

**NSW  
Resources  
Regulator**

# **Monthly business activity report**

FEBRUARY 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

Judgments were handed down in three proceedings before the courts for work health and safety contraventions.

Cudal Lime Products Pty Ltd was convicted and fined \$900,000 in the District Court of New South Wales on 26 February 2018 for contravention of section 31 of the *Work Health and Safety Act 2011* (WHS Act). This is the first Category 1 offence conviction in NSW. A worker was also convicted and fined \$48,000 for a contravention of section 32 of the WHS Act. The convictions were in relation to a fatality near the Cudal Limestone Quarry on 27 August 2017 when a member of the public received an electric shock in a nearby cottage which received its electrical supply from the mine.

Resources Pacific Pty Ltd was found not guilty and the charges dismissed in the Supreme Court of New South Wales on 2 February 2018 for a contravention of sections 8(2) and 10(2) of the *OHS Act 2000*. The charges were in relation to a fatality at the Ravensworth Coal Preparation Plant on 18 February 2009 when the cabin of a haulage truck was crushed by falling material from the hopper of the reject bin.

Perilya Broken Hill Limited was found guilty in the District Court of New South Wales on 28 February 2018 for a contravention of section 32 of the WHS Act. Perilya Limited was found not guilty and the charges dismissed. The proceedings were in relation to serious injuries from a fall to the bottom of the shaft from a loader bucket while performing maintenance in the shaft at the Perilya Broken Hill Southern Operations on 8 June 2012. Perilya Broken Hill Limited will be sentenced on 13 April 2018.

The Resources Regulator accepted an enforceable undertaking from the NSW Department of Finance, Services and Innovation (DFSI) in relation to two incidents that occurred at DFSI's Heritage Stoneworks in Alexandria. The matters were referred to the regulator from SafeWork NSW, which is also part of DFSI, to avoid any real or perceived conflicts.

One incident involved the exposure of workers to hazardous crystalline silica dust levels and the other incident involved a worker suffering a fractured skull while operating a pedestrian forklift.

As part of the undertaking, DFSI have committed to a range of actions with a financial commitment of at least \$498,500. This is in addition to an estimated \$500,000 already spent on works carried out at the site following the incidents. Mine safety inspectors also responded to a coal burst event at Austar mine. The incident occurred at approximately 11pm on Friday 2 February 2018 on LWB4 longwall face, where approximately 50 tonnes of coal reported to be ejected from the face of the Hunter based operation. One worker was reported to have suffered an injury, and was transported to hospital where he received treatment for a laceration to his left hand. A section 195 notice was issued prohibiting the cutting of coal on the affected longwall until an investigation was carried out by the mine and further risk controls implemented.

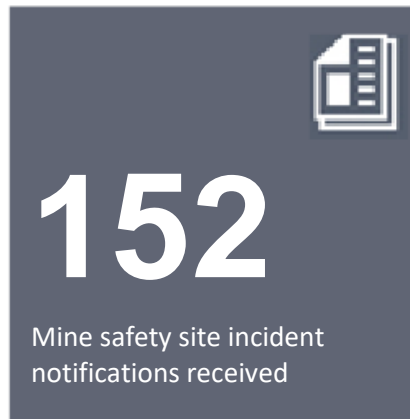
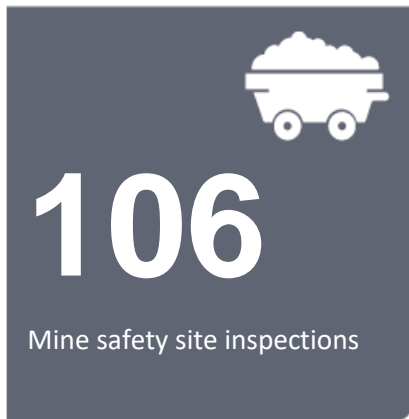
In education and engagement, the roll out of the health control plan workshops continued with five workshops conducted for industry this month. Development and Implementation of a Health Control Plan is aimed at operators who are implementing a health control plan. The workshops give practical advice about how to implement, evaluate and review a health control plan. The program which commenced in October 2017 will conclude in March 2018.

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.



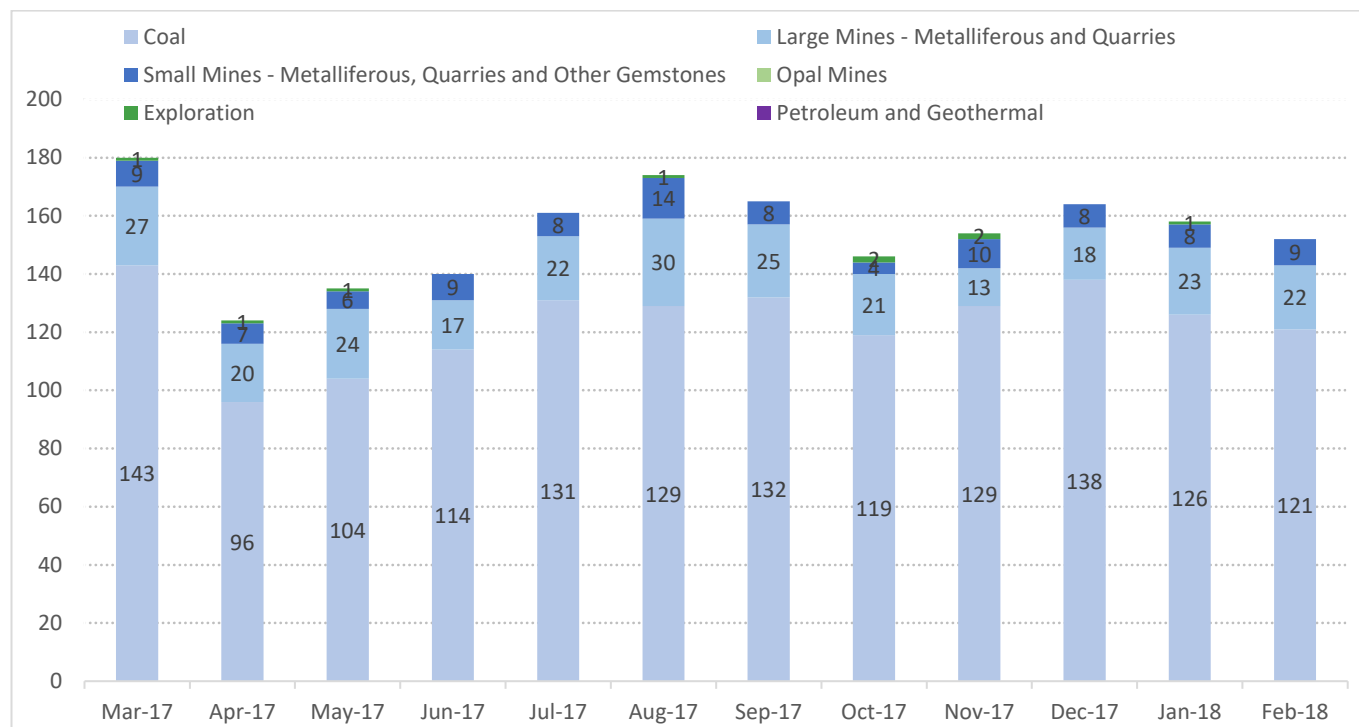
## Activities

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



## Incidents and complaints

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



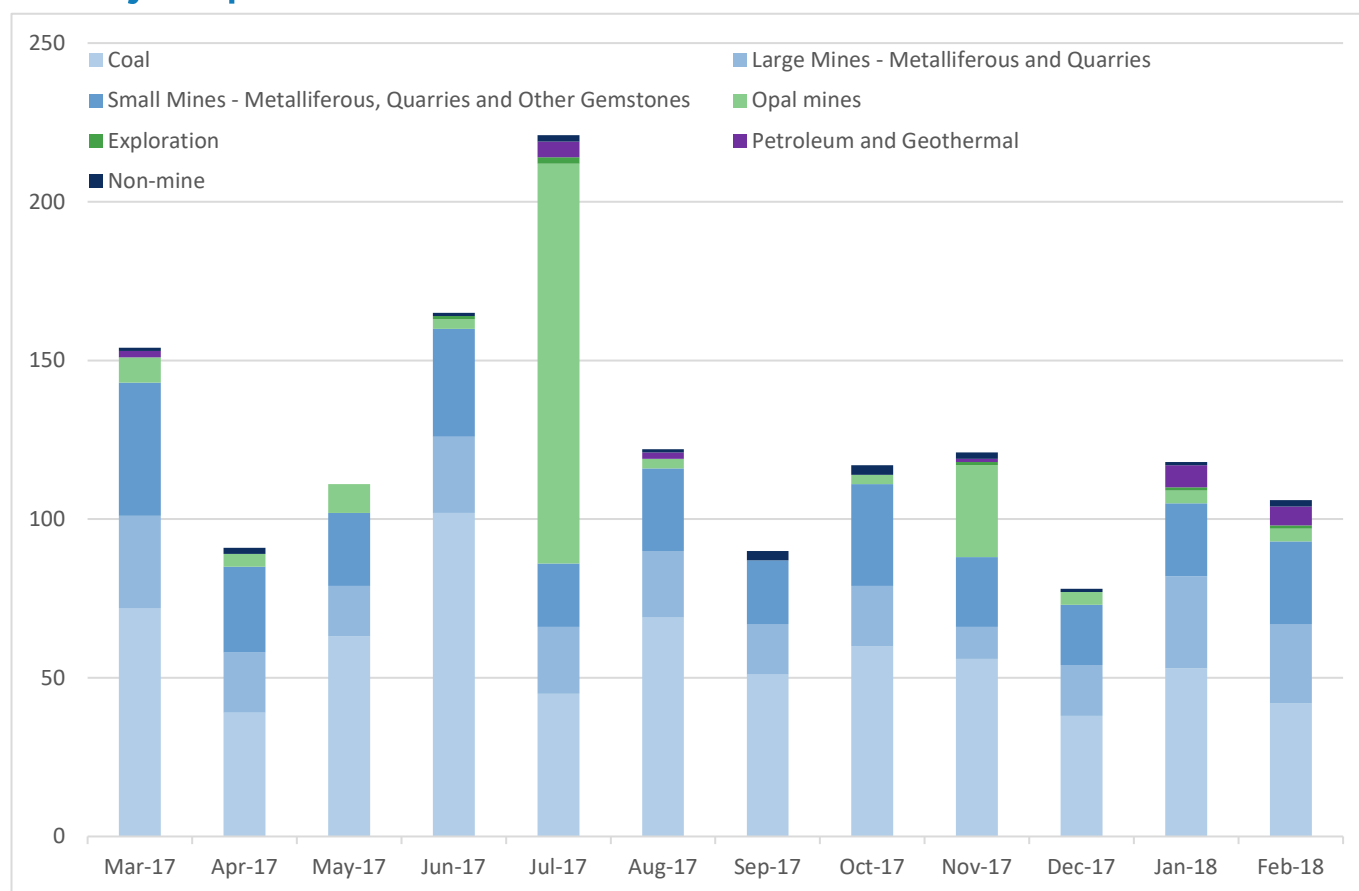
## Inspections, audits and targeted assessments

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

### Targeted assessments undertaken

Mine	Type	Topic
Maules Creek Mine	Fatigue – Surface Coal	Site assessment conducted
Peak Gold Mine	Airborne Contaminants	Site assessment conducted
Mandalong Mine	Fire and Explosion UGC	Site assessment conducted
Ashton UG	DEE TAO	Site assessment conducted
Bulga Surface Operations	Airborne Contaminants	Site assessment conducted
Moolarben Coal Operations	Airborne Contaminants	Site assessment conducted
Metropolitan Colliery	Subsidence TIP	Site assessment conducted
Tritton UG	Emergency Management	Site assessment conducted

## Safety inspections

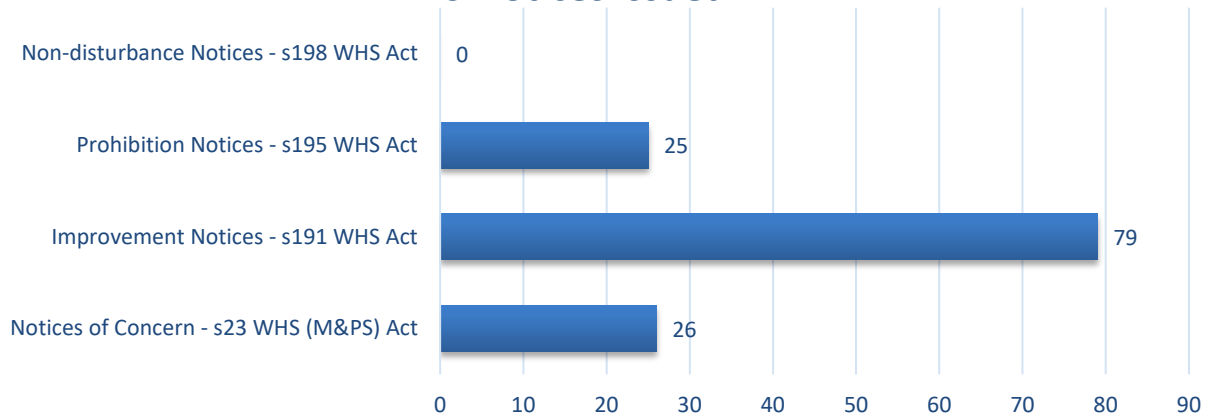


	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18
Coal	72	39	63	102	45	69	51	60	56	38	53	42
Large Mines - Metalliferous and Quarries	29	19	16	24	21	21	16	19	10	16	29	25
Small Mines - Metalliferous, Quarries and Other Gemstones	42	27	23	34	20	26	20	32	22	19	23	26
Opal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

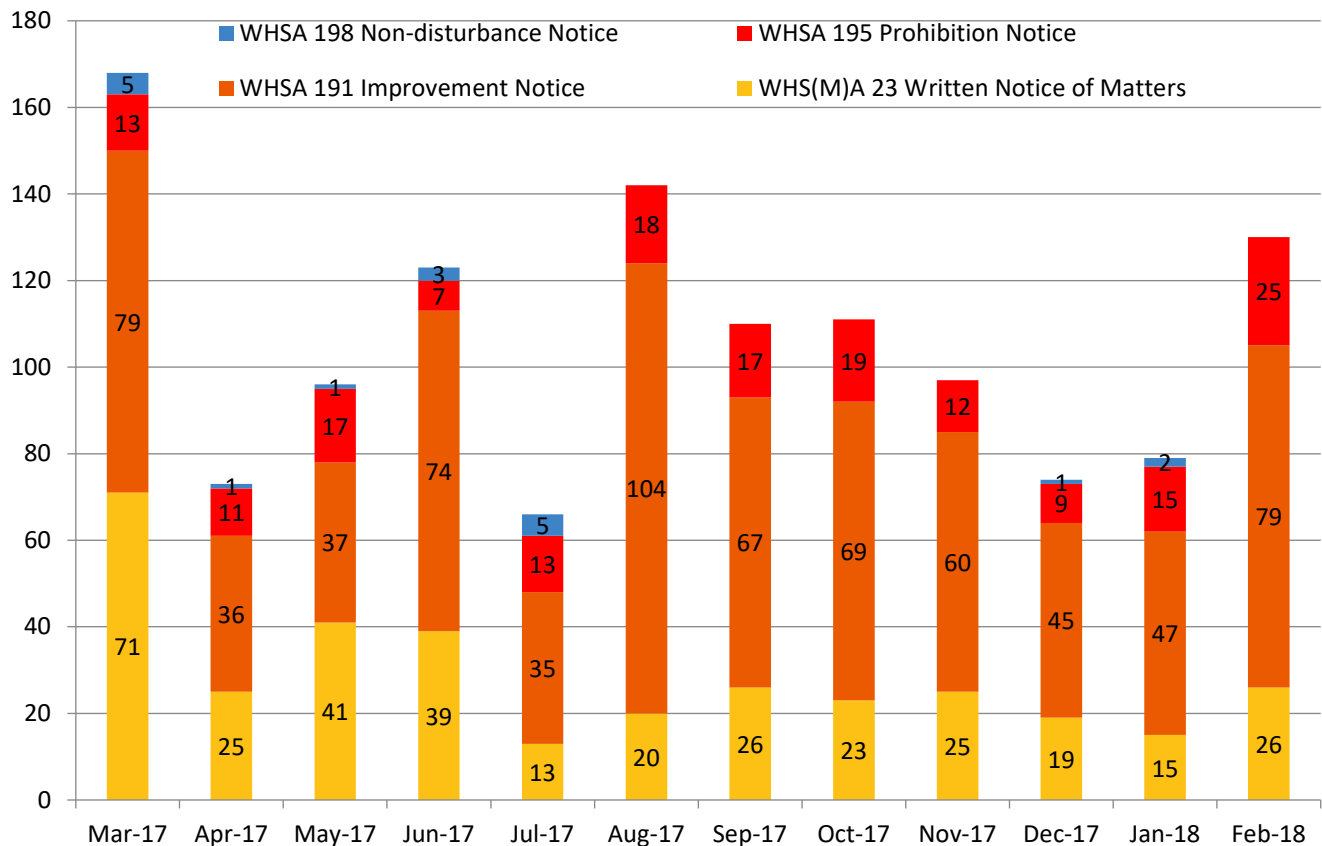
# Enforcement actions

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

## WHS Notices issued



## WHS notices issued





## Prohibition notices issued (s195 WHS Act)

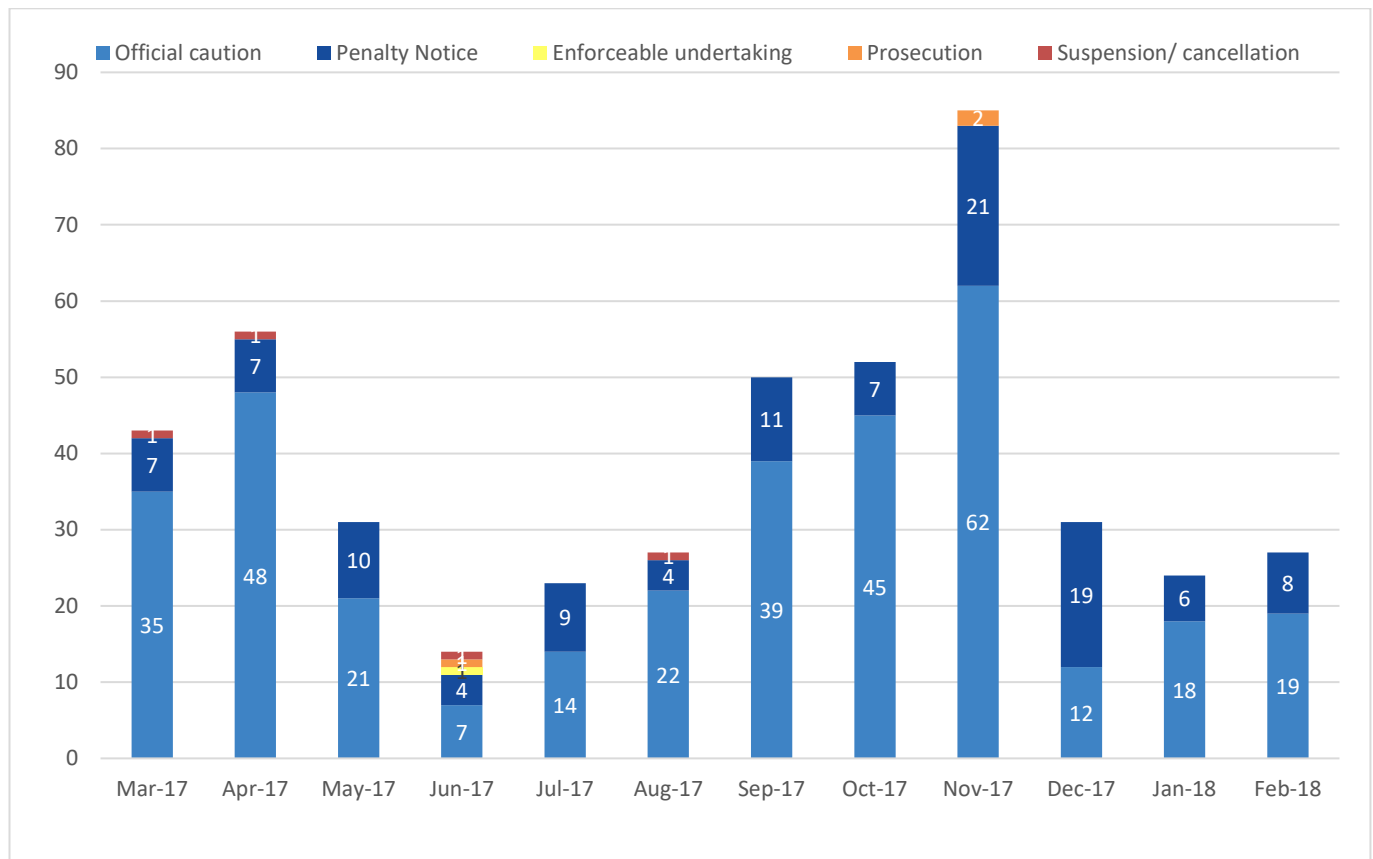
PCBU	Mine	Details	Prohibited activity
G C Schmidt (Plant) Quarries Pty Ltd	Schmidt Quarries Pty Ltd – GM Sands	An announced site inspection identified issues with articulated dump truck Volvo 35C handrails and wash plant control box.	Access is prohibited to operator beyond the driver's side door unless entering cabin. No person to use the ladder or platform (opposite side) to proceed up for any task.
Lake Coal Pty Ltd	Chain Valley Colliery	An announced site inspection to determine casual factors for ignition methane in North East Heading.	Operation of diesel equipment in underground roadways where the ventilation quantity is less than that required for the diesel equipment to operate.
Mine operator	Salt Ash Sand Plant (Unimin)	An announced site inspection to determine incident that occurred with unloading ramp.	Use of the ramp for unloading material and general access to the ramp.
Mine operator	Salt Ash Sand Plant (Unimin)	An announced site inspection to investigate roll over truck incident that occurred.	Operate the truck and trailer on any mine site within NSW except for the purposes of incident investigation or testing.
Yancoal Mining Services Pty Ltd	Austar Coal Mine – Underground Operation	An announced site inspection to investigate dangerous incident at the longwall face.	Operation of the shearer on Longwall B4.
Mt Arthur Coal Pty Limited	Mt Arthur Coal – Mine Operation Area	An announced site inspection to investigate the causes associated with the fire on Drill Rig.	There is to be no drilling on the Ayredale Pit pattern. No personnel are permitted on the Ayredale Pit pattern, except for the purposes of firefighting and for the ongoing monitoring for ant re-ignition.
Mt Arthur Coal Pty Limited	Mt Arthur Coal Mine – Operation Area	A planned inspection to investigate the flammable gas ignition on drill Rig.	There is to be no further drilling activity on the Ayredale pit.

PCBU	Mine	Details	Prohibited activity
Mine operator	MC50607	A planned inspection identified hazards as part of the Planned Inspection Program for Lightning Ridge Mines.	No persons are to enter these unsupported workings, except for the purpose of installing secondary support in oversize drivages and open areas.  This must be done in a methodical manner, commencing at the shaft and advancing into the mine workings.
Mine operator	MC50607	A planned inspection identified hazards as part of the Planned Inspection Program for Lightning Ridge Mines.	This notice replaces previous notice.  No persons are to enter these unsupported workings, except for the purpose of installing secondary support in oversize drivages and open areas.  This must be done in a methodical manner, commencing at the shaft and advancing into the mine workings.
Quality Sand and Ceramics Pty Ltd	Quality Sand and Ceramics - Williamtown	An announced site inspection to inspect sand drying plant and mechanical equipment and structure.	Use of three identified Davit Arm lifting devices and any other unrated Davit Arm lifting devices on site.
Lismore City Council	Lismore City Council – Northern Rivers Quarry and Asphalt Plant	A planned inspection to identify hazards with fire and explosion template.	The use of the Scorpion Pugmill Power Screen is prohibited.
Yancoal Mining Services Pty Ltd	Austar Coal Mine – Underground Operation	A planned inspection to identify coal burst on longwall incident.	Operation of the shearer on Longwall B4 for the purpose of production (cutting coal).
Springvale Coal Pty Ltd	Springvale Mine Underground Operation	A planned inspection to assess joy continuous miner remote.	Persons are prohibited from travelling on foot through the area from 0-4c/t and 8-12c/t A and B heading 425TG as well as 6-12c/t A and B heading 425MG. This does not include any persons entering this area for the purpose of installing remedial strata support, conducting inspections or any other matters required to ensure a safe work environment.
Mt Arthur Coal Pty Limited	Mt Arthur Coal – Mine Operation Area	A planned inspection to investigate contract drill 868 flammable gas ignition within the drill hole.	There is to be no drilling on the Ayredale Pit pattern.

PCBU	Mine	Details	Prohibited activity
Mine operator	MC59682	An unannounced inspection identified hazards with generator.	The generator is not to be used until enclosure panel cover is secured in place by a competent person.
Newman Quarrying Pty Ltd	Newman Quarrying Pty Ltd – Sly's Quarry	A planned inspection to assess the fire or explosion management.	The use of the Power Screen Scorpion Reclaimer and McCloskey R155 Screen is prohibited.
CMOC Mining Pty Limited	Northparkes Mine	A planned inspection to investigate the exploration drill rig.	The use of pneumatic dust collection system on RC Drill.
Jindabyne Sand & Gravel	Jindabyne Sand & Gravel – Dalgety Quarry	An unannounced inspection of quarry processing and mobile plant.	Screening plant not to be operated until all guards and lanyards are installed. Screening plant not to be operated until Protective shields have been installed on the exhaust system.
Ulan West Operations Pty Ltd	Ulan West Operations	A planned inspection to assess plant.	Longwall 4 shall not operate until the missing and/or damaged base lift guards have been replaced. Longwall 4 panel can only be operated when the lanyard system has been extended to cover the full length of the panel conveyor.
Mine operator	MC55896	Site assessment of underground working, haul road condition and mine access.	The use of the generator and associated electrical equipment including the bogger not to be operated in this condition.
Liddell Coal Operations Pty Ltd	Liddell Coal Operations	A planned site inspection to investigate incident with dump truck breach a windrow.	The mine is prohibited from windrow dumping. This does not prohibit the mine from continuing non-routine/unusual dumping.
Moolarben Coal Operations	Moolarben Coal Operations – Underground	A planned inspection of Longwall 101 identified hazards with conveyor and relay bar.	Longwall 101 shall not operate until missing relay bar are replaced and conveyor shall not operate until the lanyard is extended to cover the full length of the conveyor.
Tritton Resources Pty Ltd	Murrawombie Mine	A planned inspection to investigate IT 28 G tool carrier tramming incident.	The return to service (use) of CAT Integrated Tool Carrier (IT 28 G) on which the service brakes was reported to have failed until the cause(s) has been identified and addressed to the satisfaction of the statutory Mechanical Engineer.

PCBU	Mine	Details	Prohibited activity
G C Schmidt (Plant) Quarries Pty Ltd	Schmidt Quarries Pty Ltd – Nerriga Quarry	A planned inspection on fire and explosion using the audit document.	No person to proceed beyond the driver's side door unless it is to enter the cabin. No person to use the ladder or platform (opposite Side) to proceed up for any task.
Sibelco Australia Limited	Sibelco Australia - Attunga	An unannounced inspection to review procedures in relation to loading and unloading of trucks and induction process of contract drivers.	No person to proceed beyond the door (driver's side), unless it is to enter cabin. No person to use the ladder or platform (opposite side of cabin) to proceed up for any task.

## Enforcement actions under the Mining Act



## Penalty notices issued (Mining Act)

Date	Entity	Actions	Details
2/2/18	Monte Christo Diamonds Pty Ltd, ELA5516	Penalty Notice, \$2,500	False and misleading statement of corporate compliance
8/2/2018	Centennial Springvale Pty Ltd Springvale SK Kores Pty Ltd, PLL133	Penalty Notice, \$1,000	Failure to pay rent and levy fees - corporation
8/2/2018	Centennial Springvale Pty Ltd Springvale SK Kores Pty Ltd, MPL314	Penalty Notice, \$1,000	Failure to pay rent and levy fees - corporation
8/2/2018	Titleholder, ML1213	Penalty Notice, \$2,500	Failure to prepare or lodge report - individual
14/2/2018	Awati Resources Pty Ltd, EL6286	Penalty Notice, \$2,500	False and misleading statement of corporate compliance
20/2/2018	Glenella Quarry Pty Ltd, EL6616	Penalty Notice, \$5,000	Prospect for mineral without authorisation
27/2/2018	Nasroy Group Pty Ltd, EL8590	Penalty notice, \$5,000	Failure to prepare or lodge report - corporation
28/2/2018	Charbon Coal Pty Limited, MPL505	Penalty notice, \$1,000	Failure to pay rent and levy fees – corporation

## Statutory notifications and exemptions

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

## High risk activity notifications received

Mine	WHS (MPS) Reg provision	Type of notification
Appin Colliery	Schedule 3, Clause 02	Electrical work on energised electrical equipment
Ashton Coal Mine (Underground)	Schedule 3, Clause 10	Sealing
Ashton Coal Mine (Underground)	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
Chain Valley Colliery	Schedule 3, Clause 08	Roadway to drift without intersection for 250 metres
Chain Valley Colliery	Schedule 3, Clause 10	Sealing
Clarence Colliery	Schedule 3, Clause 15	Formation of non-conforming pillars



Mine	WHS (MPS) Reg provision	Type of notification
Clarence Colliery	Schedule 3, Clause 16(1)(a)	Secondary extraction by long/short/mini wall mining
Dendrobium Colliery	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
Integra Underground	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
Metropolitan Colliery	Schedule 3, Clause 12	Driving underground roadway that is wider than 5.5 metres
Narrabri Colliery	Schedule 3, Clause 12	Driving underground roadway that is wider than 5.5 metres (2)
Narrabri Colliery	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
North Wambo Underground	Schedule 3, Clause 13	Widening underground roadway to more than 5.5 metres
PEL0001 Kahlua 2	Schedule 3, Clause 33	Suspending a well
PEL001 Kahlua 3	Schedule 3, Clause 33	Suspending a well
PPL0004 Menangle Park 22	Schedule 3, Clause 31	Well workover
PPL0004 Mt Taurus 5	Schedule 3, Clause 32	Decommissioning a well
Springvale Mine Underground Operation	Schedule 3 Clause 13	Widening underground roadway to more than 5.5 metres
Ulan Underground Mine	Schedule 3 Clause 09	Shotfiring
Wongawilli Colliery	Schedule 3 Clause 16(1)(b)	Pillar extraction

## Workshops and education activities

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

Date	Activity	Location	Details
6/2/2018	Emergency Planning	Singleton	Meeting with Singleton Council and LEMO regarding inclusion of mining context and risks into local EMPLAN that is to be submitted to Region for endorsement. RR supplied mining activity summary and mine CMG for consideration to include in EMPLAN for Singleton LGA. (MU/SB – Scm-2018/00281).
7/2/2018	Health Control Plan Workshop	Broken Hill	'Develop and implement a health control plan' workshop targeting sites that are yet to develop and or implement their health control plan.
9/2/2018	Health Control Plan Workshop	Wagga Wagga	'Develop and implement a health control plan' workshop targeting sites that are yet to develop and or implement their health control plan.
12-16 February	Mine Safety Health Representative Training	Maitland	Five-day training program.
13 February	Examiner Training	Sydney	Statutory Function examination panel member assessment training.
20 February	Health Control Plan Workshop	Wollongong	Evaluate and review a health control plan' workshop targeted sites that have already implemented a health control plan or who are looking to bring their health management plan in-line with current legislative requirements.
21 February	Health Control Plan Workshop	Campbelltown	'Develop and implement a health control plan' workshop targeting sites that are yet to develop and or implement their health control plan.
22 February	Health Control Plan Workshop	Blacktown	'Develop and implement a health control plan' workshop targeting sites that are yet to develop and or implement their health control plan.

## Publications and alerts

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

Date	Type	Summary
1 February	Mine safety news	Weekly incident summary
2 February	Mine safety news	<a href="#">Investigation information release – Glendell fatality</a>
5 February	Media release	<a href="#">Regulator investigating coal burst event at Austar mine</a>
7 February	Mine safety news	Mine safety news <ul style="list-style-type: none"> <li>• <a href="#">Safety Alert issued</a></li> <li>• <a href="#">MDG 15 republished</a></li> <li>• <a href="#">New Chief Inspector</a></li> <li>• <a href="#">New gazette recognises prior qualifications</a></li> <li>• <a href="#">Improving the health and safety of workers at all mine and petroleum sites</a></li> </ul>
8 February	Mine safety news	Weekly incident summary
13 February	Media release	<a href="#">Regulator accepts WHS undertaking from DFSI</a>
15 February	Mine safety news	Weekly incident summary
20 February	Mine safety news	Mine safety news <ul style="list-style-type: none"> <li>• <a href="#">Resources Regulator seeks tenders</a></li> <li>• <a href="#">Statutory function position descriptions updated</a></li> <li>• <a href="#">Resources added to emergency team web page</a></li> <li>• <a href="#">Contacting the Resources Regulator</a></li> <li>• <a href="#">Is mine safety news going to your spam folder?</a></li> </ul>
22 February	Mine safety news	Weekly incident summary
27 February	Mine safety news	Mine safety news <ul style="list-style-type: none"> <li>• <a href="#">Practising certificates</a></li> <li>• <a href="#">Guide for maintenance of competence updated</a></li> <li>• <a href="#">Mechanical engineering safety seminar – seeking tenders</a></li> </ul>