

**NSW
Resources
Regulator**

Monthly business activity report

JULY 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

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)

Non-mine

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

Document control

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Date	Version	Amendment

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Key activities and events

Enforcement actions

In July 2018, the Resources Regulator commenced prosecution proceedings against Bates Quarry for failure to report two dangerous incidents. The regulator alleged that the mine operator failed to notify the incidents as required under sections 15 and 17 of the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*. In addition, one prosecution was finalised with a Lightning Ridge man being convicted and fined \$1,000 in Walgett Local Court for unlawfully entering a mineral claim near Lightning Ridge. An enforceable undertaking, was accepted from Ridgeland Coal Resources in June 2018. This was for an alleged failure to establish a community fund. On 2 July 2018, the regulator announced that, in addition to delivering the required money to the Muswellbrook community fund, a further \$200,000 had been secured. The funds will be used to provide for additional projects with economic, social or environmental benefits.

The Industrial Commission handed down a judgement on Yancoal's application for review of the continuing prohibition on longwall production at Austar Coal Mine. The Industrial Commission dismissed the application resulting in the prohibition notices remaining in place.

Safety incidents

The regulator commenced investigations to determine cause and circumstances of three notified incidents in July 2018:

- a rib fall at Clarence Colliery on 4 July 2018, where a piece of coal measuring around one metre by one metre dislodged striking two workers and seriously injuring one. See [IIR 18-05](#).
- a mine worker was struck by a steel plate at Springvale underground operations on 5 July 2018 while attempting to fix a jammed conveyor chain on mine machinery. The worker sustained a fractured collar bone and facial injuries. See [IIR 18-06](#).
- a mine worker at Bulga Open Cut Mine received serious leg injuries from a nose to tail collision of two 218-tonne rear dump trucks. See [IIR 18-07](#).

Three incidents involving strata failure were reported to the regulator within a six week period in June and July 2018. In response, prohibition notices were issued at two mining operations located at the Lithgow area. An investigation has commenced on the Clarence Colliery incident listed above where a worker was seriously injured and another required medical treatment.

On the 22 July 2018, a seismic event with a calculated magnitude of 3.1 on the Richter scale occurred at Cadia East Project. This follows an incident on 9 March 2018 which damaged the tailings dam wall. Real time monitoring shows that the integrity of the dam wall was not further compromised by the event.

Communication

The regulator issued three Safety Alerts in July 2018 relating to incidents occurring in June 2018. These included:

- Underground mine fire initiates emergency response ([SA 18-08](#))
- Drill rig breaches highwall windrow ([SA 18-09](#))
- Near miss between light vehicle and haul truck ([SA 18-10](#))

Two safety bulletins were published on:

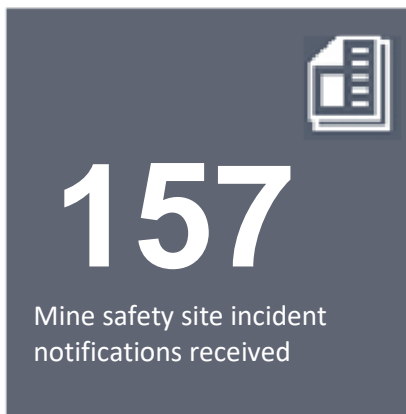
- Windrow management and demarcation ([SB 18-11](#))
- Rib failures in underground coal mines ([SB 18-12](#))

The regulator published a pocket book '[Dust safety in the metals and extractives industries](#)'. Targeting workers in the non-coal sectors, the booklet provides information about silica exposure and silicosis as well as personal exposure monitoring, health monitoring and dust control measures.

The regulator also published a guide to assist mining operations in developing their [airborne contaminants principal hazard management plan](#).

Activity summary

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

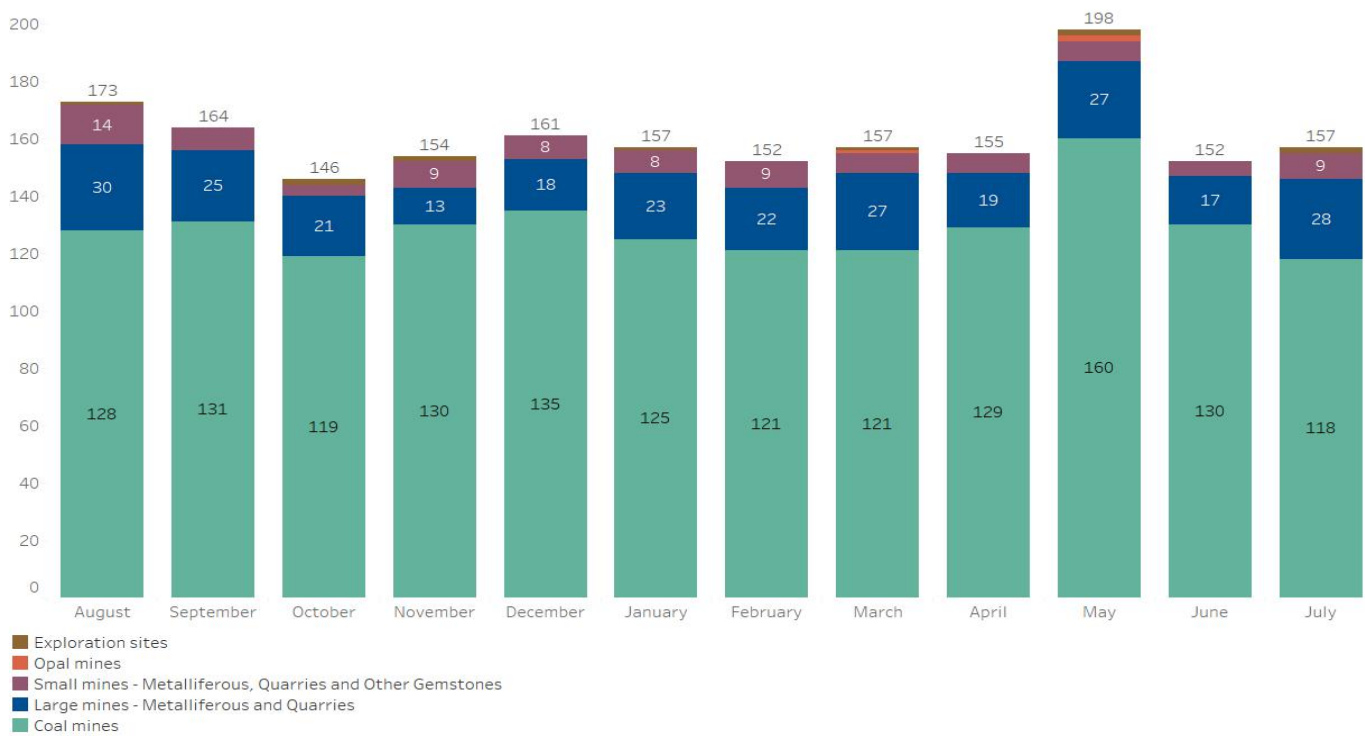


WHS legislation

Incidents notified

In July 2018, 157 incidents were notified to the regulator. The numbers notified in each sector are shown in the figure below.

Figure 1. Safety incident notifications by sector August 2017 – July 2018



WHS legislation – compliance overview

Targeted assessment program (TAPs)

In July 2018, the regulator conducted five TAP site assessments. As a result, two s191 notices were issued in relation to the hazard assessed. One of these was related to an assessment conducted in June 2018. An additional two unrelated s191 notices were issued.

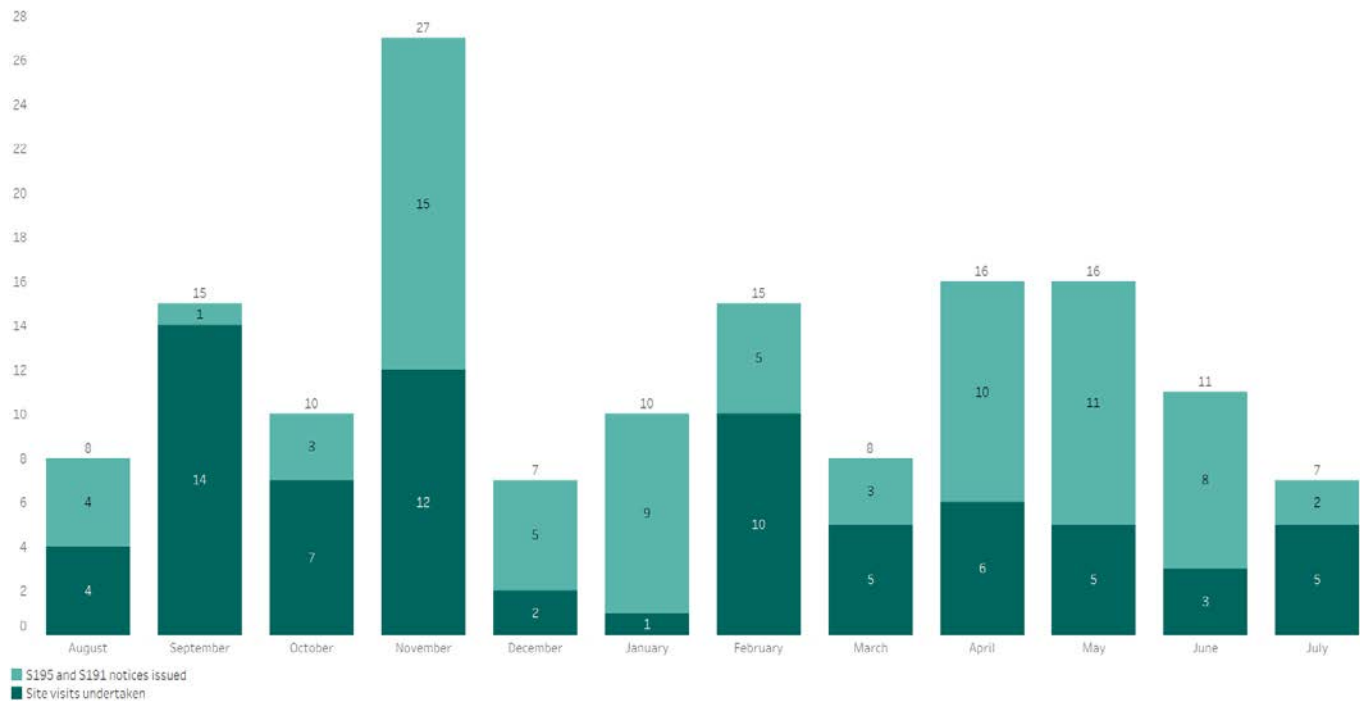
The table and figure below present details of mines assessed, and notices issued in July 2018 and for the previous 12 month period.

Consolidated findings for each specific principal (and other) mining hazard are available on our [website](#). There were no consolidated reports published in July 2018.

Table 1. Targeted assessments conducted in July 2018

Hazard	Mine	Date	Activity	Notices
Fire and explosion	Hera	3-4 Jul 2018	Site assessment	1 x s191 – chemical storage 1 x s23 – containment of toxic/corrosive substances
	Tahmoor	9-10 Jul 2018	Site assessment	1 x s23 – policy implementation, housekeeping & mechanical control plan 1 x s23 - ventilation and fire fighting
	Northparkes	26 Jul 2018	Site assessment	1 x s23 – insufficient ventilation for operation of fuel fired heater (1 x 191 - guarding)
Airborne contaminants – Diesel exhaust emissions	Appin	10-11 Jul 2018	Site assessment	Nil notices
Airborne contaminants	Ravensworth	10-11 Jul 2018	Site assessment	Nil notices
	Cadia East	9 Jul 2018	Issued notices from June site assessment	1 x s191 – no baseline test record for diesel engine vehicles (1 x s191- matters not addressed in mechanical control plan)

Figure 2. Targeted assessments and notices issued August 2017 – July 2017



Note: Unrelated notices are not shown in the figure above.

Safety assessments

The regulator conducts many different types of safety assessments including site-based assessments and office-based desktop assessments. The incident prevention strategy places a focus on site based preventative assessments.

In July 2018, the regulator conducted 112 site assessments. Just over half of these were coal sector assessments. The large and small mines sectors accounted for 16 and 20 percent of assessments respectively.

Figure 3. Site assessments by sector August 2017 – July 2018

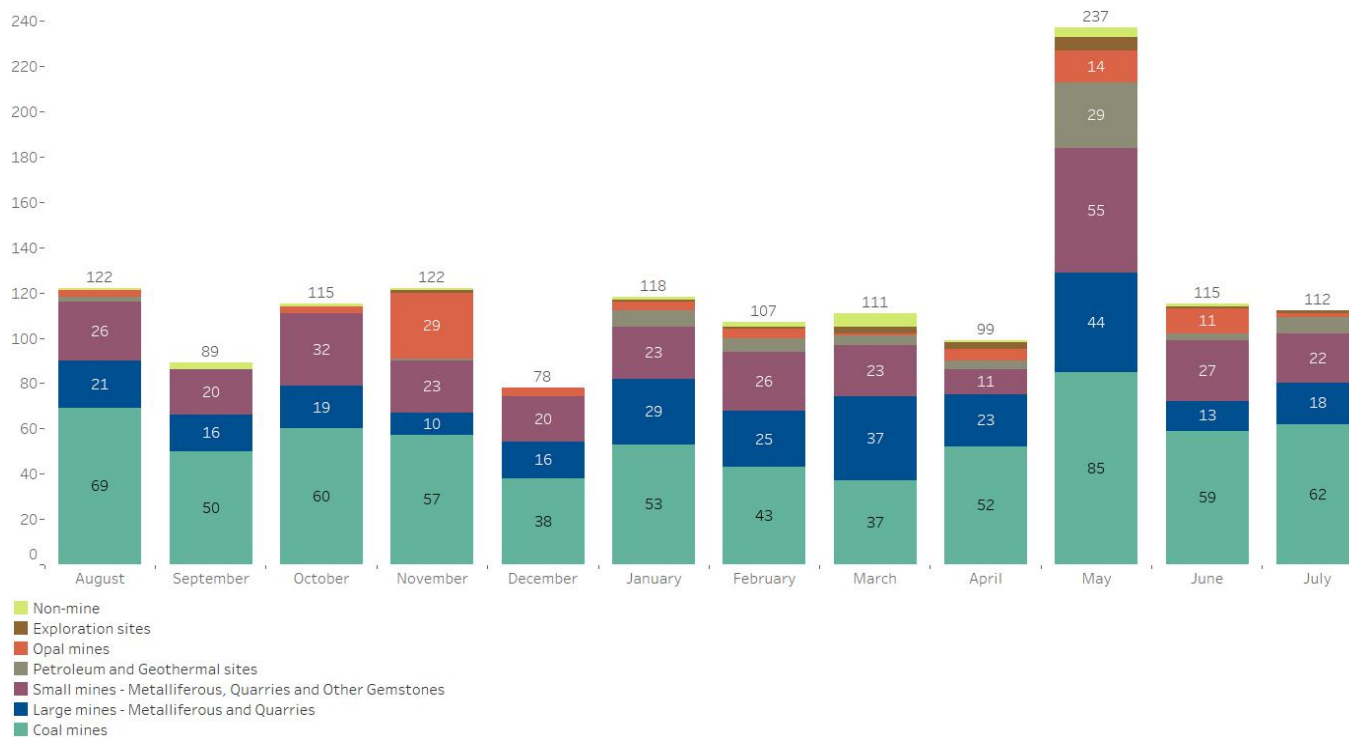


Table 2. Site assessments by sector August 2017 – July 2018

	Aug -17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Total
Coal	69	50	60	57	38	53	43	37	52	85	59	62	665
Large Mines - Metalliferous and Quarries	21	16	19	10	16	29	25	37	23	44	13	18	271
Small Mines - Metalliferous, Quarries and Other Gemstones	26	20	32	23	20	23	26	23	11	55	27	22	308
Opal mines	3	0	3	29	4	4	4	1	5	14	11	2	80
Petroleum and Geothermal	2	0	0	1	0	7	6	4	4	29	3	7	63
Exploration	0	0	0	1	0	1	1	3	3	6	1	1	17
Non-mine	1	3	1	1	0	1	2	6	1	4	1	0	21
Total	112	89	115	122	78	118	107	111	99	237	115	112	1,425

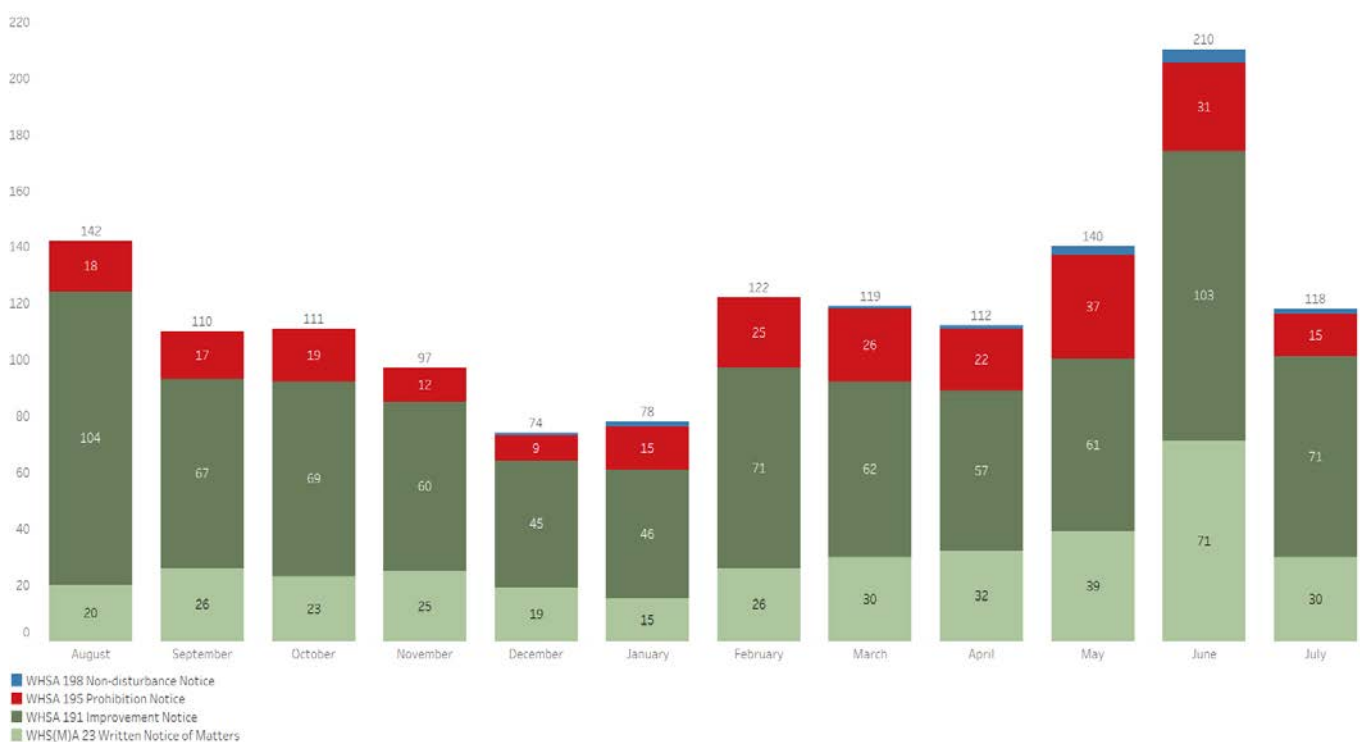
WHS enforcement actions

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

Safety notices issued

In July 2018, the regulator issued 118 notices. This is consistent with the monthly average for the previous 12 months - 119 notices issued per month.

Figure 4. Notices issued by section *Work Health and Safety Act 2011* August 2017 – July 2018



Prohibition notices issued

In July 2018, the regulator issued 15 prohibition notices. Three were related to working at heights and three were issued in response to coal mine rib fall incidents.

Table 3. Prohibition notices issued (s 195 WHS Act 2011) – July 2018

PCBU	Mine	Prohibited activity
Bulga Coal Management Pty Limited (ACN: 055534391)	Bulga DCP	Working at heights with fall protection apparatus which does not comply with the Operation's Testing and tagging system.
Clarence Coal Pty Ltd (ACN: 083465212)	Clarence Colliery	Cutting of coal at the mine.
Christopher David Bamford (ACN: (none))	MC51341	Entry past the blower pipes is prohibited except for the purpose of installing secondary support.
Springvale Coal Pty Ltd (ACN: 052096769)	Springvale Mine Underground Operation	Breaking away a drivage from a roadway where the rib support to be cut through consists of steel bolts, mesh and plates.
Alkane Resources Ltd (ACN: 000689216)	Wellington - EL6320	The activity of IP Dipole - Dipole survey is prohibited on the EL 6320 site.
CMOC Mining Pty Limited (ACN: 164997317)	Northparkes Mines	Persons are not permitted to be in any place in a machine or on foot where they may be exposed to a hazard of falling rocks, whether reaming is being conducted or not.
HV Coking Coal Pty Limited (ACN: 605492804)	Integra Underground	The use of hand operated, telescopic leg-type, roof bolting apparatus on the face side of the AFC spill tray along Longwall 13 face from #8 hydraulic support to #135 hydraulic support.
Pacific Blue Metal Pty Ltd (ACN: 003623014)	PBM Farrowells Quarry	Activities in all affected work areas are prohibited without systems to prevent a person being exposed to the risk of a fall from height being implemented.
Castillo Copper Limited (ACN: 137606476)	Cangai Copper Mine	The Yanmar machine unit # PDS26 is prohibited from working on the Cangai Copper Mine, except for the purpose of recovering the machine from the incident scene and relocating it to a site where a mechanical assessment of the machine can be carried out.
Pacific Blue Metal Pty Ltd (ACN: 003623014)	PBM Farrowells Quarry	The mine is not to carry out hot work activities until the specified directions have been completed.
Bald Hill Quarry Pty Ltd (ACN: 003764725)	Somerset Mine	The mine operator cannot carry out mining operations or mining activities, except for the purpose of making the mine safe, until the mine operator has developed and implemented an asbestos management plan. This includes the removal of any equipment or plant from the site until a risk assessment for the removal of plant and equipment has been completed.
David Pelchen (none)	Peak Gold Mine	The use of the Cat 730 concrete agitator CT003 is prohibited until specified directions have been completed.
Springvale Coal Pty Ltd (ACN: 052096769)	Springvale Mine Underground Operation	Entry into 'A' Heading of 425 TG Panel, other than to conduct safety inspections and monitoring, safety related maintenance, strata support works or construction of seals.
Johnstone Concrete and Landscape Supplies Pty Ltd (ACN: (none))	Johnstone Concrete and Landscape Supplies Pty Ltd - Wave Hill No2 - "The Hill "	This notice relates to the 1997 Caterpillar 769D articulated truck on site: No person is to use the cabin platform on the identified truck (driver's access side of cabin) to proceed up for any task unless suitable fall from height controls are used.
Heron Resources Limited (ACN: (none))	Woodlawn Mine - Tarago	Poly pipe welding including the placement and movement of poly pipe lengths at the mine.

WHS Statutory notifications

Information about WHS statutory [notifications](#) and [exemptions](#) is available on our website. The regulator received 12 notifications of high risk activities (HRAs) in July 2018.

Table 4. High risk activity notifications received - July 2018

Mine	Work Health and Safety (Mine and Petroleum Sites) Regulation 2014 provision	Type of notification	No.
Appin colliery	Schedule 3 CI 10	Sealing	1
Bulga Underground Operations	Schedule 3 CI 10	Sealing	1
Mandalong Mine	Schedule 3 CI 04	Development of new mine entry	1
Narrabri Colliery	Schedule 3 CI 10	Sealing	1
North Wambo Underground	Schedule 3 CI 15	Formation of non-conforming pillars	1
PEL0001 Georges Island 1	Schedule 3 CI 31	Well workover	1
PEL0001 Georges Island 2A	Schedule 3 CI 31	Well workover	1
PEL0001 Georges Island 3	Schedule 3 CI 31	Well workover	1
PEL0001 Yannergee 1	Schedule 3 CI 33	Suspending a well	1
PPL0004 Menangle Park 5	Schedule 3 CI 32	Decommissioning a well	1
Tahmoor Colliery	Schedule 3 CI 27	Emplacement areas	1
Wellington - EL6320	Schedule 3 CI 02	Electrical work on energised electrical equipment	1

In July 2018, the regulator granted four exemptions from compliance with provisions of the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

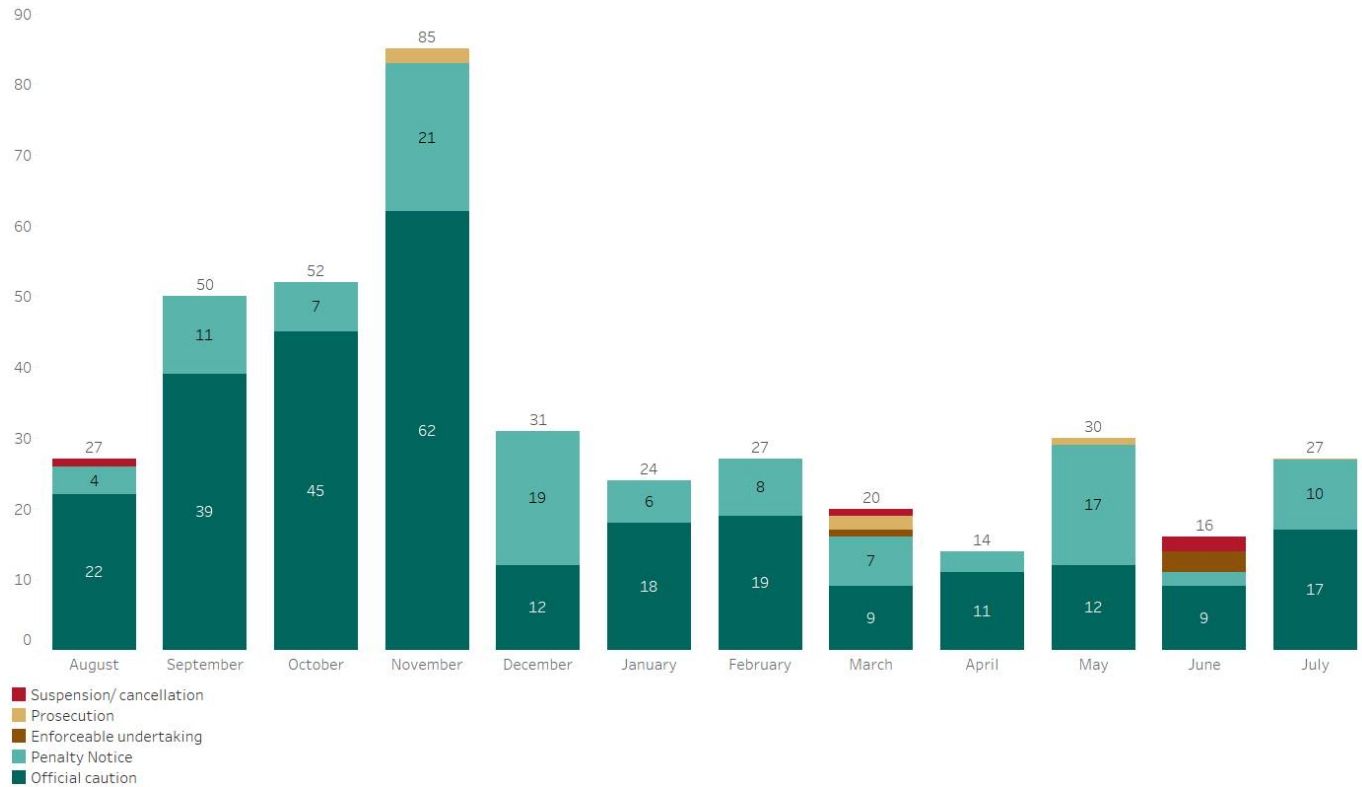
Table 5. Exemptions granted under work health and safety laws - July 2018

Mine	Details
Metropolitan (Peabody)	Exemption from CI 177(2) - design registration (order 2018/00008)
Perilya Broken Hill Ltd	Exemption from CI 177(2) - design registration (order 159227-5)
Perilya Broken Hill Ltd	Exemption from CI 177(2) - design registration (order 159228-6)
Tahmoor Coal Pty Ltd	Exemption from CI 177(2) - design registration (order 157046-8)

Mining Act – compliance and enforcement

Enforcement actions under the *Mining Act 1992*

Figure 5. Enforcement actions by type August 2017 – July 2018



Penalty notices issued

In July 2018, the regulator issued ten penalty notices under the *Mining Act 1992*. The reasons for issue are detailed in the table below.

Table 6. Penalty notices issued under NSW Mining Act 1992 - July 2018

Date	Entity	Authority	Action	Amount	Details / Direction
04 Jul 2018	Hillgrove Mining Pty Ltd	ML755	Penalty notice	\$5,000	Failure to comply with direction or notice – corporation <i>Mining Act 1992</i>
12 Jul 2018	Iluka Resources Ltd	EL6407	Penalty Notice	\$2,500	Failure to comply with conditions <i>Mining Act 1992</i>
16 Jul 2018	Title Holder	MLA356	Penalty Notice	\$2,500	Mining minerals without authorisation s5 <i>Mining Act 1992</i>
18 Jul 2018	Challenger Mines Pty Ltd	EL5728	Penalty Notice	\$5,000	Fail to lodge Annual Activity Report/Work Program s163c <i>Mining Act 1992</i>
17 Jul 2018	Balranald Gypsum Pty Ltd	ML1174	Penalty Notice	\$5,000	Fail to lodge Annual Exploration Report s163C <i>Mining Act 1992</i>
17 Jul 2018	Phoenix Vision Coal Pty Ltd	EL7115	Penalty Notice	\$2,500	Fail to lodge Community Consultation Report s378D <i>Mining Act 1992</i>
17 Jul 2018	Phoenix Vision Coal Pty Ltd	EL7115	Penalty Notice	\$2,500	Fail to lodge Community Consultation Report s378D <i>Mining Act 1992</i> .
17 Jul 2018	Marble Aggregates Holdings Pty Ltd	ML5460	Penalty Notice	\$5,000	Fail to lodge Annual Exploration Report s163C <i>Mining Act 1992</i>
30 Jul 2018	Pinnacle Mines Pty Ltd	ML5627	Penalty Notice	\$2500.00	Fail to lodge Annual Environmental Management Report s378D <i>Mining Act 1992</i>
31 Jul 2018	Title Holder	Meroo River	Penalty Notice	\$2500.00	Mining minerals without authorisation s5 <i>Mining Act 1992</i>

Workshops and education activities

In July 2018, the regulator engaged with industry in six activities as outlined in the below. Details of upcoming events are available on our [website](#).

Table 7. Industry engagement activities – July 2018

Date	Type of activity	Location	Detail
6 Jul 2018	Focus groups	Teleconference	An independent facilitator conducted a focus group for identifying competencies for statutory functions in underground coal mines.
10-11 Jul 2018	Training	Thornton	Roadway dust samplers course – nine attendees.
25-26 Jul 2018	Workshop	Lightning Ridge	Hoist training program implemented as part of Lightning Ridge safety awareness training.
24 Jul 2018	Examiners meeting	Maitland	Facilitated meeting of convenors with Chief Inspector to respond to Competence Board request to review exam results and panel processes.
27 Jul 2018	Exercise	Hunter Valley Mines Rescue Station	Training event involving most local mine rescue teams from underground mines in the area. A range of scenarios and training exercises were observed during the day.
31 Jul 2108	Workshop	Illawarra EOC	NSW Mine Sub Plan and emergency planning considerations and consultation requirements, delivered in partnership with NSW Police. Approximately 20 mine representatives attended.

Publications and alerts

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

Table 8. Mine safety publications - July 2018

Date	Type	Summary
2 Jul 2018	Weekly summary	Weekly summary week ending 27 June 2018
2 Jul 2018	Media release	Resources Regulator secures more money for Muswellbrook community fund
3 Jul 2018	Mine safety news	<ul style="list-style-type: none"> • Practising certificates – Stage 1 Managers implementation period closing 21 August • Reminder: Updating hazardous chemicals notifications by 25 July 2018 <ul style="list-style-type: none"> • Executive Director/Chief inspector position advertised <ul style="list-style-type: none"> • Self-audit checklist for explorers
4 Jul 2018	Media release	Resources Regulator investigating incident at Clarence Colliery near Lithgow
5 Jul 2018	Weekly summary	Weekly summary week ending 27 June 2018
6 Jul 2018	Safety Alert	Underground mine fire initiates emergency response
6 Jul 2018	Media release	Resources Regulator investigating incident at Springvale Mine near Lithgow
11 Jul 2018	Safety Alert/Safety Bulletin	Drill rig suspended 50m above ground after breaching highwall windrow Windrow management and demarcation Rib failures in underground coal mines
12 Jul 2018	Weekly summary	Weekly summary week ending 11 July 2018
12 Jul 2018	Media release	Lightning Ridge man convicted and fined \$1000 for unlawfully entering mineral claim
16 Jul 2018	Mine safety news	<ul style="list-style-type: none"> • Safety alert: Near miss between light vehicle and haul truck <ul style="list-style-type: none"> • Mine safety information session • Executive Director/Chief Inspector position advertised
17 Jul 2018	Media review	Resources Regulator takes Kempsey Quarry operator to court
18 Jul 2018	Media release	Prohibition notices for Yancoal remain after commission dismisses review
19 Jul 2018	Weekly summary	Weekly summary week ending 18 July 2018
20 Jul 2018	Mine safety news	IIR18-05 Falling coal hits two workers in underground mine IIR18-06 Serious injuries at an underground coal mine
23 Jul 2018	Media release	Resources Regulator responds to seismic event at Cadia Mine
27 Jul 2018	Weekly summary	Weekly summary week ending 25 July 2018

Date	Type	Summary
31 Jul 2018	Mine safety news	<ul style="list-style-type: none">• NSW Resources Regulator compliance priorities• Have your say on operational rehabilitation• Blasting explosives user licence (open cut coal)• Executive director/Chief Inspector position advertised
31 Jul 2018	Guideline	Airborne contaminants principal hazard management plan
31 Jul 2018	Guideline	Dust safety in the metals and extractives industries