes into account the specific considerations which reflect our operational model.

The pandemic caused us to halt or modify field assessment activity and face-to-face engagement activities, but assessment programs returned to normal levels in July 2020.

Focus on risk controls for work health and safety

Our proactive assessment program includes a clear focus on risk controls. This assessment program fundamentally underpins much of the inspection and assessment work we conduct on mine sites.

In developing assessment tools for our proactive assessment program, we conducted a series of internal, multi-day, bowtie workshops. The results of these workshops helped to identify the principal mining hazards, including the identification of critical controls using a process aligned with the guidance provided within the [ICMM Critical Control Management](#) documents.

Our assessment program includes two assessment levels:

- a desktop assessment to examine how risk controls are identified and defined within the documented safety management system (control definition assessment)
- a site assessment to observe how risk controls are implemented and maintained where workers are exposed (control implementation assessment).

Our assessment tools are not a definitive list of the critical controls that exist at a mine or quarry, but a series of targeted questions designed to assist inspectors in identifying deficiencies with a site's safety management system or management of principal hazards. The results of these assessments are recorded, analysed and used to develop constructive advice and feedback to industry.

During the reporting period we conducted 109 targeted safety site assessments that focused on the following hazard areas:

- [dams, tailings and emplacements](#)
- [fatigue](#)
- fire or explosion ([underground coal](#) and [metalliferous](#))
- roads or other vehicle operating areas
- inundation or inrush of any substance
- ground or strata failure
- [air quality, dust and other airborne contaminants \(including diesel exhaust and respirable dust\)](#)
- spontaneous combustion.

We also continued our focus on [fires on mobile plant](#) and published a [position paper](#), [fact sheet](#) and three [analysis reports](#).

Compliance audits

Our compliance audit program assesses specific requirements of the *Mining Act 1992* and examines the operational performance of mining operations to achieve sustainable and safe operations.

The audit program is developed using a risk review process to identify the audit focus. A risk assessment methodology (*broadly based on AS/NZS ISO 31000:2009 Risk management - Principles and guidelines*) is used to develop a broad risk profile for each sector to assist in the development of an audit program.

During the reporting period our audit program has focused on:

- rehabilitation progress on mine sites
- exploration drilling and compliance with exploration activity approvals
- general dip sampling cross sections of each sector.

We completed 12 compliance audits during the reporting period including:

| AUDIT | DATE |
|--|---------------|
| Maules Creek - Exploration | July 2019 |
| Glenella Quarry - Mining operations and exploration activities | July 2019 |
| Narrabri South - Exploration program | July 2019 |
| Tritton Operations - Compliance and rehabilitation | August 2019 |
| Mount Owen complex - Topsoil management | August 2019 |
| Hunter Valley Operations - Topsoil management | August 2019 |
| Wambo Mine - Topsoil management | August 2019 |
| Mount Pleasant, Mach Energy - Rehabilitation/mine development | August 2019 |
| Perilya Broken Hill Operations - Mining and exploration activities | October 2019 |
| Woodlawn Mine - Tailings/rehabilitation | February 2020 |
| Dendrobium Colliery - Compliance | April 2020 |
| Metropolitan Colliery - Subsidence management | June 2020 |

Major investigations

Major investigations are often initiated for complex, serious and high-risk matters, including workplace fatalities and serious injuries. This includes facilitating and coordinating escalated enforcement actions, such as prosecutions and enforceable undertakings, and administrative sanctions such as a cancellation or suspension of authorities.

Detailed reports are published on incidents early as a useful resource for industry to provide information that may assist with risk assessments, the cause and circumstance of the incident, findings, best practice examples and action taken. As part of the lessons learned from some of these incidents, we have developed detailed animations to share and better engage with industry stakeholders.

During the reporting period we published 19 investigation information releases, two full investigation reports and 11 Learning from Investigations video animations.

| REFERENCE | TITLE |
|--------------------------------------|---|
| IIR19-05 | Non-work related fatality |
| IIR19-06 | Workers foot trapped in conveyor |
| IIR19-07 | Worker hit by continuous miner |
| Investigation report | |
| IIR19-08 | Improving progressive rehabilitation |
| IIR19-09 | Pin ejects under pressure, injures worker (For causal investigation report see below) |
| IIR19-10 | Improving rehabilitation, sediment & erosion controls |
| IIR19-11 | Non-work, related fatality |
| IIR19-12 | Rehabilitation of former clay mine |
| IIR19-13 | Worker hit by shotcrete |
| IIR19-14 | Worker injured on longwall support |
| IIR20-01 | Worker A Mixed dust pneumoconiosis |
| IIR20-02 | Collision between dozer and light vehicle |
| IIR20-03 | Light vehicle drives over open edge |
| IIR20-04 | Non-work related fatality |
| IIR20-05 | Worker seriously injured from fall |
| IIR20-06 | Non-work related fatality |
| Investigation report | Truck fire |
| IIR20-07 | Partial collapse of ventilation shaft (For causal investigation report - see below) |
| IIR20-08 | Worker's arm injured in belt press fitter |
| IIR20-09 | Worker injured repairing jaw crusher |
| Video animation | Learning from investigations: Workers evacuated after gas levels rise |
| Video animation | Learning from investigations: Bulga Open Cut dump truck collision |
| Video animation | Learning from investigations: Refuelling mobile plant |
| Video animation | Learning from investigations: Mangoola Coal Mine Excavator 151 Cab Incident |

| REFERENCE | TITLE |
|---------------------------------|---|
| Video animation | Learning from investigations: Maules Creek Mine truck collision |
| Video animation | Learning from investigations: Autonomous dozer collision |
| Video animation | Learning from investigations: Workers trapped in shaft |
| Video animation | Learning from investigations: Worker injured by pin ejecting under pressure |
| Video animation | Learning from investigations: Tyre handler fatality, Bengalla Coal Mine |
| Video animation | Learning from investigations: Dangerous blasting incident at Albury Quarry |
| Video animation | Learning from investigations: Serious injuries sustained by a worker at Cowal Gold Mine |

Causal investigations

A causal investigation is an investigation into a safety incident notified to us under the work health and safety laws, not to obtain evidence for a prosecution but rather to identify the causal factors of safety incidents, the effectiveness of the controls being used and what factors may have contributed to the failure of the controls.

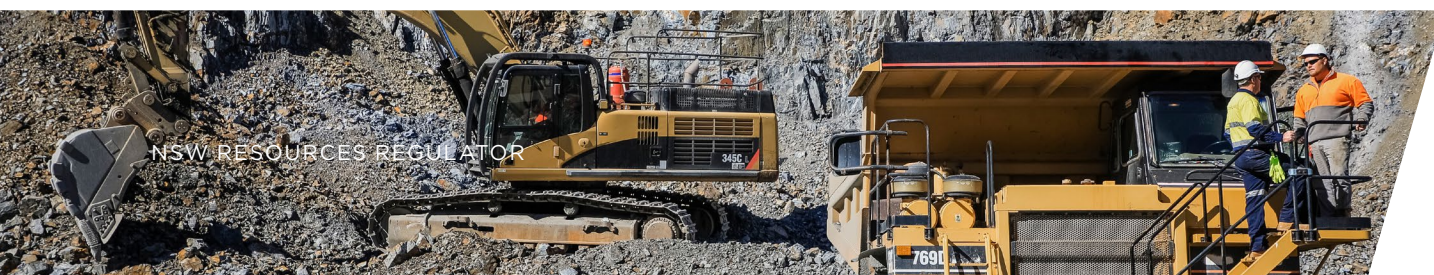
Under our [causal investigation policy](#) we may refer an incident for a causal investigation when the safety incident:

- did not involve the death or serious injury of any person, or
- did not involve any reckless conduct by persons that resulted in the safety incident, or
- did not involve the provision of false or misleading information to the Regulator about the safety incident.

The purpose of this approach is to ensure transparency and that vital information is disseminated to industry as soon as possible regarding significant or high potential safety events.

We published three causal investigation reports during the reporting period:

- [Causal investigation - Metropolitan mine-gas-incident](#)
- [Causal investigation - Ravensworth open-cut mine](#)
- [Causal investigation - Wambo North underground coal mine](#)



Enforcement measures

The enforcement options embodied in our [compliance and enforcement approach](#) allows for a balanced approach which, rather than simply being a punishment, stops improper conduct, promotes behavioural change, and is remedial and focused on future compliance. This means that we may, and often, simultaneously apply multiple enforcement tools to achieve the desired compliance outcome.

While prosecutions are the final tool in our enforcement approach, they are usually reserved for matters particularly grave in nature (such as fatalities) or matters of negligence and disregard that require a strong regulatory response. However, the most common enforcement measures employed to encourage and guide industry to better practice include increased intensity of regulatory engagement, warning letters, directions or notices.

During the reporting period we undertook the following enforcement actions:

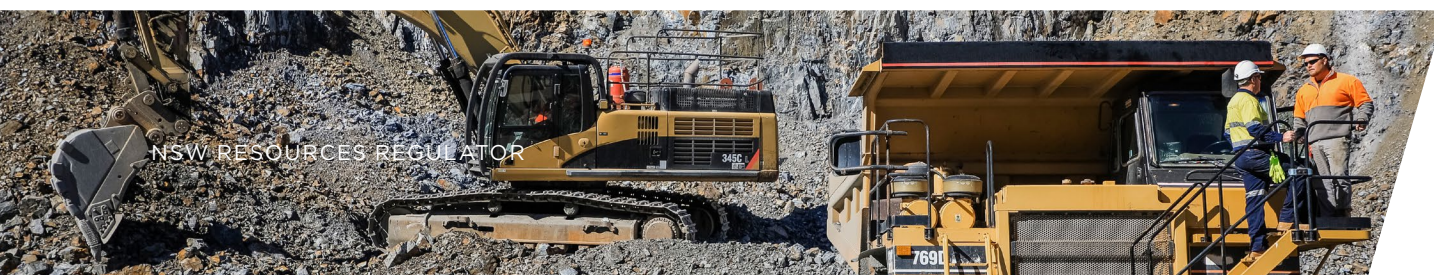
| ENFORCEMENT MEASURE | WORK HEALTH AND SAFETY | MINING ACT |
|---------------------------------------|------------------------|------------|
| Compliance concern breaches sustained | 63 | 377 |
| Notices issued | 1,913 | 62 |
| Official cautions issued | 19 | 240 |
| Penalty notices issued | 1 | 39 |

Prosecutions

The most serious breaches under the legislation we regulate require appropriately elevated regulatory responses.

We launched proceedings against six mine operators or PCBUs, for failures to meet duties under the *Mining Act 1992* and work health and safety laws. During this same period, we finalised eight proceedings, with our position on one decision still under consideration.

The prosecutions involved a fatal drowning incident, a worker suffering multiple serious injuries and failing to comply with duties under work health and safety laws. The other proceedings were initiated against operators for breached conditions of authorisation or failures to comply with improvement notices directions or with conditions of authorisations.



Prosecutions commenced and ongoing

| DEFENDANT | | LEGISLATION | STATUS |
|----------------------------------|---|---|----------------------------|
| Young Mining Company Pty Ltd | Between 25 July - 5 August 2019, there were failures to comply with a condition of an authorisation and a statutory notice. | <i>Mining Act 1992</i> | Commenced 18 December 2019 |
| Young Mining Company Pty Ltd | On 17 April 2019 there were failures to comply with the directions of one prohibition and eight improvement notices. | <i>Work health and safety Act 2011</i> | Commenced 18 March 2020 |
| Boral Resources Pty Ltd | At a South Coast quarry, during the periods 22 - 23 August 2018 and 16 - 20 August 2019, there were 28 recorded exceedances to the exposure standards for silica. Over this same period there were eight instances of failing to notify the Regulator of certain incidents. | Work health and safety Regulation 2017 and Work Health and Safety (Mines and Petroleum Sites) Regulation 2015 | Commenced 18 May 2020 |
| Tritton Resources Pty Ltd | On 23 June 2018, 19 workers became trapped in an underground copper mine when a haul truck caught fire on the decline. All workers retreated to refuge chambers until the fire was extinguished, about six hours later. | <i>Work health and safety Act 2011</i> | Commenced 18 June 2020 |
| Cobar Management Pty Ltd | On 11 June 2014, a worker at an underground mine died by drowning while attempting to unblock a sump drain hole. | <i>Work health and safety Act 2011</i> | In progress |
| Hunter Quarries Pty Ltd | On 9 September 2014, an employee was fatally injured while operating an excavator at a Karuah Quarry. | <i>Work health and safety Act 2011</i> | In progress |
| Tony Glenn Cummings (Individual) | On 4 November 2016, a worker was struck by a 120kg steel materials bucket that fell 14 metres from surface down the shaft at Mineral Claim 44507, Mulga Rush Opal Fields, Lightning Ridge. | <i>Work health and safety Act 2011</i> | In progress |

| DEFENDANT | | LEGISLATION | STATUS |
|-----------------------------------|---|--|-------------|
| Peak Gold Mines Pty Ltd | On 3 April 2017, a worker operating a mobile rock drill at an underground gold mine died after losing consciousness while being transported to the surface. | <i>Work health and safety Act 2011</i> | In progress |
| Moolarben Coal Operations Pty Ltd | On 17 May 2019, six workers were exposed to potential for injury or death from flyrock, from an open cut blast carried out at Moolarben Coal Mine. | <i>Work health and safety Act 2011</i> | In progress |
| Michael Chaplin (Individual) | On 17 May 2019, six workers were exposed to potential for injury or death from flyrock, from an open cut blast carried out at Moolarben Coal Mine. | <i>Work Health and Safety Act 2011</i> | In progress |

Prosecutions finalised

| DEFENDANT | DETAILS | LEGISLATION | COMMENCEMENT DATE | FINES |
|-----------------------------|--|--|-------------------|---|
| LakeCoal Pty Limited | On 22 January 2016, a worker sustained a serious laceration to the head from a damaged W-strap while travelling on an underground roadway. | <i>Work Health and Safety Act 2011</i> | 19 January 2018 | Convicted and fined \$180,000 and ordered to pay Regulator's costs. [2019] NSWDC 402 Determination: 9 August 2019 |
| Otraco Pty Limited | On 10 August 2017, a worker suffered serious burns when diesel ignited while refuelling a tyre handler. | <i>Work Health and Safety Act 2011</i> | 31 July 2019 | Prosecution discontinued on acceptance of WHS undertaking . Determination: 16 September 2019 |
| Vincenzo Sferruzzi | On 6 March there was a failure to comply with the authorisation conditions on a mining lease near White Cliffs. | <i>Mining Act 1992</i> | 12 February 2019 | Convicted and fined \$1,000 and ordered to pay Regulator's costs. Determination: 18 September 2019 |
| Mudgee Stone Co Pty Limited | There was unauthorised (unlawful) mining at a Central West quarry between 27 October - 13 November 2018, and failure to comply with a prohibition notice between 14 November - 19 December 2018. | <i>Mining Act 1992</i> | 5 June 2019 | Convicted and fined \$220,000 and ordered to pay Regulator's costs. Determination: 23 October 2019 |

| DEFENDANT | DETAILS | LEGISLATION | COMMENCEMENT DATE | FINES |
|-----------------------|--|--|-------------------|--|
| Robert Murdoch | There was unauthorised (unlawful) mining at a Central West quarry between 27 October - 13 November 2018, and failure to comply with a prohibition notice between 14 November - 19 December 2018 (executive liability). | <i>Mining Act 1992</i> | 5 June 2019 | <p>Convicted and fined \$80,000 and community corrections order requiring good behaviour for two years.</p> <p>Convicted and fined \$20,000 in relation to a previous prosecution under the Act against Mr Murdoch (in 2018). The court recalled a good behaviour bond imposed for obstructing an inspector.</p> <p>Determination: 23 October 2019</p> |
| LD Operations Pty Ltd | On 22 January 2016, a worker sustained a serious laceration to the head from a damaged W-strap while travelling on an underground roadway. | <i>Work Health and Safety Act 2011</i> | 19 January 2018 | <p>Convicted and fined \$136,000 and ordered to pay Regulator's costs</p> <p>[2019] NSWDC 727</p> <p>Determination: 5 December 2019</p> |
| Richard Wayne Simmons | On 13 December 2016, a worker sustained fatal injuries when the suspended tailgate of a coal haulage trailer fell and struck the worker in the head. | <i>Work Health and Safety Act 2011</i> | 8 December 2018 | <p>Convicted and fined \$90,000 and ordered to pay Regulator's costs</p> <p>[2020] NSWDC 81</p> <p>Determination: 3 April 2020</p> |

| DEFENDANT | DETAILS | LEGISLATION | COMMENCEMENT DATE | FINES |
|----------------------------|---|--|-------------------|--|
| Maules Creek Coal Pty Ltd | On 21 April 2018, a worker suffered serious injuries when the service truck he was driving and a large haul truck collided. | <i>Work Health and Safety Act 2011</i> | 18 December 2019 | Prosecution discontinued on acceptance of WHS undertaking . Determination: 10 August 2020 |
| Au Exploration Pty Limited | A failure to comply with activity approval conditions. | <i>Mining Act 1992</i> | 6 March 2019 | Convicted and fined \$3,000 and ordered to pay Regulator's costs. Determination: 11 September 2020 |
| NBH Resources Pty Limited | A failure to comply with activity approval conditions. | <i>Mining Act 1992</i> | 6 March 2019 | Convicted and fined \$6,000 and ordered to pay Regulator's costs. Determination: 11 September 2020 |
| TOTAL FINES | | | | \$736,000 plus Regulator's costs |

A [summary table of prosecutions](#) is also available from our website.

Enforceable undertakings

Enforceable undertakings are legally binding agreements proposed by a company or person which are accepted by the Regulator, following an alleged contravention of the Act, as an alternative to prosecution. We publish accepted [enforceable undertakings](#) on our website.

An enforceable undertaking is a commitment by a company or person to implement initiatives designed to deliver tangible benefits for the industry and broader community. The initiatives are intended to resolve both the behaviour of concern that has led to the alleged contravention and rectify the consequences of the conduct.

During the reporting period, the following enforceable undertakings were accepted or rejected and were to a value of \$2,164,911:

| ENFORCEABLE UNDERTAKING | LEGISLATION | STATUS | AMOUNT (\$) |
|---|------------------------|----------|--------------------|
| Mt Arthur Coal Pty Ltd | Work health and safety | Accepted | 1,090,750 |
| Total Minerals Pty Ltd & Total Iron Pty Ltd | Mining Act | Accepted | 91,000 |
| Otraco International Pty Limited | Work health and safety | Accepted | 458,219 |
| Clarence Coal Pty Limited | Work health and safety | Accepted | 524,942 |
| Maules Creek Coal Pty Ltd | Work health and safety | Rejected | N/A |
| Clarence Coal Pty Ltd | Work health and safety | Rejected | N/A |
| TOTAL AMOUNT | | | \$2,164,911 |

Suspension and cancellation of mining authorisations

Suspension or cancellation of an authority is sought where serious contraventions have occurred or where the authority holder is unwilling or unable to return to compliance.

We suspended two mining authorisations and cancelled three mining authorisations following alleged contraventions of the *Mining Act 1992*.

| NOTICE | ISSUED TO | DATE |
|------------------------------------|--------------------------------------|------------------|
| Suspension notice | Young Mining Company Pty Ltd (CML15) | 31 July 2019 |
| Suspension notice | Narrabri Coal Pty Ltd et al (EL6243) | 22 August 2019 |
| Decision to cancel | Mr Vince Sferruzzi (M(C)L 213) | 4 September 2019 |
| Decision to cancel | Multiple lease holders (ML 1259) | 24 February 2020 |
| Decision to cancel | Multiple lease holders (ML 1127) | 5 June 2020 |

All our administrative decisions can be found [here](#).

COVID-19 assessments

We published the [results from our proactive inspection program](#) which focused on how mine operators were responding to COVID-19 risks. The inspection program generally found that mine operators had responded quickly and appropriately to risks posed by the virus and overall standards were high.

Our planned inspection program consistently observed that mine sites were:

- educating the workforce on the signs and symptoms of COVID-19 and encouraging self-reporting
- implementing health surveillance controls
- putting into practice good hygiene, including routine cleaning of mobile plant and crib rooms
- providing resources to allow practice of social distancing (i.e. providing more transport onsite to allow workers to be 1.5 metres apart)
- allowing flexible working from home arrangements (where appropriate) and providing robust supervision arrangements onsite.

We continue to monitor the implementation of controls through our proactive inspection program and mine operators are reminded of the need to remain vigilant to both COVID-19 related risks and the risks associated with mining hazards.

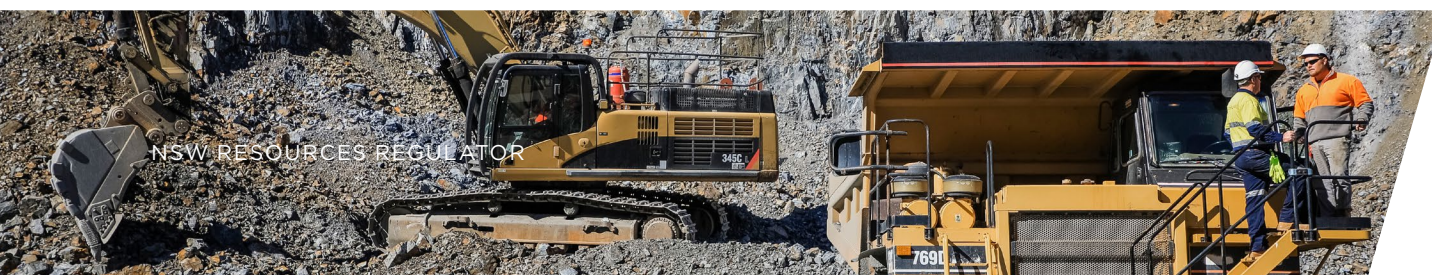
State-wide blitz on worker dust risks at quarries

We conducted a state-wide blitz at quarries as part of our [targeted intervention program](#) to examine how mine operators are managing dust risks. Dust diseases, such as silicosis, are preventable and require appropriate dust controls, atmospheric monitoring and worker health monitoring.

The program commenced in September 2019 and involved 24 mines.

Inspectors looked at whether quarry operators were identifying dust risks and putting in place subsequent controls to protect workers. In general, the assessments highlighted there was a lack of awareness among workers about the risks to their health from exposure to dust at quarry operations. Specific findings identified that the procedure for personal protective equipment (PPE) did not state the mandatory respiratory protective equipment (RPE) required for tasks and areas of the mine where workers are at increased risk due to exposure to dust.

Compliance action was taken where it was identified quarry operators have failed to report exceedances, or that exceedances have not been reported within the timeframe specified by legislation. While there were 81 notices issued (including a prohibition notice), not all were related to issues related to dust.



Rehabilitation security deposit reviews

All exploration and mining title holders are required to lodge a security deposit that covers the full rehabilitation costs. As at March 2020, the NSW Government held about \$3.1 billion in security bonds for rehabilitation of exploration and mining impacts.

We 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. Before partial or full security bonds are returned, evidence must be provided to demonstrate rehabilitation objectives have been met and final approved landform have been implemented.

During the 12 months from July 2019 we reviewed 331 assessed deposits. Of these, 194 were exploration deposits, 131 were mining deposits and a further six were for petroleum operations or determined by the Minister.

A full list can be viewed in the [assessed deposits table](#).



Regulatory reform

While a strong regulatory framework is necessary to ensure the mining industry meets its work health and safety and environmental obligations, we continually focus on reducing unnecessary regulatory burden for government and duty holders.

During the reporting period we undertook several reform measures to reduce regulatory burden.

Streamlining services and red tape reduction

Regulator Portal and WHS reports

We have invested heavily in our online Regulator Portal, with continued efficiency upgrades aimed to simplify and speed up user interactions. Through these improvements, operators are now able to fulfil their WHS reporting obligations online.

For mine operators that meet the criteria for submitting work health and safety reports, they are now submitted annually, rather than quarterly. WHS reporting reforms were initiated which have removed this obligation from about 90 per cent of mines in NSW, without impacting our ability to collect data for analytical purposes.

References no longer required for BEULs

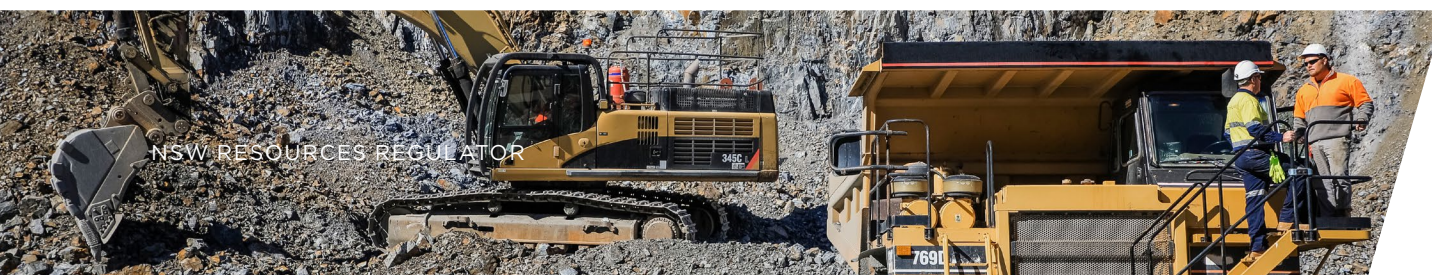
We no longer require applicants for a blasting explosive user licence (BEUL) to get a reference from us. Applicants now only apply to SafeWork NSW once they satisfy mandatory training and experience requirements, bringing mining BEULs into line with BEULs for other industries. This change will reduce the time for applicants to get a licence while ensuring appropriate competencies (qualifications, skills and experience) are held before a licence is granted.

Online survey plans submissions

All coal mines and underground metal mines (where workers work more than 10,000 hours a year) must submit survey plans, annually to the Regulator. This can now be done electronically, via the Regulator Portal, and is only required once a year (reducing the submission rate for coal mines).

Licensed activities

Licensing is a way of making sure people carrying out certain high-risk activities in coal mining have the training, systems, equipment and procedures, to conduct them safely or to restore critical risk controls to a safe state. During the reporting period we reviewed and republished more streamlined and interactive application forms.



Three-tiered approach for quarries

We have implemented a three-tiered approach to what is required for a person to apply and be granted a Quarry Manager practising certificate to exercise the statutory function. The changes reduce regulatory burden, provide a more proportional approach to the competency required for small, low-risk mines and allow the Regulator to dedicate resources to proactive on-site assessment.

We published the fact sheet [Quarry Managers Practising Certificates three-tier approach](#) to help the mining industry understand what tier may apply at their quarries.

Removal of Drilling Notification condition from non-coal exploration licences

In November 2019, the Regulator also revoked the drilling notification condition from 881 non-coal exploration licences to reduce regulatory burden for industry. This obsolete reporting condition was revoked because potential impacts to aquifer and groundwater sources are now managed under a licence condition requiring compliance with the Exploration Code of Practice: Environmental Management, July 2015. A copy of the decision can be found [here](#).



Legislative reform

We continue to review, consult and improve upon the legislative framework under which all NSW mining industry operates and during the reporting period there has been significant legislative reform.

Statutory review of WHS (MPS) laws

We facilitated a statutory review of the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* during the reporting period. Independent reviewer, Mr Kym Bills, was engaged to lead the review.

Public consultation was undertaken between 1 March and 1 May 2020, including the release of a discussion paper. Mr Bills and the Regulator conducted nine public forums, initially six face-to-face sessions across the state and, following the implementation of COVID-19 restrictions, three online forums. The consultation process elicited 24 formal submissions from the NSW Minerals Council, the CFMMEU, Lightning Ridge Miners Association, Cement Concrete and Aggregates Australia, Coal Services, as well as mining companies, industry associations and individuals.

Mr Bills has examined the submissions, the outcomes of the online survey and input from the public forums. He has considered the issues raised and prepared a report for the Minister that will be tabled in Parliament.

Airborne contaminants

We consulted with the mining industry and the NSW Mine Safety Advisory Council on the introduction of an exposure standard for emissions of diesel particulate matter. This included the release of a [discussion paper](#). As a result, the new exposure standard of 0.1mg/m³ will commence on 1 February 2021. NSW will be the first jurisdiction in Australia to adopt an exposure standard for diesel particulate matter.

Following a recommendation from the Mine Safety Advisory Council we brought forward the reduction to the occupational exposure standard for respirable coal dust of 1.5mg/m³ earlier than the specified date for commencement in the *Workplace Exposure Standard for Airborne Contaminants*. The new standard will now take effect in NSW from 1 February 2021, nearly two years earlier than proposed nationally.

We also published a [position paper](#) on our regulatory approach to the introduction of the new respirable crystalline silica workplace exposure standard of 0.05mg/m³ which took effect in NSW from 1 July 2020.

Work Health and Safety (Mines and Petroleum Sites) Regulation

We progressed amendments to the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 to address work health and safety issues, reduce regulatory burden and ensure the policy intent of the legislation is achieved. Consultation on the amendments was undertaken in October 2019 with key stakeholder groups representing the mining and petroleum industries.

The [amendments](#) to the regulation commenced on 1 February 2020 and include:

- introducing a high-risk activity notification for the establishment, operation, alteration or decommissioning of a [tailings storage facility](#) at a metalliferous mine (excluding opal mines), with appropriate transition provisions
- imposing a workplace exposure standard of 0.1mg/m³ of air for diesel particulate matter with a 12-month transition period provided
- removing the one-month requirement for giving notice to the Regulator of certain matters related to exploration
- expanding the offences for which penalty notices can be issued
- including fires on mobile plants and spontaneous combustion occurring at the surface of a coal mine as high potential incidents required to be [notified to the Regulator](#).

Certificate of competence experience prerequisites

We sought comment from stakeholders on the Mining and Petroleum Competence Board's proposal to [increase experience requirements for certificate of competence](#) applicants. The Board's proposed changes to experience requirements were in response to its review of feedback from examination panel members on the unpreparedness and lack of experience of many candidates under the current assessment requirements.

We analysed the 18 stakeholder submissions received during the consultation process to provide a recommended response for the Board to consider. In November 2019 the Board agreed to the new experience requirements that will commence on 1 April 2021.



Proposed geotechnical engineer statutory function

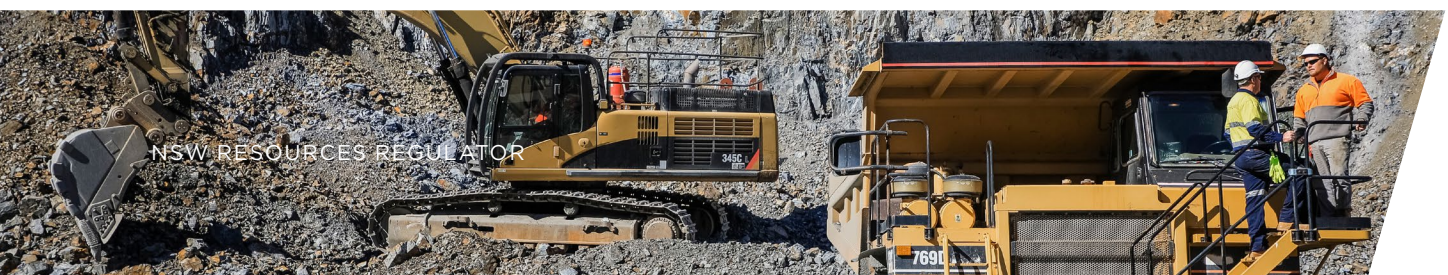
We sought comment on behalf of the Mining and Petroleum Competence Board from stakeholders on the [discussion paper](#) for a possible [new statutory function of geotechnical engineer](#) in underground coal mines. Statutory functions are detailed in schedule 10 of the Work Health and Safety Mines and Petroleum Sites Regulation 2014.

We analysed the 13 submissions received during the public consultation process. After considering the submissions, the Board decided not to proceed with recommending the introduction of the new statutory function.

Gazette notices

During the reporting period we published a range of gazette notices relating to the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*:

- [Fact sheet WHS class exemption](#)
- [Fact sheet on gas detector design order](#)
- [Gas monitor design order No.3 2020](#)
- [Ancillary reports - fires related to mobile plant 2020](#)
- [Tier-3 quarry managers class exemption March 2020](#)
- [Powered winding system design order 2020](#)
- [Practising certificate equivalence order 2020](#)
- [Work Health and Safety \(Mines and Petroleum Sites\) Exemption - Notification of other matters for exploration.](#)



Industry and community engagement

We are committed to ensuring the mining industry knows and understands its obligations. During the reporting period we continued with our engagement strategy to inform our stakeholders about our programs, legislative changes and newly developed resources and guidance.

We actively strive to improve our communications channels, approach and messaging. We held several industry events, increased the use of social media platforms and enhanced our news and information distribution channels.

Guidance for industry

Learning from disasters training package

We developed a [learning from disasters training package](#) consisting of three programs to ensure mine workers learn from past mining disasters. These programs incorporate the findings from investigations and independent reviews of mining incidents that involved fatalities and serious injury, or where the circumstances presented a significant risk of injury or death to workers or the wider community.

Fossicking guide

Following extensive stakeholder consultation, we revised and published [Fossicking: A guide to fossicking in NSW](#). This publication is a detailed and accessible guide to relevant legislation and provides clarity on restrictions relating to permissible fossicking equipment.

Opal and gemstone mining guide

The Opal and gemstone mining guide resource was developed to assist miners understand their work health and safety obligations and how to better manage them. It covers topics like emergency planning, environmental management, mine planning, roof failure and ground support, ventilation and electricity. This 226-page resource has had five print runs (first published in 1994), and copies have been handed out for free to miners who either:

- Attend in person, legislatively required training courses for opal miners. These are developed and delivered by our small mines inspectorate and held at White Cliffs and Lightning Ridge.
- Or for those that have attended our online training in 2020. These participants were mailed a hardcopy 5th edition of the book and other useful small mines, risk management material.

This document is also available on our [website](#).



Exploration, prospecting and work health and safety

We published [new guidance material](#) to assist explorers and prospectors better understand the work health and safety (WHS) laws applying to exploration and prospecting. The guide explains how fulfil certain obligations under both WHS laws and the *Mining Act 1992* or the *Petroleum (onshore) Act 1991* in one step.

Safety and health representatives training package

The safety and health representative training package has been developed for delivery to industry, site and electrical safety and health representatives at coal mines.

To ensure training delivery is of the highest standard, only suitably qualified and experienced organisations or individuals approved by us can deliver the training course. We implemented a new [approval process](#) to allow suitably competent people or organisations to get Regulator approval to deliver the training course.

Reports

We publish a range of reports on business activities and industry performance to ensure transparency of our regulatory activities and assist industry improve maintain compliance. These include:

- [Business activity reports](#) provide information on key regulatory activities carried out and are produced each month
- [Quarterly safety reports](#) provide information relating to hazard management and are prepared to assist mine and petroleum site operators meet obligations under WHS laws
- [Bi-annual exploration and mining rehabilitation reports](#) to provide information about our regulatory activities under the Mining Act
- [Annual safety performance measures report](#) to provide information and analysis on industry safety data.

Improved communication

Established engagement

Transparency and engagement remain a high priority for the Resources Regulator. To ensure open and ongoing dialogue with industry we have continued regular and bi-monthly forums with several key representative bodies, including:

- NSW Minerals Council
- Cement Concrete and Aggregates Australia
- Construction Forestry Maritime Mining Energy Union
- Australian Workers Union
- Association of Mining and Exploration Companies
- Coal Services
- Lock the Gate
- Mine Managers Association Australia.

Targeted safety messaging

In October 2019 we launched a [state-wide mine safety campaign](#) aimed at maintaining the safety record of mining in NSW. The campaign involved a series of safety resources, including video animations, to be shown to mine workers by mine operators.

In May 2020, a campaign was launched to support the Deputy Premier's [announcement](#) that new workplace exposure standard for respirable coal dust of 1.5mg/m³ will be implemented in NSW from 1 February 2021. The [Black Lung Disease: An Ongoing Focus in NSW campaign](#) was developed to support the announcement.



YouTube Channel

Effective stakeholder engagement is crucial to improving the safety culture in the mining industry in NSW. To increase engagement around investigation reports and important topics, which at times are lengthy and technical in nature, we have developed high quality animations, which can be found on our Resources Regulator [YouTube channel](#).

Our efforts to diversify our methods used to inform industry have returned promising outcomes and we will continue to develop innovative delivery solutions.

Rehabilitation action plan

We developed a strategic approach to better coordinate and increase communication and engagement activities required to educate the community and key stakeholders on our regulatory framework and the rehabilitation efforts being carried out at NSW mines. This includes the introduction of [Rehabilitation Information Releases](#) which are published to draw attention to rehabilitation outcomes, initiatives and learnings at NSW mines sites.

We have also made significant changes to the environment (Mining Act) and compliance operations section of website, including our [rehabilitation](#), [exploration](#), [tailings storage facility management](#) and [compliance](#) sections.

Industry events

Engineering events

One of our key roles is to ensure all operators and titleholders are aware of their obligations and how to meet them. Training workshops and information sessions allow us to engage with industry and help maximise compliance.

As a result of the COVID situation, the Regulator organised for key forums to continue online. This included a combined Hunter Valley and Southern/Western Districts (coal) electrical engineers forum and the mechanical engineering (surface and underground coal) forum both occurring in May 2020.

Conferences

In October 2019 we hosted the annual [Conference of Chief Inspectors of Mines](#) (CCIM) and the [Australasian Mining Competency Advisory Committee](#) (AMCAC). The conferences proved to be effective forums to exchange information, share experiences and lessons learned, as well as develop consistency in the spirit of harmonisation between the jurisdictions.

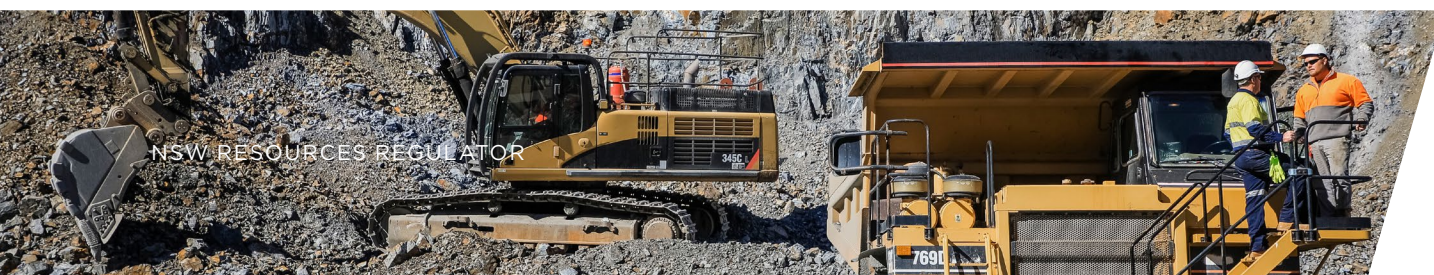
Roadshows

Roadshows were held across NSW to deliver key health and safety messages directly to the quarrying industry. We partnered with SafeWork NSW to deliver a regional roadshow that focused on the hazards of silica dust for workers in both the mining and construction industries. Throughout October, November and December 2019 we visited 15 key centres in NSW to deliver health and safety roadshows for small mines and quarries.

COVID-19 exercise for Far West mines

We facilitated Exercise PANDEMINEIUM virtually to test the effectiveness of the new operating constraints arising from COVID-19 in the event of a major incident at a mine in the Far West of NSW. The exercise involved 25 participant locations joining from the Broken Hill area and across the State.

The exercise, judged to be a success by all participants, looked at a major incident response with resources attending the area and all the complexities that come with such emergencies including media, family, national and international offers of assistance and more. The virtual underground mine collapse exercise was created after discussions between the Resources Regulator, Broken Hill mining companies, Police and NSW Health staff as part of a mining reference group newly formed to discuss COVID-19 specific issues for the industry.



Workshops

We facilitated a Tailings Regulator Workshop with colleagues from Dam Safety NSW, DPIE Planning and NSW EPA in March 2020. The workshop brought industry, subject matter experts and regulators together to address knowledge gaps and share key learnings regarding tailings management. We also held a Mined Land Rehabilitation Conference in June to discuss rehabilitation reforms and how the mining industry can meet rehabilitation obligations.

Safety seminars

We held three major safety seminars that provided a means for collective communication, discussion and consultation between engineers and key stakeholders. In August we held our 29th Mechanical Engineering Safety Seminar, the 29th Electrical Engineering Safety Seminar in November and our inaugural Mining Engineering Managers Safety Seminar in early December.

More than 750 people attended across the three seminars and attendees commented on the high quality and variety of presentations, appreciated the opportunities to network and remarked upon the organisation and smooth running of the events.



Committees, boards and working groups

As secretariat, we oversee the coordination and administration of two collaborative advisory bodies – the NSW Mine Safety Advisory Council and Mining and Petroleum Competence Board:

- NSW Mine Safety Advisory Council (MSAC) – is a tripartite forum established to provide the Minister with advice on strategic health and safety issues in the mining and extractives industry
- Mining and Petroleum Competence Board – advises the Minister and oversees the development of competence standards and the assessment of people who have a role at a mine that may affect health and safety.

We also actively participate in several other committees and working groups including:

- Standing Dust Committee - formed under Coal Services with the purpose of offering expert advice to industry (and government) to ensure reduced exposure to airborne contaminants and improvements to occupational hygiene.
- Australian Standards – Our electrical and mechanical engineering inspectors sit on several standards committees and working groups. These committees are tasked with reviewing, updating and ratifying current standards and developing new standards. This work sees our inspectors travel across Australia to collaborate and contribute their technical expertise, up to a dozen times a year. Examples of the electrical and mechanical standards committees we have representation on, include: EL 43 – High Voltage systems, EL043 – Electrical technical committee for mining and quarrying; ME063 Earthmoving equipment, ME018 Mining equipment.
- Mines Rescue working group – formed under coal services to deal with the specific issue of training mine employees to respond to emergencies using compressed air breathing apparatus (CABA).
- Central West Mine and Extractive Environment Team (MEET) - to bring together on-site environmental personnel from mines and quarries in the Central West region.
- Hunter Coal and Environment Group (HCEG) – a forum for environmental professionals to exchange developments in mine rehabilitation and environmental management in the coal mining industry of the Hunter Region.
- Upper Hunter Mining Dialogue (UHMD) - an initiative of several Hunter Region mines in coordination with the NSW Minerals Council. It was formed to create opportunities to respond to community concerns regarding mining impacts including mine rehabilitation, water impacts and air quality.

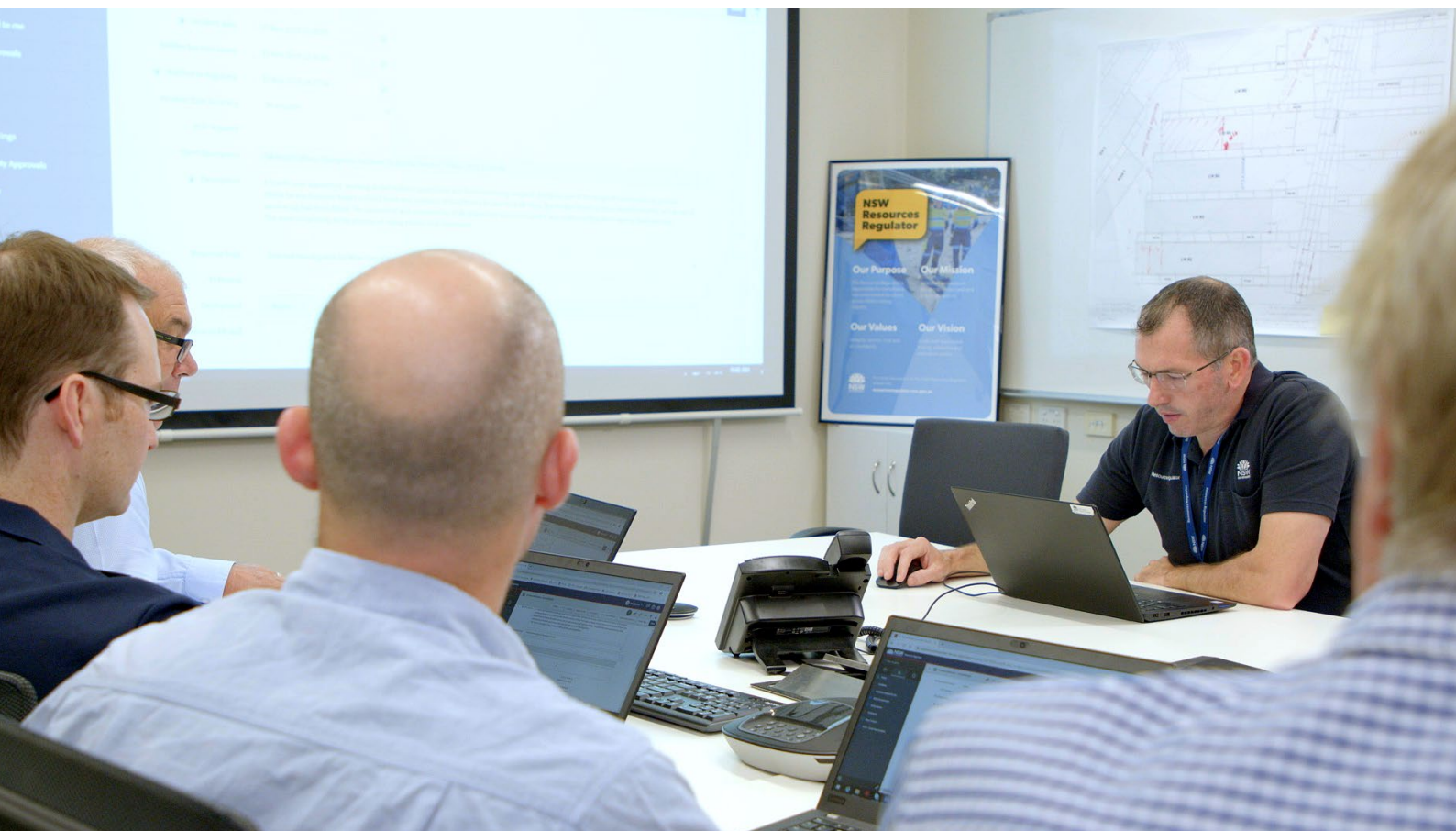
Business improvement

Integrity framework

The regulated sector and NSW communities have a legitimate expectation that Resources Regulator employees are fit and proper persons to regulate the mining and petroleum industries and meet necessary standards of personal integrity. We have introduced a structured [Integrity Framework](#), which includes a tiered security screening process, to mitigate and manage internal integrity risks.

Capability framework

Capability development is central to our performance as a regulator and enables us to effectively and efficiently meet our objectives. The Regulator has implemented a Capability Development Strategy to ensure the attraction, retention and ongoing development of a capable and agile workforce. Also, by building specialist skills internally, we become a leaner business, that is less reliant on outside consultants and costly contractors.



Mine and Petroleum Site Levy

The *Mine and Petroleum Site Safety (Cost Recovery) Act 2005* establishes the Mine Safety Fund. The contributions to the fund by mining industry employers are commonly referred to as the mine safety levy.

The Mine Safety Fund is a levy charged by the NSW Government to pay for health and safety regulation of the state's mining workplaces. The levy applies to employers in the mining industry who have obligations under mine safety legislation for the health and safety of workers. The levy is collected by the worker's compensation insurers of mining industry employers and transferred to the Regulator.

Under the legislation, the fund may only be used to meet specified expenses incurred by the Regulator in carrying out:

- regulatory activities connected with mine safety legislation, the *Explosives Act 2003* and *Radiation Control Act 1990*
- expenses incurred in the administration or execution of the mine safety legislation
- administrative expenses related to the fund.

In accordance with the recommendations of the [2017 Independent Review of the Mine and Petroleum Site Safety Levy](#), we engaged an external party to conduct an audit of the 2018 - 2019 mine safety levy expenditure. The final audit report acknowledged our efforts to improve the control environment and implement the 2017 review recommendations, whilst managing various challenges. All recommendations within our realm of responsibility have been considered, actioned and implemented.



Financial reports

Mine Safety Levy 2019 - 2020

Payments made from the Mine Petroleum Site Safety Fund for the 2019 - 2020 financial year

| REFER NOTE | DESCRIPTION | AMOUNT \$,000 |
|------------|--|---------------|
| | Total payments made from fund | 35,085 |
| | Employee related | 25,232 |
| 1 | Salaries and wages - direct | 21,268 |
| | Salaries and wages - on costs | 3,964 |
| | Operating expenses | 5,072 |
| 2 | Advertising | 101 |
| 3 | Boards and committees | 102 |
| 4 | Consultants and professional services | 396 |
| 5 | Entertainment and events | 575 |
| 6 | Legal | 1,235 |
| 7 | Printing, postage, stationery and phones | 188 |
| 8 | Rent, repairs and maintenance | 18 |
| 9 | Research and technology | 555 |
| 10 | Training | 213 |
| 11 | Travel | 768 |
| 12 | Motor vehicles | 480 |
| 13 | Other costs - audit fees | 35 |
| 14 | Other costs - clothing - uniforms | 95 |
| 15 | Other costs - equipment - maintenance | 118 |
| 16 | Other costs - equipment - minor purchase | 22 |
| 17 | Other costs - P/M - Org M/Ship (Aust) | 72 |
| 18 | Other costs - medical exam costs | 6 |
| 19 | Others costs - IHSR contribution | 93 |
| | Internal department service charges | 4,636 |
| 20 | Accommodation costs | 1,504 |
| 21 | Legal branch services | 822 |
| 22 | Other corporate costs | 2,310 |
| 23 | Capital | 145 |

Payments made into the Mine and Petroleum Site Safety Fund for the 2019 - 2020 financial year

| REFER NOTE | DESCRIPTION | AMOUNT \$,000 |
|------------|--|---------------|
| | Operating revenue | 40,146 |
| | Levy contributions for 2019 - 2020 | 37,912 |
| 24 | Legal costs recovered and fines | 498 |
| 25 | Moieties | 75 |
| 26 | Costs recovered under enforceable undertakings | 252 |
| 27 | Other revenue | 1,349 |
| 28 | Interest | 60 |

Summary of movements in the Mine and Petroleum Site Safety Fund

| DESCRIPTION | AMOUNT \$,000 |
|--|---------------|
| Opening balance @ 1 July 2018 | 11,366 |
| Plus: Mine Safety Levy 2018 - 2019 | 34,989 |
| Plus: Miscellaneous other revenue 2018 - 2019 | 3,049 |
| Less: Expenditure for 2018 - 2019 | 40,985 |
| Opening balance @ 1 July 2019 | 8,419 |
| Plus: Mine Safety Levy 2019 - 2020 | 37,912 |
| Plus: Miscellaneous other revenue 2019 - 2020 | 2,234 |
| Less: Expenditure for 2019 - 2020 | 35,085 |
| Opening balance @ 1 July 2020 | 13,480 |
| Plus: Mine Safety Levy 2020 - 2021 | 29,395 |
| Plus: Budgeted miscellaneous other revenue 2020 - 2021 | 3,742 |
| Less: Budgeted expenditure for 2020 - 2021 | 38,992 |
| Forecasted opening balance @ 1 July 2021 | 7,625 |

Comments on financial report

| NOTE NUMBER | DESCRIPTION |
|-------------|---|
| | Employee related |
| 1 | Salaries and wages - direct Includes ongoing, temporary and contingent staff costs. |
| | Operating expenses |
| 2 | Advertising Includes mine safety video production including animations. |

| NOTE NUMBER | | DESCRIPTION |
|-------------|---|--|
| 3 | Boards and committees | Payments to board and committee members - Mine Safety Advisory Council, Mining and Petroleum Competence Board and Mine Safety Assessment and Review Committee. |
| 4 | Consultants and other professional services | <p>Includes professional and consultancy fees for:</p> <ul style="list-style-type: none"> • Specialist consultants to assist investigations into serious or fatal injuries • Administrative costs associated with the collection of the levy • Cannon CDF Modelling Project • Business Analysis - MSTC • Integrity Screening Program • Independent lead reviewer of WHS MPS Statutory Review. |
| 5 | Entertainment and events | <p>Costs for internal and external mine safety events hosted by Resources Regulator including:</p> <ul style="list-style-type: none"> • Mechanical Engineering Safety Seminar • Electrical Engineering Safety Seminar • Mining Engineering Manager Safety Seminar • Mine Safety and Health Representatives Seminar • Small Mines Roadshows • Metalliferous Industry Safety and Health Engagement Forum • Silica Regional Forum • Review WHS MPS Laws • Also includes sponsorship of IQA. |
| 6 | Legal | <p>Legal advice obtained from Crown Solicitors Office and external providers in relation to major incident investigations and prosecutions. Matters Include:</p> <ul style="list-style-type: none"> • Fatality at Hunter Quarries • Fatality at CSA Mine • Fatality at Lightning Ridge • Fatality at Rixs Creek • Fatality at Peak Gold Mine • Serious injury at Perilya Broken Hill • Serious injury at Mannering Colliery • Serious injury at Mt Arthur • Serious incident at Moolarben Coal Mine • Serious incident at Maules Creek Coal • Serious injury at Cowal Gold Mine • Serious injury at Clarence Colliery • Serious incident at Tritton Copper Mine • Serious incident at Austar Coal Mine • Crystalline silica exposure at Peppertree Quarry • WHS contraventions at Thuddungra Mine. |
| 7 | Printing, postage, stationery and phones | Includes courier & freight, printing, photocopying, stationery/office consumables, postage and office equipment. |
| 8 | Rent, repairs and maintenance | Minor office repairs and maintenance. |

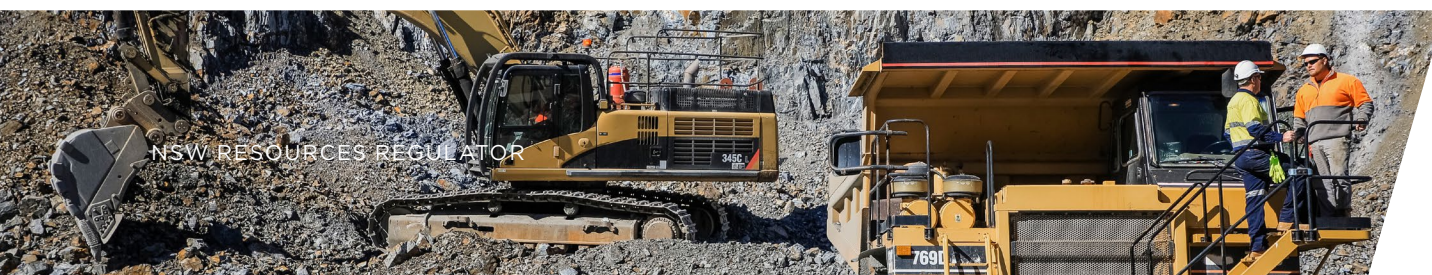
| NOTE NUMBER | | DESCRIPTION |
|--|--------------------------|---|
| 9 | Research and technology | Includes mobile and data charges and software licensing fees, including the Resources Regulator's mine safety database- ACES. Also includes the purchase of computer hardware and accessories. |
| 10 | Training | Training for regulatory staff. Topics include learning from disasters, Certificate IV in Government Investigations, electrical equipment in hazardous areas, emergency management, industry familiarisation, first aid and self escape. Also training in capabilities such as resilience, leadership development and anti-corruption. |
| 11 | Travel | Includes domestic travel undertaken by mine safety personnel. Nil overseas travel in 2019 - 2020. |
| 12 | Motor vehicles | Operational costs (fuel, maintenance and lease) of fleet vehicles. |
| 13 | Audit fees | An independent audit of the mine safety levy was conducted by EY for the 2018 - 2019 financial year as recommended by the Independent Review of the Mine Safety Levy. |
| 14 | Clothing - uniforms | Provision of uniform and PPE for mine safety staff. |
| 15 | Equipment maintenance | Maintenance and associated consumables of MSTC equipment and safety inspector equipment. |
| 16 | Equipment minor purchase | Purchase of low value assets and equipment. |
| 17 | P/M - Org M/Ship (Aust) | Membership fees for external organisations including Joint Accreditation Australia and New Zealand (JAS-ANZ), NATA (Mine Safety Technology Centre) and Australian standards. |
| 18 | Medical exam costs | Medical examination costs for mine safety staff. |
| 19 | ISHR contribution | Yearly contribution to trade union for industry safety and health representatives appointed by the Minister under part 5 of the Work Health and Safety (Mine and Petroleum Sites) Act 2013. |
| Internal department service charges | | |
| 20 | Accommodation costs | Costs associated with providing office accommodation to mine safety personnel in Maitland, Thornton, Sydney, Wollongong, Lithgow, Orange, Cobar, Broken Hill, Lightning Ridge and Armidale. |
| 21 | Legal branch services | Legal services provided by departmental in-house legal team. |
| 22 | Other corporate costs | Costs associated with providing corporate services such as finance, payroll, human resource, records and asset management for mine safety personnel in Maitland, Thornton, Sydney, Wollongong, Lithgow, Orange, Cobar, Broken Hill, Lightning Ridge and Armidale. |
| 23 | Capital | Explosives Testing Facility modifications, replacement laboratory equipment, mobile dust monitors for safety inspectors. |

| NOTE NUMBER | DESCRIPTION | |
|--------------------------|--|---|
| Operating revenue | | |
| 24 | Legal costs recovered | Cost settlements in relation to prosecutions including Silver City Drilling, Perilya Broken Hill, Macmahon Mining Services and Yancoal. |
| 25 | Moieties | Moieties received in relation to prosecution of Cudal. |
| 26 | Costs recovered under enforceable undertakings | Recovery of legal, investigation and compliance monitoring costs including Mt Arthur Coal, Otraco International, Clarence Coal and General Carrying. |
| 27 | Other revenue | Other revenue including fees collected in relation to the services provided by the Mine Safety Technology Centre, certificates of competence, opal safety courses, workshops and conferences. |
| 28 | Interest | Interest earned on Levy bank balance. |

Other expenses 2019 - 2020

Non mine safety levy related

| REFER NOTE | DESCRIPTION | AMOUNT \$,000 |
|------------|--|---------------|
| | Total payments | 7,858 |
| | Employee related | 7,245 |
| 1 | Salaries and wages - direct | 6,106 |
| | Salaries and wages - on costs | 1,139 |
| | Operating expenses | 613 |
| 2 | Advertising | 22 |
| 3 | Consultants and professional services | 89 |
| 4 | Entertainment and events | 7 |
| 5 | Legal | 30 |
| 6 | Printing, postage, stationery and phones | 24 |
| 7 | Rent, repairs and maintenance | 3 |
| 8 | Research and technology | 114 |
| 9 | Training | 50 |
| 10 | Travel | 138 |
| 11 | Motor vehicles | 106 |
| 12 | Other costs - clothing - uniforms | 20 |
| 13 | Other costs - P/M - Org M/Ship (Aust) | 10 |
| | Capital | - |
| | Operating revenue | 198 |
| 14 | Legal costs recovered | 73 |
| 15 | Fines | 125 |
| | Total 2019 - 2020 | 7,660 |



Comments

| NOTE NUMBER | DESCRIPTION | |
|---------------------------|--|--|
| Employee related | | |
| 1 | Salaries and wages - direct | Includes ongoing, temporary and contingent staff costs. |
| Operating expenses | | |
| 2 | Advertising | Promotion of mine rehabilitation including rehabilitation video and booklets. |
| 3 | Consultants and professional services | Includes professional fees for: <ul style="list-style-type: none"> • Searches and checks including Corporate Scorecard, ASIC, SAI Global • GIS rehabilitation portal • PINS processing • Integrity Screening Program. |
| 4 | Entertainment and events | Costs for internal and external events and meetings. |
| 5 | Legal | Legal advice obtained from Crown Solicitors Office and external providers in relation to investigations and prosecutions. |
| 6 | Printing, postage, stationery and phones | Includes courier & freight, printing, photocopying, stationery/ office consumables, postage and office equipment. |
| 7 | Rent, repairs and maintenance | Minor office repairs and maintenance. |
| 8 | Research and technology | Includes mobile and data charges and software licensing fees, including the Resources Regulator's mine safety database- ACES. Also includes the purchase of computer hardware and accessories. |
| 9 | Training | Training for regulatory staff. Topics include Certificate IV in Government Investigations, environmental auditing, remote pilot licence, industry familiarisation and first aid. Also training in capabilities such as resilience, leadership development and anti-corruption. |
| 10 | Travel | Domestic travel undertaken for inspections and audits. |
| 11 | Motor vehicles | Operational costs (fuel, maintenance and lease) of fleet vehicles. |
| 12 | Clothing - uniforms | Provision of uniform and PPE. |
| 13 | P/M - Org M/Ship (Aust) | Membership fees for standards access. |
| Operating revenue | | |
| 14 | Legal costs recovered | Cost settlements in relation to prosecutions including Mudgee Stone and Young Mining. Recovery of legal, investigation and compliance monitoring costs for Total Iron and Total Minerals. |
| 15 | Fines | Penalty Infringement Notices issued for breaches under the Mining Act 1992. |

