

**NSW  
Resources  
Regulator**

○ **Annual  
Activity  
Report**

2016 - 2017



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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2017). 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.



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## About us

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**The NSW Resources Regulator is a stand-alone regulator within the Department of Planning & Environment responsible for compliance and enforcement activities across the mining, extractive and petroleum industry.**

The NSW Resources Regulator was created to ensure that the regulatory functions of the Department have clear separation from industry development activities. This framework is designed to ensure a consistent and responsive regulatory approach and to provide increased transparency and community confidence in relation to our regulatory activities.

The primary focus of the NSW Resources Regulator is on compliance activities in relation to the following:

- > Compliance with the Mining Act
- > Regulating safety and health performance at NSW mines and petroleum sites (Mine Safety).

Further information on the regulator is contained in our [strategic approach](#).



To enable and support industry to understand and fulfil its obligations



**MISSION**



A safe and responsible mining extractive and petroleum industry



**VISION**

The information contained in this report is part of the Regulator's ongoing commitment to provide regular reports on its activities in order to:

- > ensure a consistent and responsive regulatory approach
- > to provide increased transparency and confidence in its compliance and enforcement activities
- > promote voluntary compliance by industry.

This report provides a summary of the activities of the Regulator from 1 July 2016 to 30 June 2017.

# Snapshot of activities

Below is a snapshot of the NSW Resources Regulators activities for the 2016 - 17 year:





# Regulatory activities

## SAFETY TARGETED ASSESSMENT PROGRAMS

### Targeted assessment programs

(TAPs) take a planned and ‘targeted’ approach to assessing how effective a mining operation is when it comes to controlling its most significant risks – or principal hazards. Each TAP is conducted by a team of inspectors from a variety of disciplines, such as mining, electrical and mechanical engineering, who all work together with the mine’s management team.

TARGETED ASSESSMENT PROGRAM	NUMBER CONDUCTED 2016-2017
Diesel exhaust emissions	10
Emergency management	6
Explosion suppression	10
Fatigue	5
Gas and ventilation	5
Ground or strata failure	10
Respirable dust	12
<b>Total</b>	<b>58</b>

## SAFETY TARGETED INTERVENTION PROGRAMS

Targeted intervention programs (TIPs) are similar to TAPs but focus on a specific mine site where specific non-compliance or significant hazards and risks are present or across a number of sites when a specific issue or risk is identified. The purpose of the targeted intervention program is to maximise voluntary compliance to prevent catastrophic, multiple-fatality events, reduce personal injury and address occupational health. A TIP focuses on changing the behaviour and systems in place at a mine site to address a specific health and safety issue.

TARGETED INTERVENTION PROGRAM	NUMBER CONDUCTED 2016-17	MINES
Duties of officers	4	Wongawilli; Russell Vale; Integra; Ridgeway
Electrical safety at dimension stone quarries	1 (6 sites)	Blue Mountains Quarry; Calga Quarry; Grants Quarry; Canoelands Quarry; Wilton Quarry; East Kurrajong Quarry
Emergency plan - preparedness and response	1	Narrabri
Gas and ventilation management - in response to significant number of gas exceedances reported.	3	Appin; Metropolitan; Manadalong





## Spotlight: Gas outbursts at Peabody Energy's Metropolitan colliery

During January 2017 the Resources Regulator undertook important regulatory intervention activities at Peabody Energy's Metropolitan colliery, south of Sydney, following a second gas outburst incident in a matter of weeks.

The gas outburst, which occurred on 4 January 2017, resulted in the release of carbon dioxide, and a significant amount of coal from the longwall face, which obstructed passage across the face.

A prohibition notice and scene preservation notice were issued by the Regulator to prevent further production from the longwall.

The incident followed a low-energy gas outburst on the longwall at the mine during December 2016. At that time the Regulator issued a prohibition notice.

As well as its own review of risk control measures, the mine operator was required to engage an independent consultant to review the adequacy of the mine outburst management plan and the mine's operating procedures, and then report to the Regulator.

A preliminary assessment found that the measures taken helped avoid worker injury or death during the January incident.

Since the regulator's intervention, the mine introduced automated mining techniques, believed to be the first in NSW, which significantly reduced worker exposure to the risk of outbursts.



**SAFETY ASSESSMENTS**

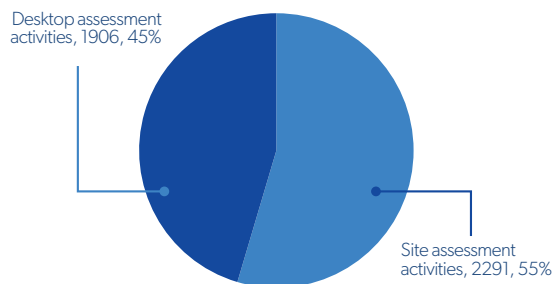
Safety assessments are undertaken by the regulator as part of the risk-based regulation of health and safety in the mining and petroleum industry and include both desktop and site activities. Assessments include activities related to inspections, audits, investigations, management plan reviews, verification and compliance.

These activities can be reactive in nature, in response to an incident or complaint, or proactive assessments of principal hazard and risk management.

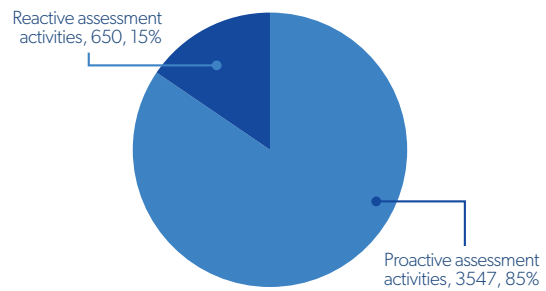
The graphs below provide a breakdown of assessment activities by type, by nature and by industry sector.



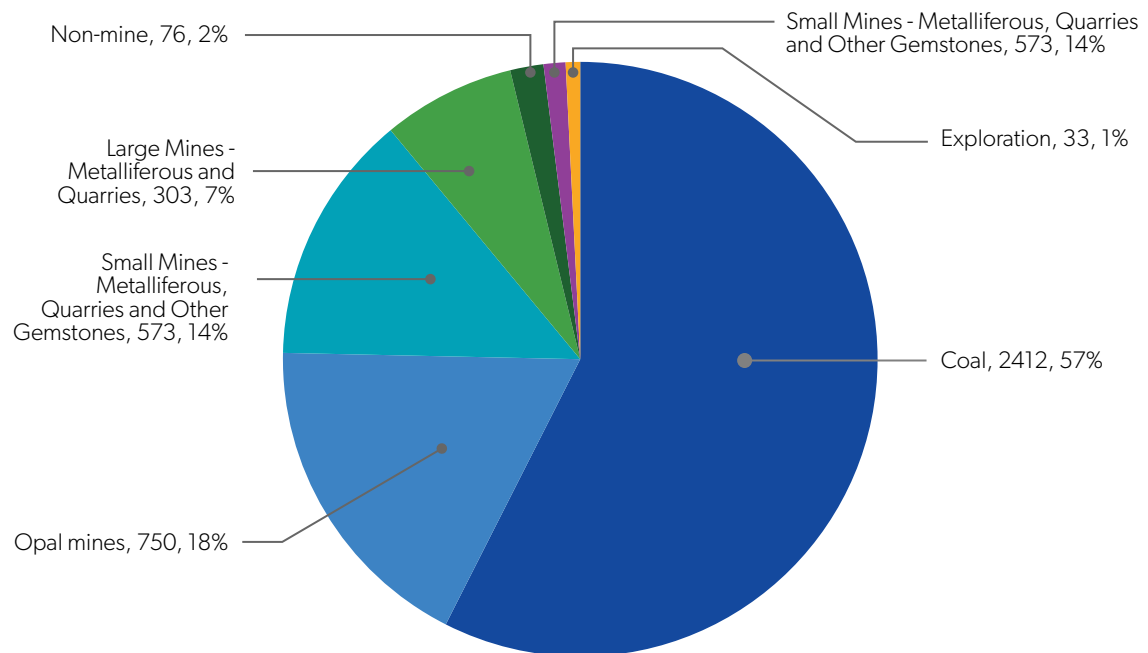
**Safety assessment activities conducted by type**



**Safety assessment activities by nature**

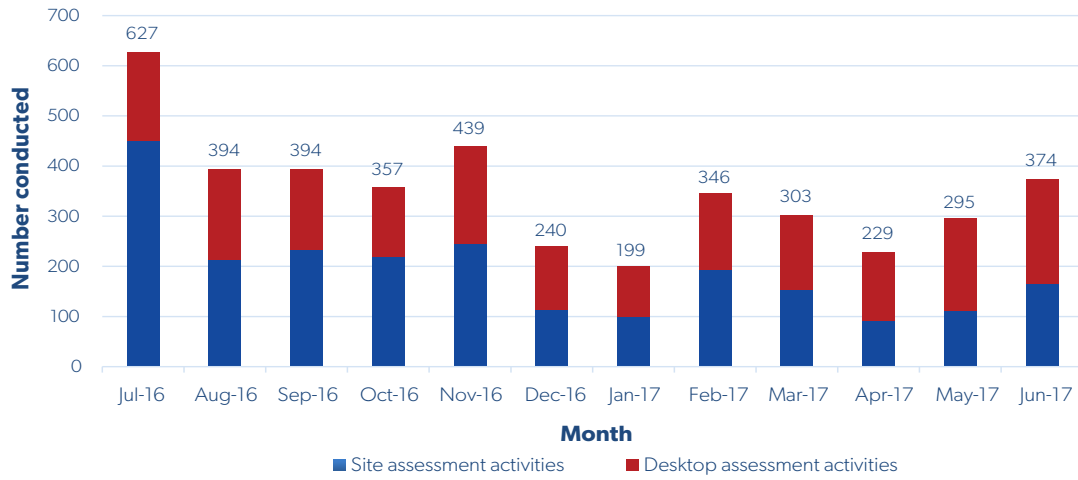


**Safety assessment activities conducted by sector**

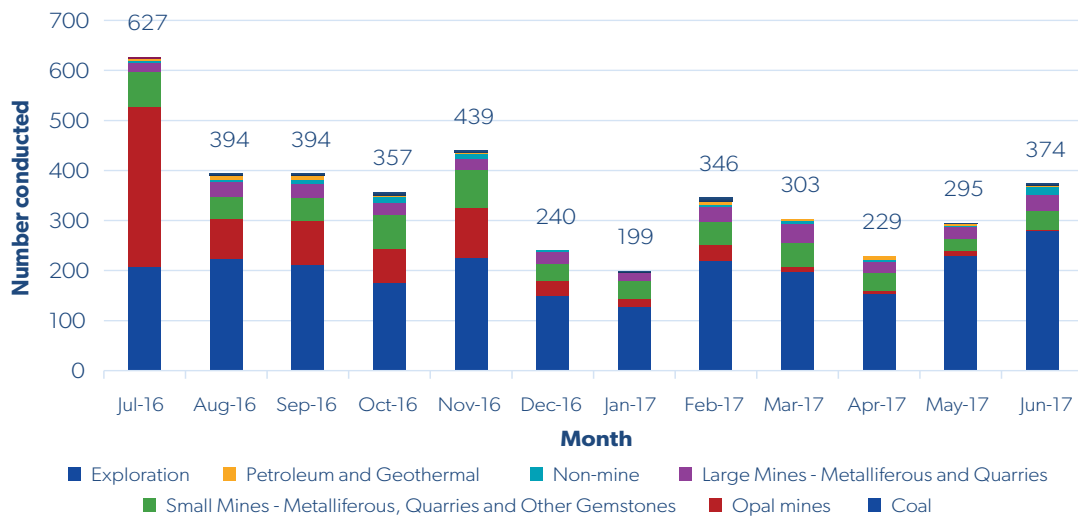




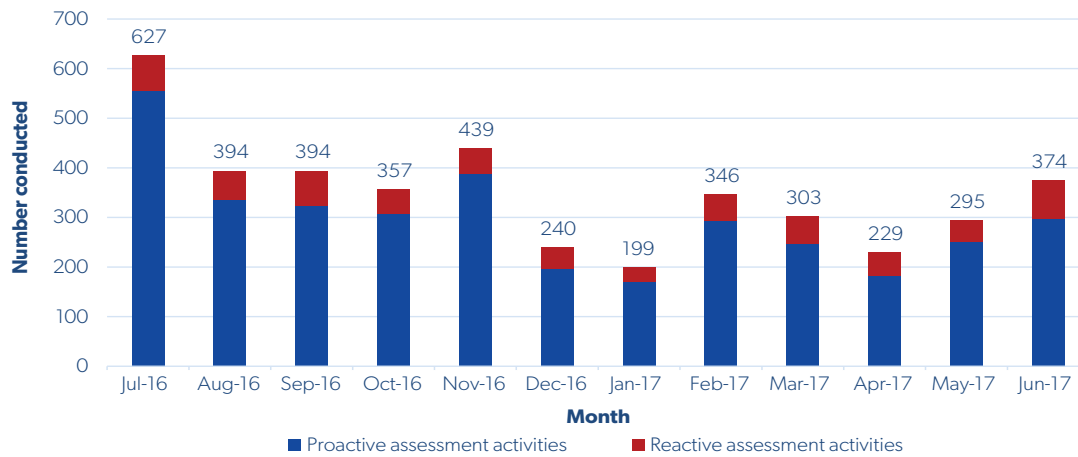
Safety assessment activities conducted by month and type



Safety assessment activities conducted by month and sector



Assessment activities by month and nature



## Spotlight: Structural integrity of coal handling and preparation plants

A compliance inspection program was undertaken in 2017 (April to August), focusing on structural integrity at coal handling and preparation plants (CHPPs). Inspectors considered the integrity of structures including buildings, bins and gantries, as well as human interaction with plant and equipment.

Twenty one facilities that constituted the highest-perceived risk to health and safety in terms of structural integrity were identified for planned

inspections. Two additional facilities were added during the program.

The regulator issued 55 notices as a result of the planned inspection program - seven prohibition notices, 26 improvement notices and 22 notices of concern.

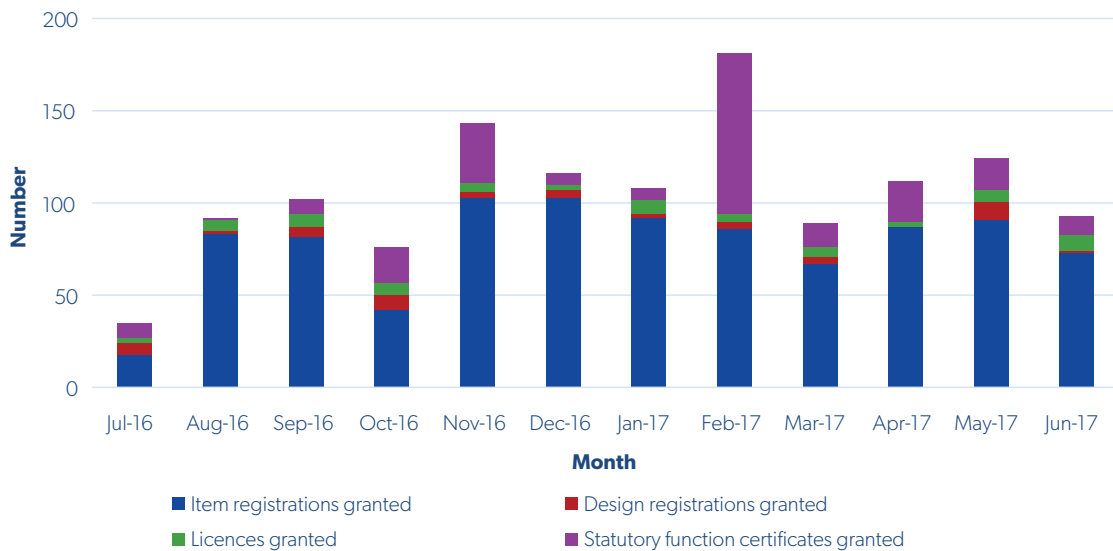
A [consolidated report](#) of the findings of the program is available on our website.

## SAFETY CERTIFICATION AND LICENSING ACTIVITIES

The regulator plays a role in registering equipment used at NSW mines, licensing certain high-risk activities and administering competency certification for workers within the sector. These functions ensure that

fit-for-purpose plant and equipment is used in mining workplaces and that persons fulfilling statutory roles at these sites meet the mandated level of competence under the Work Health and Safety (Mines and Petroleum Sites) (WHS (MPS)) scheme.

Safety certification and licensing activities by month

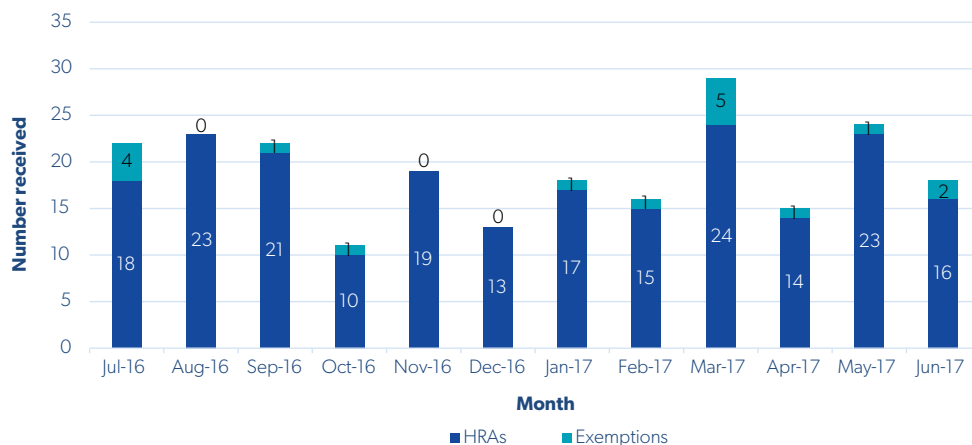


### SAFETY HIGH RISK ACTIVITY NOTIFICATIONS AND EXEMPTIONS

High risk activity (HRAs) are notifications to the regulator made under clause 33 of the WHS (MPS) Regulation. These notifications cover mining or extraction activities that are known to present a significant health and safety risk to such an extent that they have been identified and prescribed in the regulations.

Mine operators are able to apply for exemptions from provisions of the regulations under clause 684 of the WHS Regulation 2011.

HRA notifications and exemptions received by month



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## Spotlight: Lightning Ridge operation targets mine shaft safety and rehabilitation

**NSW Resources Regulator compliance officers inspected 282 opal claims in the Lightning Ridge district on 12 and 13 July 2016, focussing on regulatory, environmental and safety issues of all mineral claims.**

All mineral claim holders must comply with claim conditions and legislative requirements including:

- > *Work Health and Safety Act 2011*
- > *Work Health and Safety (Mines and Petroleum Sites) Act 2013*
- > *Mining Act 1992*

The compliance operation focussed on a number of general issues including:

- > protecting all mine shafts and auger holes to the required standards
- > ensuring machinery is properly guarded
- > ensuring electrical equipment meets minimum standards
- > ensuring the claim area is maintained in a proper state of cleanliness at all times. All rubbish must be regularly removed from the claim area and be disposed of at a recognised public rubbish tip
- > correctly maintaining mark out, including tags and trenches at each corner
- > removal of excess mullock.

Before a person can be issued with a mineral claim to prospect for opals, they must complete the two-day Lightning Ridge Mine Safety Awareness course run by the NSW Resources Regulator. The course has been credited with dramatically reduced fatalities in the opal fields. Many people are drawn to opal mining as a hobby in their retirement, although they may have no mining experience. This in itself makes the course an important first step in understanding and controlling the risks involved in underground work.

### MINING ACT NON-COMPLIANCE EVENTS COMMENCED

The regulator is responsible for investigating non-compliance with the *Mining Act 1992* as well as carrying out compliance and enforcement action under the Act.

The following table shows the 848 matters that were identified or reported to the regulator, by type of non-compliance.

ALLEGED NON COMPLIANCE	NO
Community Incident - Community Protest	1
Disturbance Incident	2
Environmental Incident	20
Failure to comply with condition(s)	184
Failure to comply with direction(s)	19
Failure to Make Payment – Rent and Levy	268
Failure to Make Payment – Royalty	5
Failure to Make Payment – Security	19
Failure to Report - Annual Environmental Management Report	68
Failure to Report - Exploration / Geological	169
Failure to Report - Compliance Report	3
Failure to Report - Royalty: Return of Royalty and Statistics	34
Fit and Proper Person concerns	7
Illegal Fossicking	3
Illegal Mining or prospecting	23
Other Legislative Breach	10
Provision of false and misleading information	13
<b>Total</b>	<b>848</b>



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## Spotlight EU - Kepco and Worley Parsons

In August 2016, the Resources Regulator accepted enforceable undertakings from KEPCO Bylong Australia Pty Limited and WorleyParsons Services Pty Limited following the Regulator’s investigation into both companies for allegedly providing false information under section 378C of the *Mining Act 1992*.

These were the first undertakings of their kind to be accepted by the regulator following amendments to the mining laws.

The undertakings followed the commencement of prosecution proceedings by the regulator in March 2016 against both companies for allegedly providing false information in relation to a Surface Disturbance Notice Application in relation to proposed exploration activities associated with the Bylong Coal Project.

Both companies acknowledged that six supplied photographs in the application were not photographs of the proposed exploration locations, and agreed to enforceable undertakings in lieu of continued prosecution.

The maximum penalty for providing false or misleading information was \$55,000 at the time of the alleged offence.

The undertaking required both companies to pay the investigation and legal costs of more than \$94,000, to enhance their compliance, audit and training programs, and to provide additional education and support on regulatory obligations.

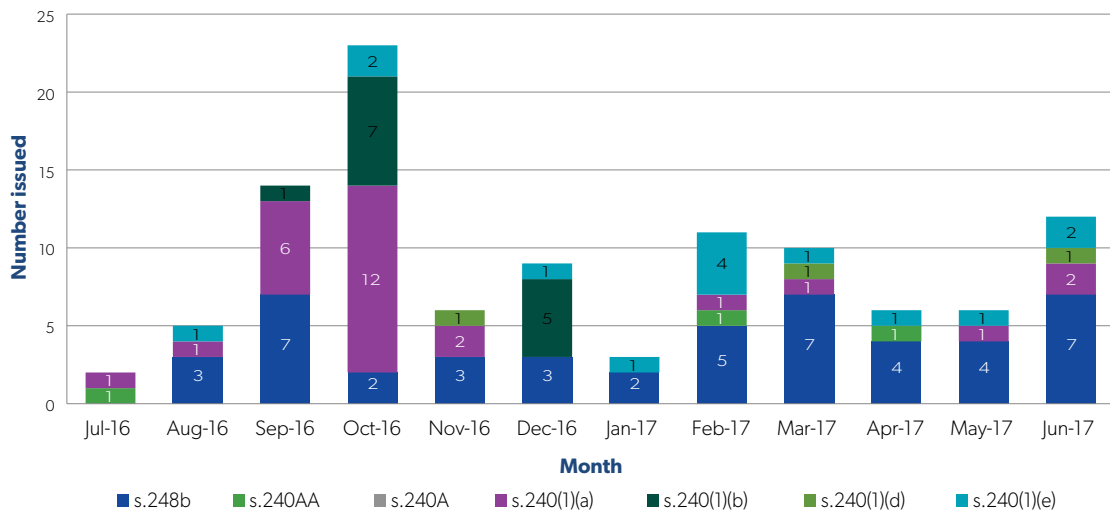
Additionally, WorleyParsons agreed to engage an independent auditor to undertake a review of previous work submitted to ensure its compliance with the Mining Act.

These outcomes could not have been achieved as part of a prosecution action and provide tangible benefits to the community and industry.

Both companies have demonstrated ongoing compliance with the their respective undertakings.

### MINING ACT DIRECTIONS ISSUED

Under the Mining Act the regulator may issue a range of directions to authorisation holders or others who may breach any provision of the Act. The graph below shows the directions issued under the Mining Act by the department.



**Note:** s.248b- Provide information and records, s.240AA- Direction to suspend operations, s.240A- Prohibition notice, s.240(1)(a)- Direction to give effect to condition, s.240(1)(b)- Direction to address adverse impact, s.240(1)(d)- Direction to conserve or protect the environment, s.240(1)(e)- Direction to rehabilitate.

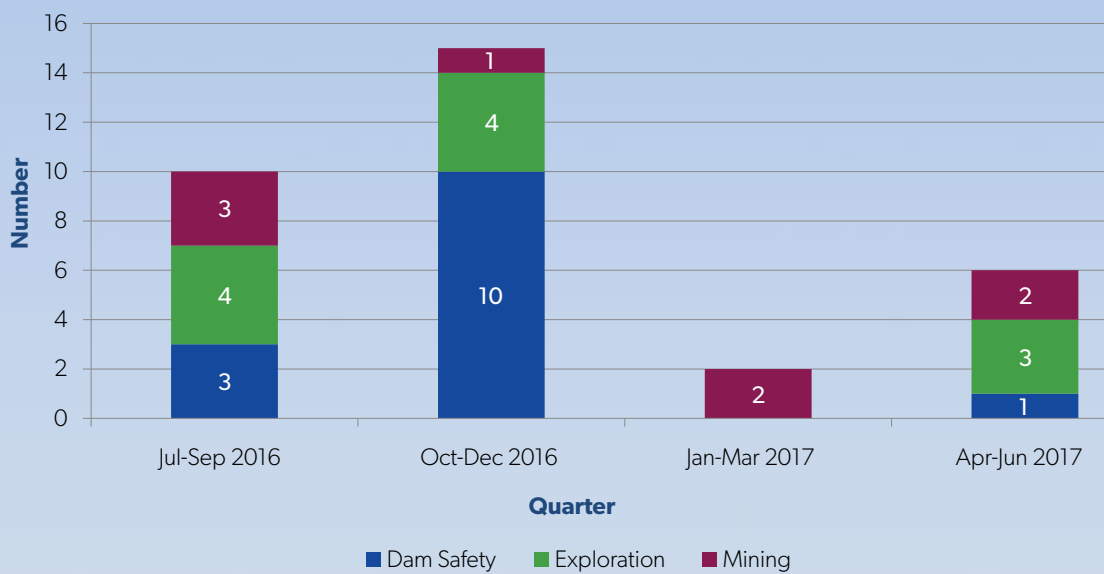


**MINING ACT AUDITS UNDERTAKEN**

The regulator carries out audits of authorisation holders' compliance with the Mining Act. Audits are conducted to identify non-compliance and to provide advice and feedback to authorisation holders about their level of compliance with the provisions of the Act and their condition of authority.

Dam safety management audits are a joint audit, conducted alongside the Environmental Protection

Agency and the Department of Planning and Environment, looking at the safety of prescribed dams at mine sites. Exploration audits involve the auditing of exploration activities (i.e. exploration licences) looking at compliance with the Mining Act. Similarly mining audits look at compliance with the Mining Act at mine sites (e.g. mining leases).



# Notifications

## SAFETY INCIDENT NOTIFICATIONS RECEIVED

The regulator receives numerous safety notifications every year as required under the legislation. These notifications relate to safety or health incidents that have occurred at mine or petroleum sites across the state, including high potential incidents. When a notification is received the regulator triages each one based on the nature of the incident and level of harm resulting from the incident. This triage classification is used to prioritise the regulator’s response to each notification.

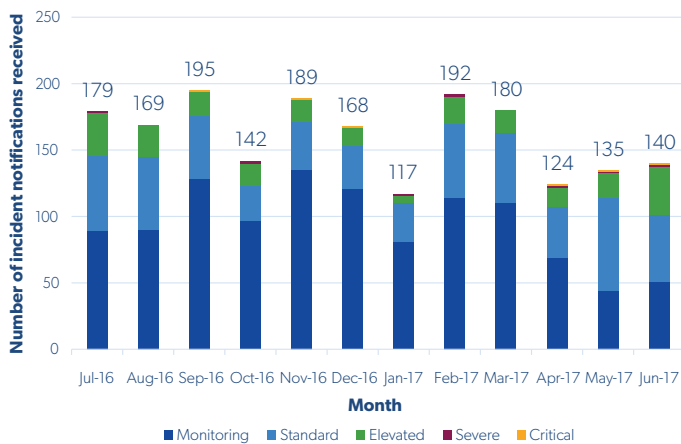
Graphs below show incident notifications by classification and sector.

Critical and severe incidents are those which require an urgent response in that they pose (or may have posed) a serious risk to the health or safety of workers or other persons protected under the WHS framework. Details of the incidents classified as critical or severe over the period are listed on the following pages.

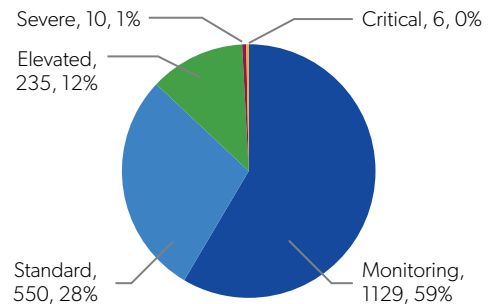
### INCIDENTS ARE CLASSIFIED AS FOLLOWS:

<b>Critical</b>	An incident that results in a death or where a person may die from their injuries.
<b>Severe</b>	An incident that results in serious injury or serious illness.
<b>Elevated</b>	A dangerous incident that exposes a person to serious risk to their health and safety.
<b>Standard</b>	Non-notifiable medical treatment injury or high potential incident that would have been dangerous if a person were in the vicinity at the time.
<b>Monitoring</b>	A high potential incident that does not pose an imminent risk to health and safety and no injury occurs, and there are no aggravating factors.

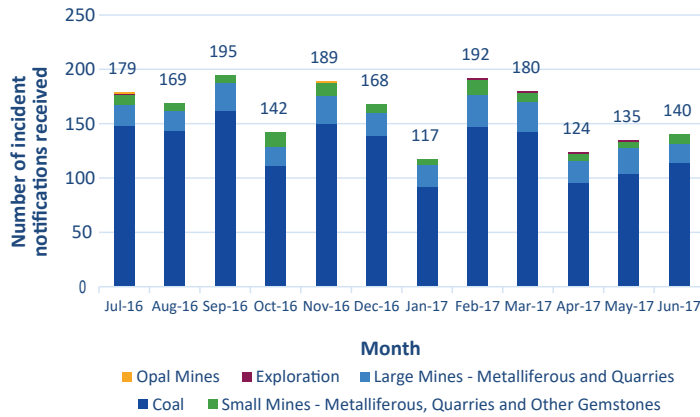
Incident notifications received by month and classification



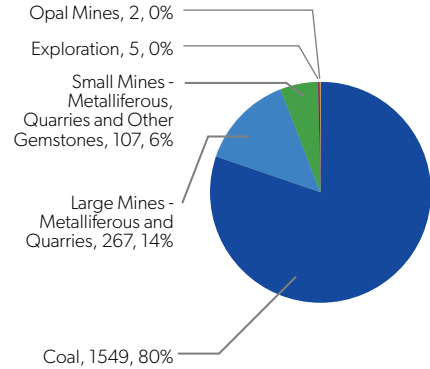
Incident notifications received by classification



Incident notifications received by month and sector



Incident notifications received by sector



**SAFETY INCIDENTS TRIAGED AS CRITICAL OR SEVERE**

DATE	LOCATION	INCIDENT
13 July 2016	Duralie mine	Suspected fluid injection. Fitter changing dozer tracks in the surface workshop and was using an enerpac to torque up the bolts on the idler roller. It was reported that a leak of fluid from an elbow joint struck the fitter’s glove and dented it.
1 September 2016	WCL Russell Vale Colliery	A contract truck driver was reported to have experienced a medical incident whilst sitting in his truck. Ambulance and paramedics attended and the driver was later pronounced deceased. Pathologist reports have since confirmed that the incident was not work related.
1 October 2016	Springvale Mine	Electrician was double chocking on longwall face when localised slabbing occurred. Top of slab made contact with the plan line and fell into the walkway striking the electrician in the lower right leg area. Electrician was treated at the scene and later by ambulance officers on the surface. Electrician was transported to Lithgow Hospital for x-rays.
8 October 2016	Narrabri Colliery	Tradesman slipped on the shovel of the continuous miner and fell onto the cutter head of the continuous miner, sustaining a penetrating wound to the chest under his right arm.
4 November 2016	Lightning Ridge	A worker was fatally struck by an ‘ore bucket’ in a mine shaft.
13 December 2016	Rix’s Creek Mine	A worker of a coal truck was working at the back of a truck when the tailgate swung down and struck him on the head, causing fatal injuries.
4 January 2017	Metropolitan Colliery	An outburst occurred on the longwall face resulting in the release of carbon dioxide and obstruction of passage across the face. No persons were injured.

DATE	LOCATION	INCIDENT
20 February 2017	Menangle Sandstone Mine	A person was operating a loader when its brakes failed. The manitou loader broke through the bund wall and continued over the pit edge, coming to rest on the pit floor approximately 30 metres below. The operator managed to jump from the vehicle before it went over the edge of the pit. No persons were at the bottom of the pit when the incident occurred.
21 February 2017	Northparkes Mines	An operator was working on the sub cave level when an isolation valve from the end of a hose struck him. The jumbo was tramming into position, the hose reel jammed and the water hose tensioned causing the isolation valve to be released from the polyline. The isolation valve struck the operator on the left leg. The operator sustained a suspected fracture of the tibia and fibia.
3 April 2017	Peak Gold Mines	A worker operating a mobile rock drill underground reported feeling unwell and lost consciousness while being transported to the surface. The worker died despite the efforts of his co-workers and ambulance officers to resuscitate him.
24 April 2017	Moolarben Coal Operations	An apprentice fitter was about to clean a vehicle in the heavy vehicle wash bay when he was observed running from the water cannon. The water stream from the cannon blew off his hard hat and safety glasses and he suffered trauma to an eye. The person was attended by ambulance and transferred by Westpac helicopter to hospital for treatment.
14 May 2017	Perilya Broken Hill Southern	A worker collapsed underground. He was transported to the surface by mines rescue and attended by ambulance officers before being transported to hospital. Despite efforts, the worker died.
31 May 2017	Peak Gold Mine	A worker was hit on his hard hat by a rock that had fallen through strata mesh. The worker was transported by ambulance to hospital for assessment.
1 June	Springvale Mine Underground Operations	A contractor refurbishing a gravity tank was using an eye lift jack when the handle let go and hit the contractor in the jaw. The worker suffered a suspected fracture of the jaw and temporary loss of consciousness. The worker was transferred offsite by ambulance however an air ambulance was called and intercepted the road ambulance to transport to hospital.
1 June	Wongawilli Colliery	A worker at the decommissioned Wongawilli shaft felt unwell and drove away from site but later was found deceased near his vehicle on a fire trail.
28 June	Hunter Valley Operations	An operator, in the process of egressing a rear dump truck for crib, slipped from the ladder and landed face first onto the ground. The operator was assessed at the site by ambulance officers, before going home. Further medical treatment was sought by the operator which identified he had suffered broken ribs and a fractured eye socket.



### Spotlight: Centralised reporting

From 4 July 2016 all mine and petroleum site operators were required to report any work health and safety incidents to a new statewide telephone number - 1300 814 609.

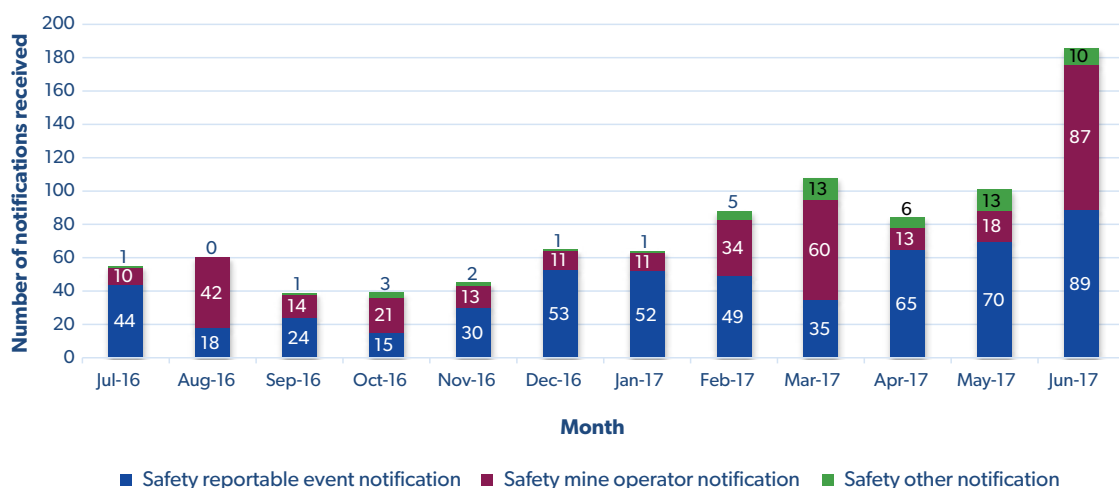
Under the *WHS (MPS) Act*, mine and petroleum site operators are required to immediately notify the Resources Regulator if a serious injury, illness or dangerous incident occurs at their mine or petroleum site.

The new 1300 814 609 number is staffed by an inspector 24 hours a day, seven days a week. The new incident notification process allows incidents to be appropriately documented, responded to and investigated as well as proactive safety measures to be incorporated into mine operations.

## SAFETY NOTIFICATIONS TO THE REGULATOR

Other notifications made to the regulator under the *WHS (MPS) Act* legislation are shown below.

Reportable events, mine operator and other notifications received by month



### Spotlight: Improving online services

The NSW Resources Regulator launched a new online tool in January 2017 to enable mine operators to submit their quarterly work health and safety reports online. The new online service has been positively received by mine operators.

In May 2017 the regulator implemented a new [web form](#) to enable members of the public to report any alleged breaches of the Mining Act to the regulator.

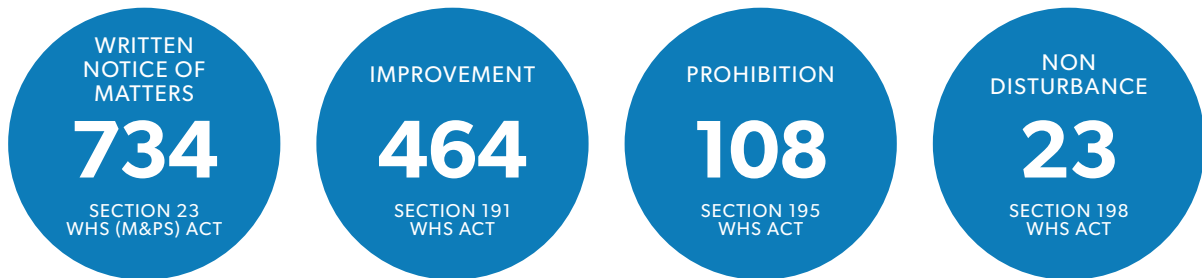
Following a period of testing, in July 2017 a new incident reporting form was released to enable mine operators and persons conducting a business or undertaking at a mine or petroleum site to directly submit incident notifications online. Information about reporting an incident or injury, as well as the online form, can be [found here](#).



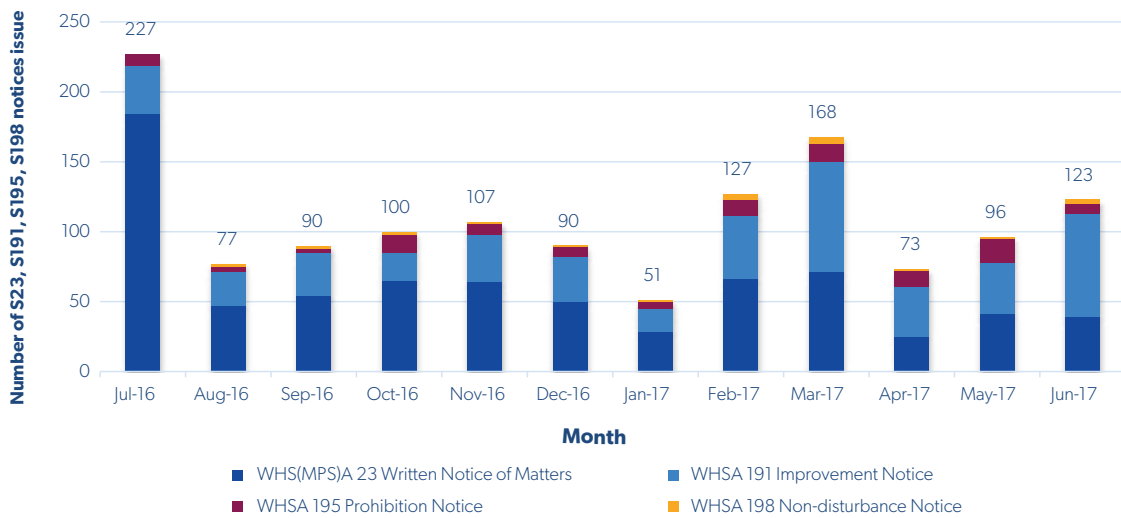
# Enforcement

## SAFETY NOTICES ISSUED

The regulator has the power to issue a range of notices to mine operators under the WHS legislation.

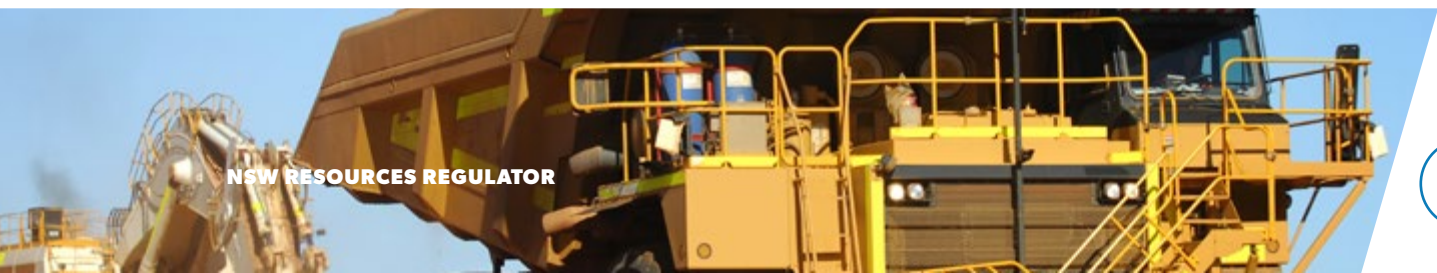


S23, S191, S195, S198 Notices issued by month



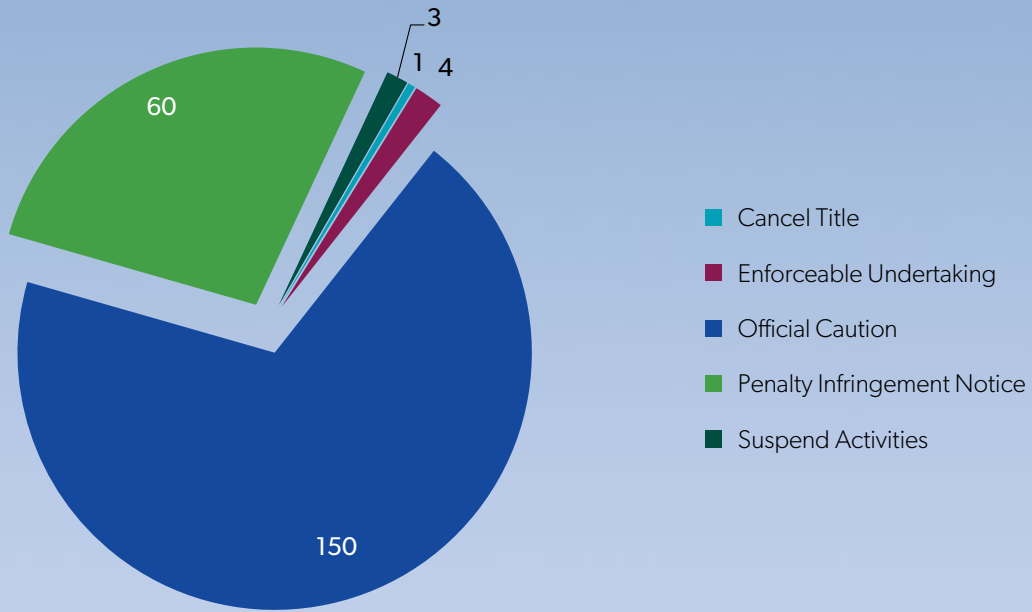
**Spotlight:** Cancellation of mining lease

In a first for NSW, in June 2017 the regulator cancelled a mining lease for a dimension stone mine in the state’s north due to ongoing compliance issues, including failing to pay the required environmental rehabilitation security deposit; failing to lodge a plan of management for the mine; not providing annual reports; and failing to mine the lease effectively or in good faith.



### KEY MINING ACT ENFORCEMENT ACTIONS

Several enforcement options are available to the regulator under the *Mining Act*. These range from the issue of a caution to cancellation of an authorisation and even criminal prosecution. The following chart gives a breakdown of the enforcement actions undertaken by the Regulator in the 2016-17 year.



## PROSECUTIONS

Summaries of all finalised prosecutions are available on the completion of each matter.

### Prosecutions Commenced

COMMENCEMENT DATE	LEGISLATION	DEFENDANT	ALLEGATION / BACKGROUND
26 August 2016	<i>Work Health and Safety Act 2011</i>	Cudal Lime Products Pty Ltd Two workers	The deceased received a fatal electric shock whilst in the shower of a home near the Cudal Limestone Quarry. The home's electricity supply was connected to the quarry's electrical infrastructure.  It is alleged that the incident was caused by non-compliant electrical work combined with the absence of critical electrical safety devices and damaged electrical plant and equipment.
5 September 2016	<i>Work Health and Safety Act 2011</i>	Hunter Quarries Pty Ltd	On 9 September 2014, the employee was fatally injured while operating an excavator at the Karuah Quarry.
4 October 2016	<i>Work Health and Safety Act 2011</i>	Rio Tinto Coal (NSW) Pty Limited	On 2 October 2014, a worker sustained serious spinal injuries when he fell from the grader's hydraulic powered access ladder as it unexpectedly moved and began to rise.
10 November 2016	<i>Work Health and Safety Act 2011</i>	Silver City Drilling (NSW) Pty Ltd	The Regulator successfully prosecuted Silver City Drilling for breaches of the <i>WHS Act</i> who were sentenced to a penalty of \$112,000. The District Court did not award costs relating to the breach and this was appealed in the Court of Criminal Appeal.
14 June 2017	<i>Mining Act 1992</i>	Bloomfield Collieries Pty Ltd	Contravention of s378C of the <i>Mining Act</i> , provision of false and misleading information.
21 June 2017	<i>Mining Act 1992</i>	Wollongong Coal Limited and Wongawilli Coal Pty Ltd	Failure to pay annual rental fees and annual administrative levies under Part 14A of <i>Mining Act 1992</i> (three counts).

## Prosecutions finalised

DATE	ENTITY	ALLEGATION / BACKGROUND	OUTCOME
12 August 2016	Silver City Drilling (NSW) Pty Ltd	The charges relate to a 2012 incident where a 26-year old employee of suffered catastrophic and permanent injuries to his neck and spinal cord when he was knocked from a platform and struck by a pipe while operating a drill rig at Ashton Coal Mine near Singleton.	The company entered a plea of guilty to contravening section 32 of <i>WHS Act</i> by failure to comply with health and safety duties of section 19 of the <i>WHS Act</i> and was fined \$112,000 with moiety to the prosecutor.
16 August 2016	Macmahon Mining Pty Limited Services	The prosecution related to a 2013 incident where a shift supervisor working in the No1 Shaft at CSA Mine near Cobar was fatally injured while using a kibble (a large bucket used to lift items or people in mines) as transport about 1km underground. The employee died of serious head injuries when his head collided with a working platform.	The company enter a plea of guilty to contravening section 32 of <i>WHS Act</i> by failure to comply with health and safety duties of section 19 of the <i>WHS Act</i> and was fined \$75,000.
16 May 2017	Silver City Drilling (NSW) Pty Ltd	The Regulator successfully prosecuted Silver City Drilling for breaches of the <i>WHS Act</i> where the defendant received a penalty of \$112,000. The District Court did not award costs and this was appealed in the Court of Criminal Appeal.	The fine was increased to \$212,500 and the defendant is required to pay the regulator’s costs.

Spotlight: Cudal prosecution

In August 2016, prosecution proceedings were commenced against Cudal Lime Products Pty Ltd (Cudal) and two of its workers for alleged contraventions of the *Work Health and Safety Act 2011* resulting in the death of a local resident.

Category 1 - Reckless Conduct proceedings were commenced under section 31 of the *WHS Act*.

Category 1 offences are the most serious under the *WHS Act* and attract a maximum penalty of \$3 million for a corporation and \$600,000 for an individual and/or up to five years imprisonment.

These are the first Category 1 proceedings to be brought in NSW since their introduction in 2012.

## ENFORCEABLE UNDERTAKINGS

An enforceable undertaking is a written, legally binding agreement proposed by a company or individual following an alleged contravention of an Act. It provides a commitment by a company or individual to implement initiatives designed to deliver tangible benefits for the industry and broader community. These initiatives should seek to resolve both the behaviour of concern that has led to the alleged contravention and also seek to rectify the consequences of the conduct.

During 2016-17, the following enforceable undertakings were accepted:

DATE OF ACCEPTANCE	NAME(S) OF PARTIES	LEGISLATION
23 June 2017	Bloomfield Collieries Pty Ltd	<i>Mining Act 1992-Part 17A, Division 48</i>
16 November 2016	Boral Bricks Pty Ltd	<i>Mining Act 1992-Part 17A, Division 48</i>
5 August 2016	KEPCO Bylong Australia Pty Limited	<i>Mining Act 1992 -Part 17A, Division 48</i>
5 August 2016	WorleyParsons Services Pty Limited	<i>Mining Act 1992-Part 17A, Division 48</i>

Details of [accepted undertakings](#) can be found on our website.



### Spotlight: Young Mining suspension

Young Mining's mining operations were suspended by the NSW Resources Regulator on 18 August 2016 due to a breach under the Mining Act related to the company's failure to pay an additional \$540,000 in environmental rehabilitation security deposits.

Young Mining subsequently applied for an interlocutory injunction with the Land and Environment Court seeking to lift the suspension until 12 September 2016. The matter was heard in the Land and Environment Court on 19 August 2016 where an interim variation to the suspension notice was made for it to take effect after the court hearing

on 23 August 2016. At the hearing on 23 August it was determined that the Land and Environment Court did not have the jurisdiction over the matter, which was instead referred to the NSW Supreme Court.

The NSW Supreme Court heard the matter on 23 August 2016 and dismissed Young Mining's application with an order to pay the department's costs. As a result, the company operations remained suspended.

On 31 August 2016 the suspension was lifted after Young Mining provided the required security in full.



# Publications and engagement

## INCIDENTS, ALERTS & INVESTIGATIONS

Safety alerts and bulletins and significant incident and investigation reports to inform the NSW mining industry, suppliers, unions and industry organisations about work health and safety issues and findings with the aim of preventing similar occurrences and providing operators with information to help them meet their obligations.

DATE	PUBLICATION TYPE	REFERENCE	LINK
23 Jun 2017	Safety Alert	SA17-07	Non-compliant gas monitors
19 Jun 2017	Investigation information release	IIR17-07	Fatality on the surface of an underground coal mine
9 Jun 2017	Safety Alert	SA17-06	Flameproof alternators
2 Jun 2017	Regulatory Investigation Report	RIR17-02	Incident involving a worker at Ulan West Operations on 26 November 2015
2 Jun 2017	Investigation information release	IIR17-06	Excavator cabin detaches and falls
2 Jun 2017	Investigation information release	IIR17-05	Fatality at Perilya Southern Operations
12 May 2017	Safety Alert	SA17-05	Hand injured by fall of drill rods
11 May 2017	Safety Bulletin	SB17-04	Uninterruptable power supply installations at mines
10 May 2017	Safety Alert	SA17-04	Synthetic fibre sling fails
3 May 2017	Investigation information release	IIR17-04	Fatality in underground metalliferous mine
20 Apr 2017	Safety Alert	SA17-03	Pneumatic Air Tool Fitting Fails
22 Mar 2017	Investigation information release	IIR17-03	Coal workers' mixed dust pneumoconiosis
21 Mar 2017	Safety Bulletin	SB17-03	Rocks breach catch bund
21 Mar 2017	Safety Alert	SA17-02	Fall from height risk
20 Mar 2017	Investigation information release	IIR17-02	Rockfall at Northparkes Mines
10 Mar 2017	Regulatory Investigation Report	RIR17-01	Fatality at Ridgeway Mine on 6 September 2015
14 Feb 2017	Investigation information release	IIR17 01	Light vehicle collides with mine entry gate
20 Jan 2017	Safety Bulletin	SB17-02	Mines and preparing for fires
20 Jan 2017	Safety Alert	SA17-01	Gas outburst on longwall face

DATE	PUBLICATION TYPE	REFERENCE	LINK
9 Jan 2017	Safety Bulletin	SB17-01	Industry reports more truck rollover incidents
23 Dec 2016	Investigation information release	IIR16-08	Fatality after being struck by truck tailgate
22 Dec 2016	Safety Bulletin	SB16-06	Injuries incurred from falling plant
21 Dec 2016	Investigation information release	IIR16-07	Workplace bullying
9 Dec 2016	Safety Alert	SA16-09	Non-compliant stone dust supplied to underground mine
6 Dec 2016	Safety Bulletin	SB16-05	Exposure of copper or copper alloys to ammonium nitrate – TACN formation
1 Dec 2016	Safety Alert	SA16-07	Operator suffers broken arm while operating high pressure hose
1 Dec 2016	Safety Alert	SA16-08	Workers exposed to elevated levels of methane
18 Nov 2016	Safety Alert	SA16-06	Sudden failure of feed hopper
15 Nov 2016	Investigation information release	IIR16-06	Fatality in underground opal mine
7 Oct 2016	Safety Bulletin	SB16-04	Mines and severe weather events
4 Oct 2016	Safety Bulletin	SB16-03	Work Health and Safety (Mines and Petroleum Sites) Laws
30 Sep 2016	Investigation information release	IIR16-05	Austar coal burst
21 Sep 2016	Safety Alert	SA16-05	Firefighting component issues identified
20 Sep 2016	Safety Alert	SA16-04	Opal miner injured
20 Sep 2016	Safety Alert	SA16-03	Rock falls on loader operator



### Spotlight: Industry gets an overview of the new Causal Investigation Policy

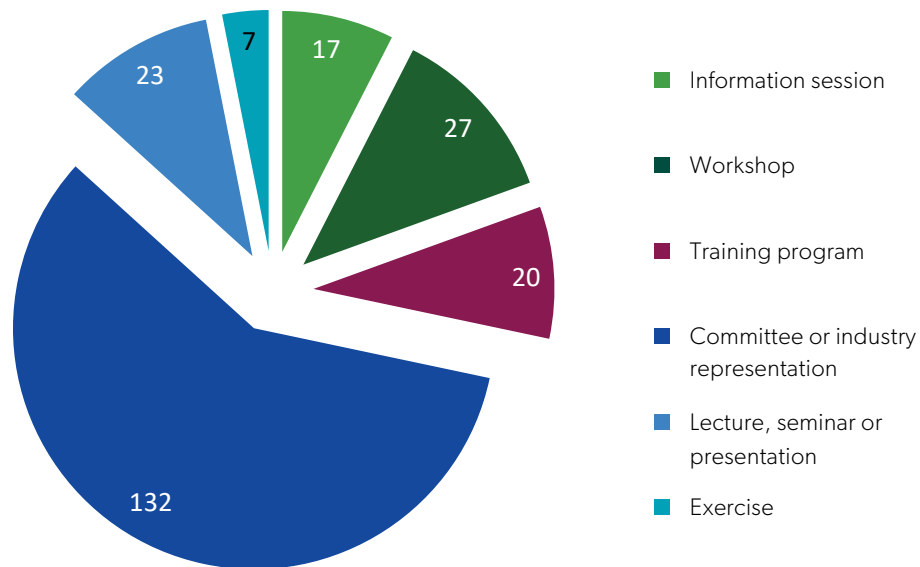
The regulator released its [Causal Investigation Policy](#) in April 2017, the purpose of which was to establish a framework where, in the appropriate circumstances, a causal investigation could be conducted to enable the quick and full understanding of the causes of safety incidents, and publication of corresponding lessons to reduce the likelihood of recurrence. Notably, a causal investigation is an investigation into a safety incident, 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.

More than 140 industry representatives took part in workshops in Singleton, Tamworth, Dubbo and Sydney throughout 2016-17, learning about how the Regulator makes the decision to commence a causal investigation, and the process that is followed.

### EDUCATION, ENGAGEMENT ACTIVITIES & INDUSTRY INVOLVEMENT

As part of the regulator’s role in promoting improved compliance within the NSW mining industry numerous engagement activities are undertaken. This education may take the form of formal presentations to industry groups, input into industry committees and coordination or participation in emergency response exercises. The graph below shows the numbers of the various types of industry education and engagement activities that were provided by the regulator in the 2016-17 year.



In addition to these activities, the regulator published the following new and updated policies:

- > [Strategic approach 2017-2020](#)
- > [Compliance and enforcement approach 2017](#)
- > [Prosecution guidelines](#)
- > [Enforceable undertaking guidelines](#)
- > [Causal investigation policy](#)
- > [Public comment policy](#)

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Spotlight: Transitional arrangements roadshow

A six-week campaign of industry information sessions for metalliferous and extractives mines across the state was undertaken, with sessions held in regional centres across the state.

The information sessions focused on the end of the transitional arrangements under the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 and the requirements for mine operators to implement a safety management system, principal hazard management plans and principal control plans.

The sessions included an interactive workshop where Mine Safety inspectors worked through an exercise with attendees in which they developed elements of a principal hazard management plan.



### Spotlight: Airborne Contaminants Roundtable

The Resources Regulator played a significant role in the NSW Mine Safety Advisory Council (MSAC) Airborne Contaminants Roundtable convened by the Minister in early December. The 2016 event brought together 75 key stakeholders and experts in regulation, mining and health to consider the NSW regulatory scheme for addressing airborne contaminants. Particular focus was placed on the

risks associated with coal dust, silica and diesel particulates. The event was coordinated by the MSAC Secretariat. The Chief Inspector and the Director Mine Safety Performance delivered keynote presentations on the regulatory scheme and the regulators compliance and enforcement strategy for airborne contaminants.



### Spotlight: Coal Mine Safety and Health Representative Seminar

The annual Coal Mine Safety and Health Representative Seminar conducted by the Resources Regulator was held in Newcastle with a record number of almost 130 participants. The seminar drew mining industry personnel from across the sector, including mine managers, safety professionals and representatives of contractor

firms, in addition to industry and mine safety and health representatives and the Resources Regulator team. A case study on a safety initiative presented by a member of a coal mine's work health and safety committee was well received, with attendees keen to learn more from good practice across the industry.



