

**NSW  
Resources  
Regulator**

# Monthly business activity report

MARCH 2018



**VISION**

A safe and responsible mining extractive and petroleum industry

**MISSION**

To enable and support industry to understand and fulfil its obligations

**NSW  
Resources  
Regulator**

**SECTOR  
REPORTING**

**Coal mines**

Opencut, underground and coal preparation plants

**Large mines**

METALLIFEROUS AND QUARRIES

Quarries that produce >900,000 tonnes pa and large opencut or underground metalliferous mines

**Small mines**

METALLIFEROUS, QUARRIES AND OTHER GEMSTONES

Quarries and other mine types (eg sand, clay, lime) that produce <900,000 tonnes pa, opencut or underground metalliferous mines and gemstone mines

**Non-mine**

Includes many manufacturers (including OEMs), suppliers, designers, importers, licence holders and registration holders

**Petroleum and Geothermal**

Onshore petroleum and geothermal productions and exploration sites

**Opal Mines**

Opal mines at Lightning Ridge and White Cliffs

**Exploration**

Exploration sites (excluding petroleum)

## Document control

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Amendment schedule		
Date	Version	Amendment

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (May 2018). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment or the user's independent advisor.

## Key activities

Prosecution proceedings were commenced against two Wollongong Coal companies for failing to pay almost \$300,000 in rents and levies on time. The regulator will allege Wollongong Coal Limited and Wongawilli Coal Pty Ltd failed to pay annual rental and administrative fees before they were due, under Part 14A of the *Mining Act 1992* (NSW). The case is set down for first mention in the Downing Centre Local Court on 9 May 2018.

An enforceable undertaking was accepted from Boral Ltd following an investigation into allegations the company unlawfully cleared vegetation at its Loch Catherine Colliery. The enforceable undertaking includes a range of actions with a financial commitment of at least \$130,000, including a donation to Greening Australia.

A one-day, high visibility operation was undertaken at Appin Colliery's underground coal mine on 6 March 2018. The aim of the high visibility operation was to ascertain if mine management has effectively implemented the Appin safety management system. The operation involved 12 inspectors across two shifts and considered the impacts of human and organisational factors, maintenance practices and control of major hazards. In excess of 80 workers were questioned, individually or in groups, in regard to their views on risk management at the mine.

Abterra Australia Pty Ltd were issued a suspension notice on 7 March 2018 for Mining Lease 1616 (*Mining Act 1992*), which covers the area where the Broula Magnetite and Limestone mine operates, located approximately 20 kilometres west of Cowra. The suspension was the result of a number of breaches over an ongoing period, ranging from failing to provide mining operations plans or annual environmental management reports and late payments of rental fees and levies. Lifting of the suspension will be considered once the titleholder provides a detailed report that addresses any future proposed mining operations, and is otherwise compliant with their regulatory obligations.

On 9 March 2018, a section of Cadia mine's North Tailing Dam slumped and as a result released tailings into the South Tailings Dam. The Regulator responded to the incident and maintains a monitoring role from an environmental and work health and safety perspective. The Regulator is working closely with the Dam Safety Committee as Dams Safety NSW is the lead government agency in respect to the dam failure.

On 14 March 2018, the Executive Council approved the Work Health and Safety (Mines and Petroleum) Sites Amendment Regulation 2018. The Amendment Regulation will amend the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 to address recent work health and safety issues, to ensure the policy intent of the legislation is achieved and to remove regulatory burden. The amendments to the Regulation commence on 13 April 2018.

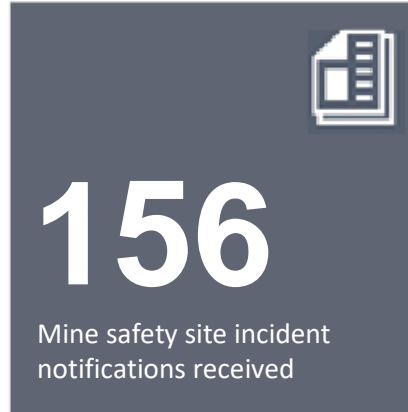
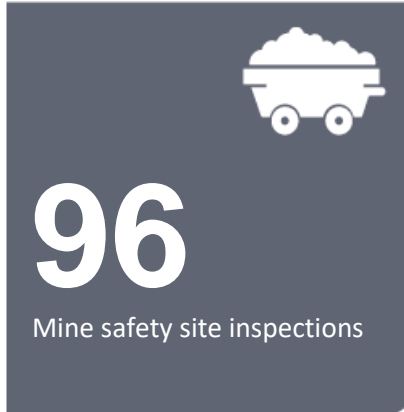
On 26 March 2018, underground longwall mining operations were prohibited at Dendrobium Colliery. The prohibition followed an incident where a mine worker was struck by coal falling off the coal face while changing cutting picks on the longwall shearer. The prohibition notice remained in place until the mine undertook a number of remedial actions, including reviewing and altering work procedures and implementing training for all relevant workers.

NSW Planning and Environment has taken all care to ensure the accuracy, completeness and reliability of the information provided in this report. Nothing in this report impacts any duties held by any person under legislation administered or enforced by the department. Compliance with the legislation is a legal requirement. Some persons may have a right of internal or external review of decisions made under the legislation administered or enforced by the department.



## Activities

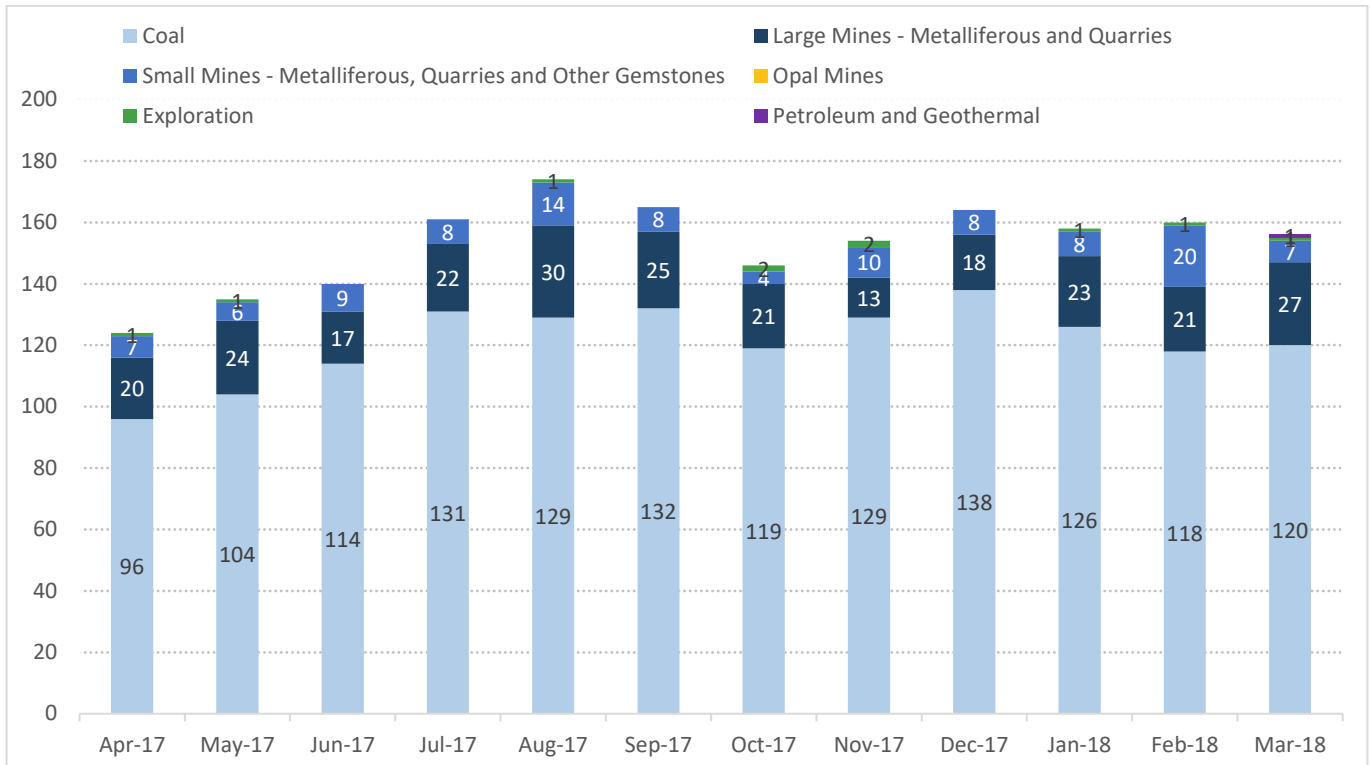
Below is a snapshot of the NSW Resources Regulator's activities for March 2018.



## Incidents and complaints

Incidents and complaints notified to the regulator by sector. Incident classifications and weekly incident summaries are available on our [website](#).

### Reported incidents by sector



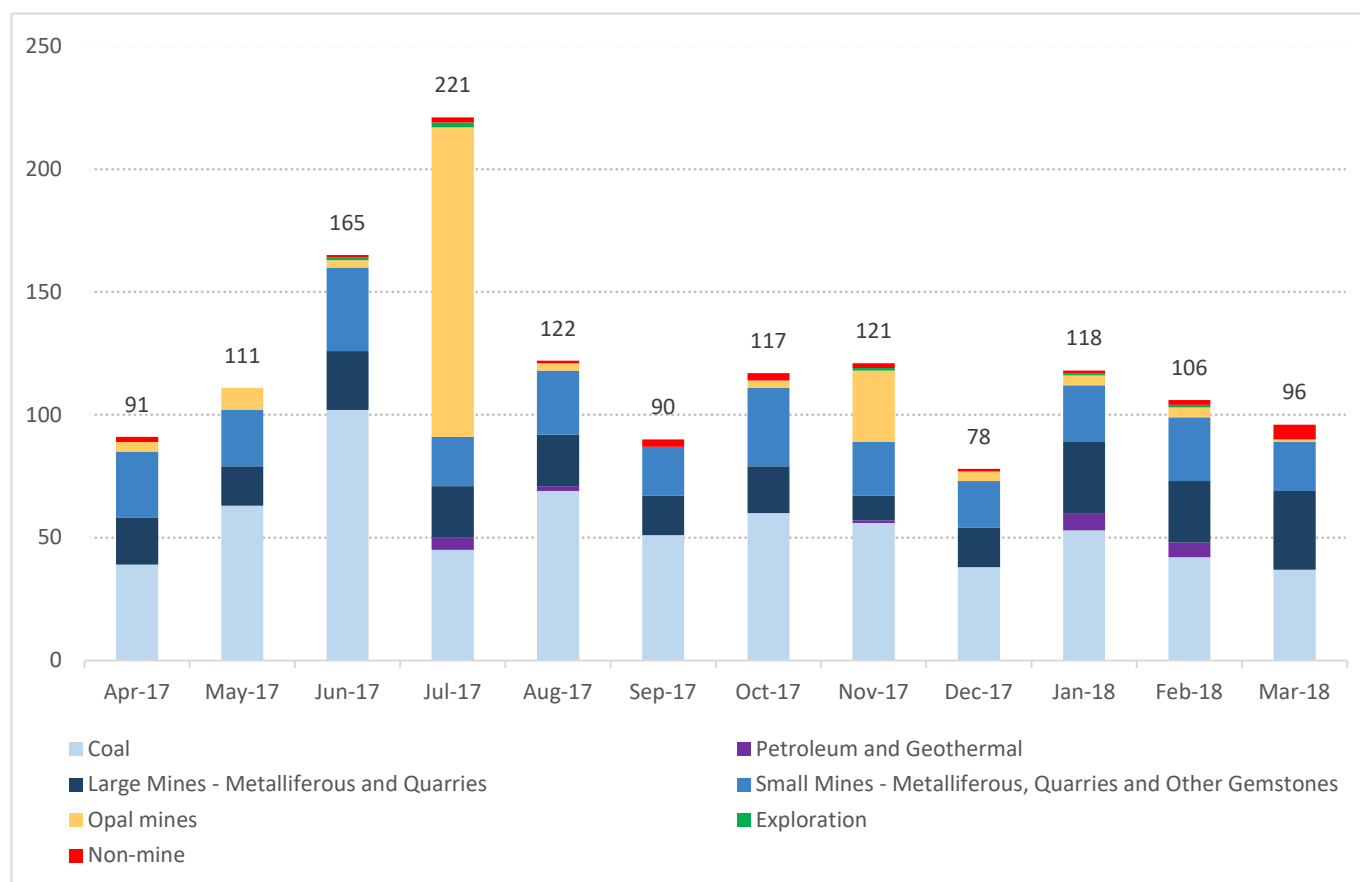
## Inspections, audits and targeted assessments

Reports on our compliance activities are available on our [website](#).

### Targeted assessments undertaken

Mine	Type	Topic
Clarence Colliery	Explosion Suppression	Site Assessment conducted
Moolarben Coal Operations Underground	DEE	Site Assessment conducted
Glendell Open Cut	Fatigue Surface Coal	Site Assessment conducted
Ulan West Operations	Fire and Explosion Underground Coal	Site Assessment conducted
Metropolitan	Emergency Management	Site Assessment conducted

## Safety inspections

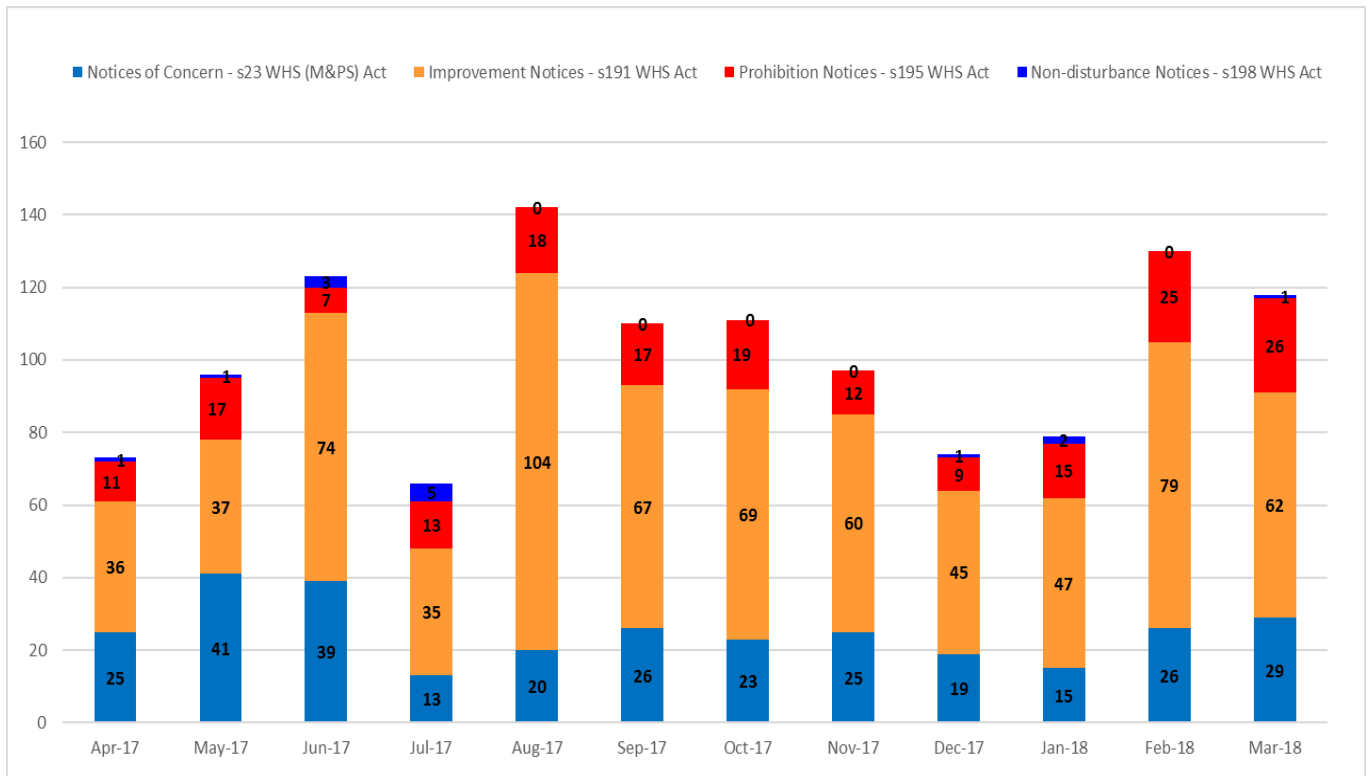


	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18
Coal	72	39	63	102	45	69	51	60	56	38	53	42	37
Large Mines - Metalliferous and Quarries	29	19	16	24	21	21	16	19	10	16	29	25	32
Small Mines - Metalliferous, Quarries and Other Gemstones	42	27	23	34	20	26	20	32	22	19	23	26	20
Opal mines	8	4	9	3	126	3	0	3	29	4	4	4	1
Exploration	0	0	0	1	2	0	0	0	1	0	1	1	0
Petroleum and Geothermal	2	0	0	0	5	2	0	0	1	0	7	6	0
Non-mine	1	2	0	1	2	1	3	3	2	1	1	2	6
<b>Total</b>	<b>154</b>	<b>91</b>	<b>111</b>	<b>165</b>	<b>221</b>	<b>122</b>	<b>90</b>	<b>117</b>	<b>121</b>	<b>78</b>	<b>118</b>	<b>106</b>	<b>96</b>

## Enforcement actions

Our [Compliance and enforcement approach](#) is available on our website.

### WHS notices issued



### Prohibition notices issued (s195 WHS Act)

PCBU	Mine	Prohibited activity
Jindabyne Sand & Gravel	Jindabyne Sand & Gravel – Dalgety Quarry	Sumitomo Excavator not to be used for any activity on the mine site.
Jindabyne Sand & Gravel	Jindabyne Sand & Gravel – Dalgety Quarry	CAT 930 loader not to be used for any task/activity on the mine site.
Quarry Solutions Pty Ltd	Patersons Quarry	The all-terrain manitou forklift Unit 338 is not to be operated on any site.

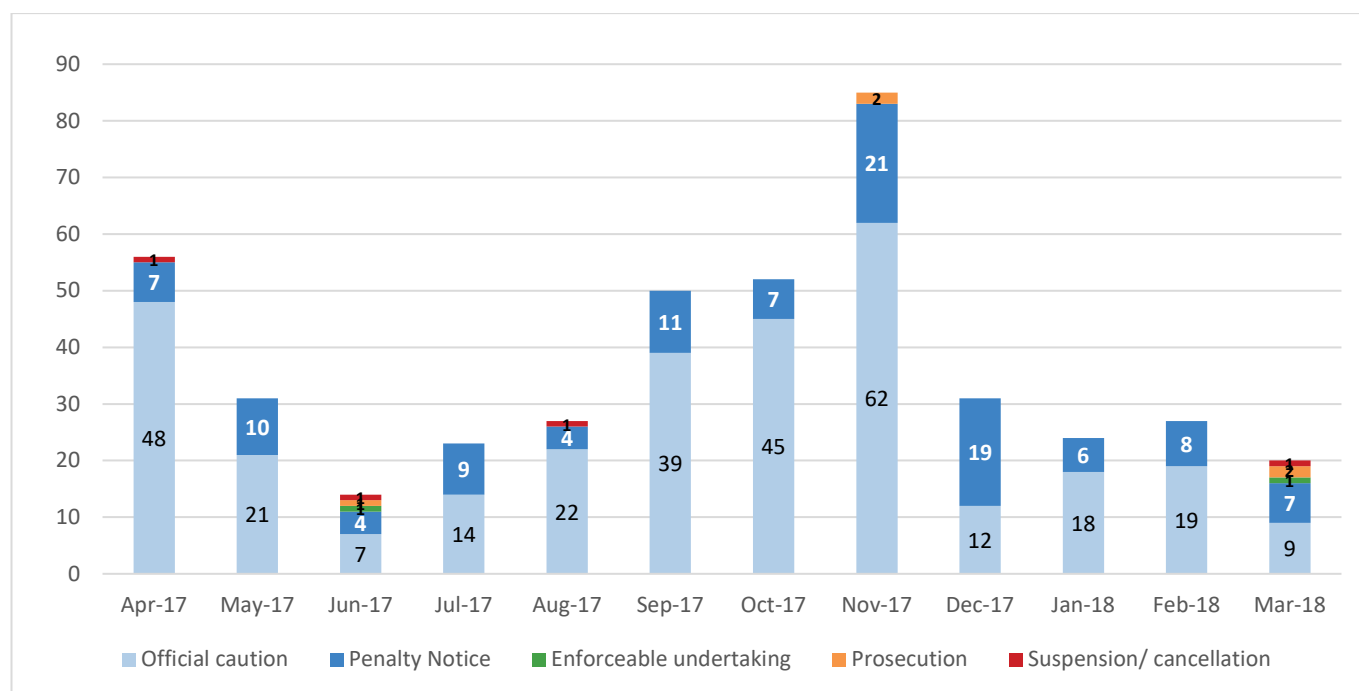


PCBU	Mine	Prohibited activity
Yancoal Mining Services Pty Ltd	Ashton Coal Mine (Underground)	The following Jug-A-O LHD's shall be immediately tagged out of service:  LH02; LH04; CMW06; CMW16
Newman Quarrying Pty Ltd	Newman Quarrying Pty Ltd – Sly's Quarry	The use of Power Screen Scorpion Reclaimer is prohibited.
Holcim (Australia) Pty Ltd	Holcim – Lynwood Site	The mine operator must not operate or cause to operate any part of the entire fixed plant crushing and screening circuit including the train load out structure until such time that an independent and competent person has examined all structures and has deemed them structurally safe to operate. This includes prohibiting all personnel from accessing the plant unless it is for the purposes of inspection and testing and verifying the structures. Notwithstanding the above, the plant may be operated for the purposes of inspection and testing and verifying the structures.
Moolarben Coal Operations	Moolarben Coal Operations – Underground	The operation of all Jug-A-O LHD's underground.
Westlime Canowindra Pty Limited	Canowindra Limestone Mine	This notice relates to the Euclid R35 dump truck: <ol style="list-style-type: none"> <li>1. No person to proceed beyond the door (drivers side), unless it is to enter cabin.</li> <li>2. No person to access the platform (opposite side of cabin) for any task.</li> </ol>
Tahmoor Coal Pty Ltd	Tahmoor Colliery	Mining extraction activities in "A" heading MG 912 panel in 20 to 21 ct area from the current position of this event to the 125.7m distance from 20 ct. This is the area shown in red on the ATM reference 912/039.
Newcrest Mining Limited	Cadia East Project	Emplacement of tailings into the North Tailings Storage Facility.
LakeCoal Pty Ltd	Chain Valley Colliery	The continuous miners are not to be used for the cutting of coal from the face until there is a review of the positioning of the methane sensors and their trip settings.
Operator	Ashton Coal Mine (Coal Processing Plant)	The JR Richards and Sons "drain cleaning" unit trucks are not to use the on board high pressure water hose and adapter nozzles/fittings.

PCBU	Mine	Prohibited activity
Yancoal Mining Services Pty Ltd	Austar Coal Mine – Underground Operation	No persons are to access the Longwall face except for the purpose of geological assessment or any activity to ensure the ongoing safety of the mine and workers.
E B Mawsons & Sons Pty Ltd	Mawsons Broken Hill Quarries	The fixed crushing and screening plant on site is not to be operated until all guarding has been brought into compliance with Clause 208 of the Work Health and Safety Regulations 2017.
E B Mawsons & Sons Pty Ltd	Mawsons Broken Hill Quarries	This notice relates to the Caterpillar 740 Articulated truck: <ol style="list-style-type: none"> <li>1. No person to proceed beyond the door (drivers side), unless it is to enter cabin.</li> <li>2. No person to use the ladder or platform (opposite side of cabin) to proceed up for any task.</li> </ol>
Hanson Construction Materials Pty Ltd	Hanson – Canberra Quarry	Operation of conveyor belts at Hanson Canberra Quarry that do not appropriately protect persons from moving parts and/or falling objects.
Operator	Pinnacle Mines	This notice relates to the Caterpillar 740 Articulated truck: <ol style="list-style-type: none"> <li>1. No person to proceed beyond the door (drivers side), unless it is to enter cabin.</li> <li>2. No person to use the ladder or platform (opposite side of cabin) to proceed up for any task.</li> </ol>
Hanson Construction Materials Pty Ltd	Hanson Tweed Sand Quarry	The operation of the dredge if the direction in Part E are not complied with.
Cristal Mining Australia	Ginkgo Mineral Sands Mine	The operations of the Hitachi Ex 2500 excavator unit number 700.
Cristal Mining Australia	Ginkgo Mineral Sands Mine	This notice relates to the Caterpillar 740 Articulated trucks: <ol style="list-style-type: none"> <li>1. No person to proceed beyond the door (drivers side).</li> <li>2. No person to use the ladder or platform on the opposite side of cabin/right hand side of the truck for any task.</li> </ol>
Mudgee Dolomite & Lime Pty Ltd	Bylong Quarry	This notice relates to the Caterpillar DT-10 Articulated truck: <ol style="list-style-type: none"> <li>1. No person to proceed beyond the door (drivers side), unless it is to enter cabin.</li> <li>2. No person to use the ladder or platform (opposite side of cabin) to proceed up for any task.</li> </ol>

PCBU	Mine	Prohibited activity
Rosebrook Sand & Gravel Pty Ltd	Cawsey Park (Rosebrook Sand & Gravel Pty Ltd)	This notice relates to the Volvo A 25 D Articulated truck: <ol style="list-style-type: none"> <li>1. No person to proceed beyond the door (drivers side), unless it is to enter the cabin.</li> <li>2. No person to use the ladder or platform (opposite side of cabin) to proceed up for any task.</li> </ol>
Operator	Pinnacle Mines	This notice relates to the Caterpillar 740 Articulated truck: <ol style="list-style-type: none"> <li>1. No person to proceed beyond the door (drivers side), unless it is to enter cabin.</li> <li>2. No person to use the ladder or platform (opposite side of cabin) to proceed up for any task.</li> </ol>
Helensburgh Coal Pty Ltd	Metropolitan Colliery	Commencement of secondary extraction in LW302 Panel.
Dendrobium, Coal Pty Ltd	Dendrobium Colliery	Use of the shearer to cut coal/stone (produce) and completion of the frictional ignition checks and pick replacement.
Tahmoor Coal Pty Ltd	Tahmoor Colliery	A continuous miner shall not be used to trim or disturb roof, sides or face in any production face being advanced using shot firing (grunching) where the gas outburst hazard has not been eliminated.

## Enforcement actions under the Mining Act



## Penalty notices issued (Mining Act)

Date	Entity	Actions	Details
15/3/2018	Pinnacle Mines Pty Ltd ML5835	Penalty Notice, \$1,000	Failure to pay rent and levy fees – corporation
15/3/2018	Pinnacle Mines Pty Ltd ML5836	Penalty Notice, \$1,000	Failure to pay rent and levy fees - corporation
15/3/2018	Pinnacle Mines Pty Ltd ML5627	Penalty Notice, \$1,000	Failure to pay rent and levy fees – corporation
15/3/2018	Pinnacle Mines Pty Ltd ML870	Penalty Notice, \$1,000	Failure to pay rent and levy fees – corporation
15/3/2018	Pinnacle Mines Pty Ltd ML5849	Penalty Notice, \$1,000	Failure to pay rent and levy fees – corporation
19/3/2018	Titleholder MC55398	Penalty Notice, \$720	Failure to comply with condition (s) - Environmental Conditions
21/3/2018	SRC Properties Pty Ltd EL8449	Penalty notice, \$1,000	Failure to pay rent and levy fees – corporation
21/3/2018	Titleholder ML1213	Penalty notice, \$1,250	Breach of condition – individual
21/3/2018	Titleholder ML1073	Penalty Notice, \$1,250	Breach of condition - individual



## Statutory notifications and exemptions

Information about WHS statutory [notifications](#) and [exemptions](#) is available on our website.

### High risk activity notifications received

Mine	WHS (M&PS) Regs provision	Activity
Appin Colliery	WHSMR 2014 Schedule 3 Clause 19(1)(a)	Trial of the Airo-Dust product will be conducted underground
Integra Underground	WHSMR 2014 Schedule 3 Clause 09	Shotfiring
Mandalong Mine	WHSMR 2014 Schedule 3 Clause 10	Sealing
Metropolitan Colliery	WHSMR 2014 Schedule 3 Clause 12	Widening underground roadway to more than 5.5 metres
Moolarben Coal Operations	WHSMR 2014 Schedule 3 Clause 13	Widening underground roadway to more than 5.5 metres
Narrabri Colliery	WHSMR 2014 Schedule 3 Clause 8	Installation of roadway for a distance of 358.2m (2)
PEL 0001 Kahlua 4	WHSMR 2014 Schedule 3 Clause 33	Suspending a well
PPL0004 Menangle Park 30	WHSMR 2014 Schedule 3 Clause 31	Well workover
Springvale Mine Underground Operation	WHSMR 2014 Schedule 3 Clause 16(1)(a)	Secondary extraction
Woolawn Mine	WHSMR 2014 Schedule 3 Clause 4	Development of new mine entry

## Workshops and education activities

Details of upcoming events are available on our [website](#).

Date	What	Where	Details
2/3/2018	Industry meeting	Thornton	Meeting of Northern Region Electrical Engineers
5/3/2018	Emergency Planning	Orange	Meeting with Orange RFS exercise committee
7/3/2018	Workshop	Mudgee	Health Control Plan
8/3/2018	Workshop	Orange	Health Control Plan
8/3/2018	Industry meeting	Penrith	Meeting of Southern Region Electrical Engineers
15/3/2018	Industry meeting	Dubbo	Meeting of Western District Electrical and Mechanical Engineers
20/3/2018	Workshop	Ballina	Health Control Plan
21/3/2018	Workshop	Coffs Harbour	Health Control Plan
21/3/2018	Workshop	Newcastle	Managing subsidence under the WHS Laws
22/3/2018	Workshop	Port Macquarie	Health Control Plan
23/3/2018	Industry meeting	Rutherford	Combined MEMMES Electrical and Mechanical Engineers Meeting Presentation giving update on practising certificates and maintenance of competence provided to Mine Electrical and Mine Mechanical Engineering Society.

## Publications and alerts

Our [public comment policy](#) is available on our website.

Date	Type	Summary
1 March	Mine Safety News	<a href="#">Weekly incident summary</a>
7 March	Media release	<a href="#">Regulator accepts Boral undertaking</a>
8 March	Media release	<a href="#">Resources Regulator prosecutes Wollongong coal companies</a>
9 March	Mine Safety News	<a href="#">Weekly incident summary</a>
9 March	Media Release	<a href="#">Resources Regulator suspends mining lease in the Riverina</a>
10 March	Media release	<a href="#">Regulator responds to Cadia mine incident</a>
12 March	Media release	<a href="#">Regulator conducting enquiries into Cadia mine incident</a>
13 March	Mine Safety News	<a href="#">Changes to assessments for non-coal certificates of competence</a> <a href="#">Compliance priorities</a>
19 March	Mine Safety News	<a href="#">Work Health and Safety (Mines and Petroleum Sites) Amendment Regulation 2018</a>
20 March	Mine Safety News	<a href="#">Weekly incident summary</a>
23 March	Mine Safety News	<a href="#">Safety alert SA18-04 Workers withdrawn after methane frictional ignition</a>
27 March	Media release	<a href="#">Regulator suspends longwall mining operations at Dendrobium</a>
29 March	Mine Safety News	<a href="#">Electrical Engineering Safety Seminar</a>