



**NSW
Resources
Regulator**

MONTHLY BUSINESS ACTIVITIES REPORT

December 2021



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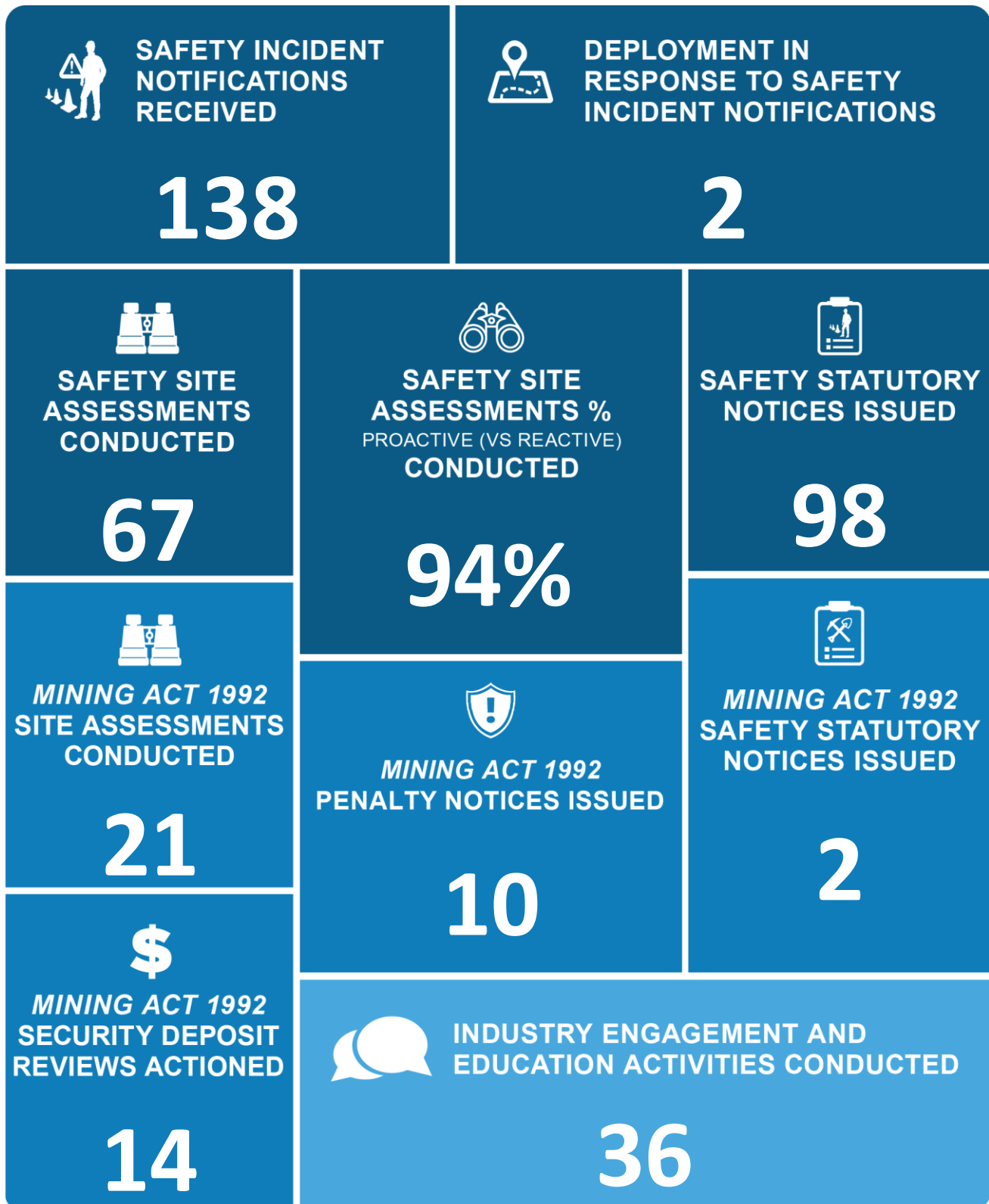
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Activities at a glance

Summary of our regulatory activities in December 2021



Key Activities

The NSW Resources Regulator's key activities during the month included:

- a [media release](#) on Hamiltons Blasting Services and David Hamilton being fined and convicted over breaches of the safety legislation
- hosting the inaugural [webinar](#) on Compliance Management in Exploration
- publishing the annual mine safety performance [report](#) 2020-2021
- [safety bulletins](#) on fires occurring after servicing mobile plant and festive season safety
- investigation information [releases](#) relating to roof ply rock fall, a worker suffering serious burns in underground loader fire and a rear dump truck narrowly avoiding collision with a light vehicle
- four weekly incident [summaries](#) highlighting ten dangerous incidents, one high potential incident and one explosives incident and
- two [consolidated reports](#) on fire or explosion at surface metalliferous mines and ground or strata failure (slope stability) at open cut coal mines.

Other publications included:

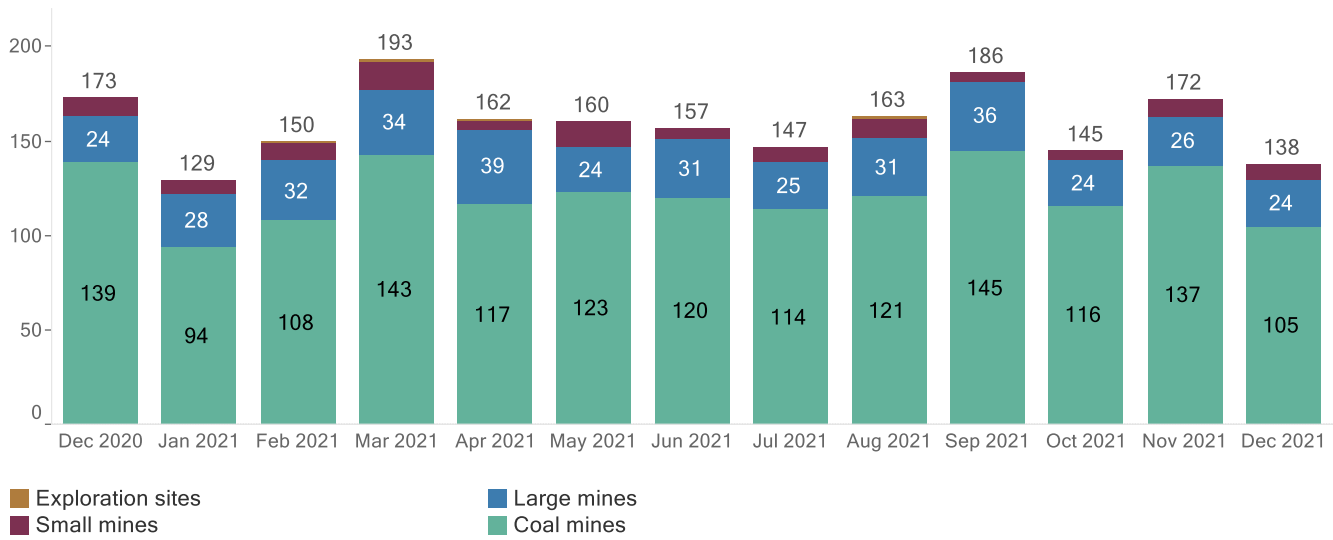
- the launch of the [Mining Memo](#) – the newly designed newsletter for industry, explorers, local government, landholders and other interest groups.
- [compliance priorities](#) for January – June 2022
- November 2021 [monthly business activities report](#)
- Updated [guideline](#) on mine rehabilitation portal

For more activities refer to [Mine Safety News](#) and [Mine Rehabilitation News](#).

Work Health and Safety activities

Incident notifications

SAFETY INCIDENT NOTIFICATIONS RECEIVED BY SECTOR



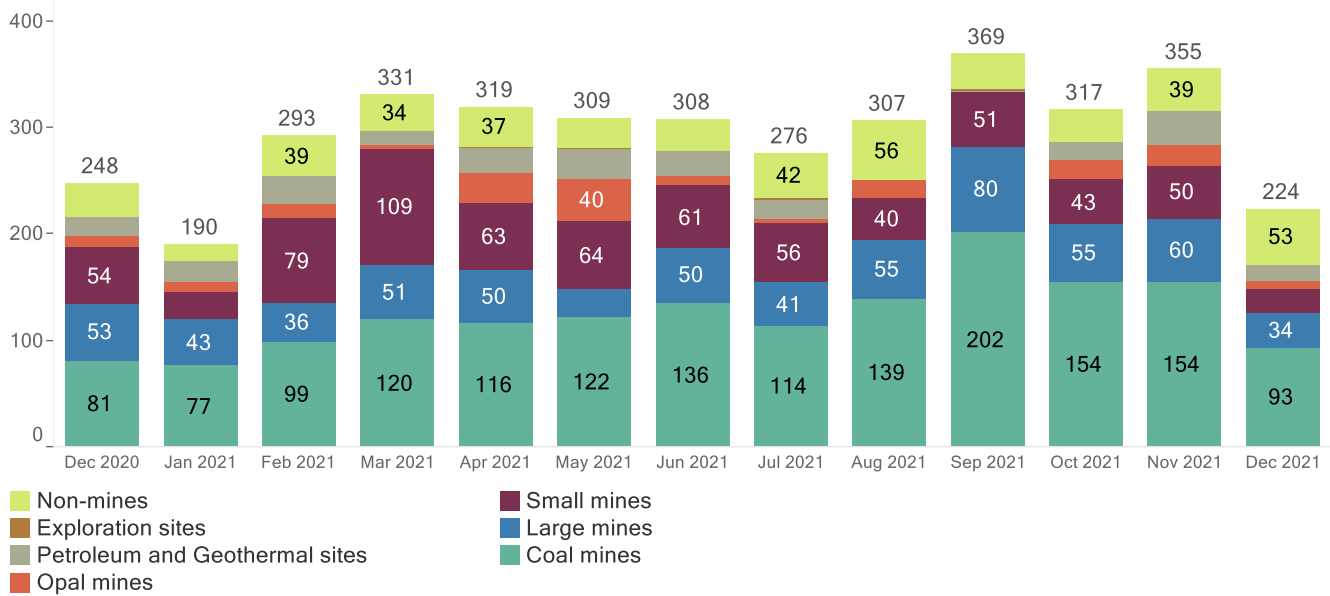
DETAILS OF SAFETY INCIDENTS WHERE INSPECTORS WERE DEPLOYED

DATE NOTIFIED	REPORTING SECTOR	HAZARD	INCIDENT
6 Dec	Coal mines	Mechanical engineering control plan	A truck approaching an intersection had to take evasive action into a windrow as a light vehicle in front gave way to intersection traffic.
10 Dec	Coal mines	Ground or strata failure	A fall of travel road intersection caused power and access loss.
TOTAL			2

Safety assessments

Safety assessments commenced

SAFETY ASSESSMENTS COMMENCED BY SECTOR*

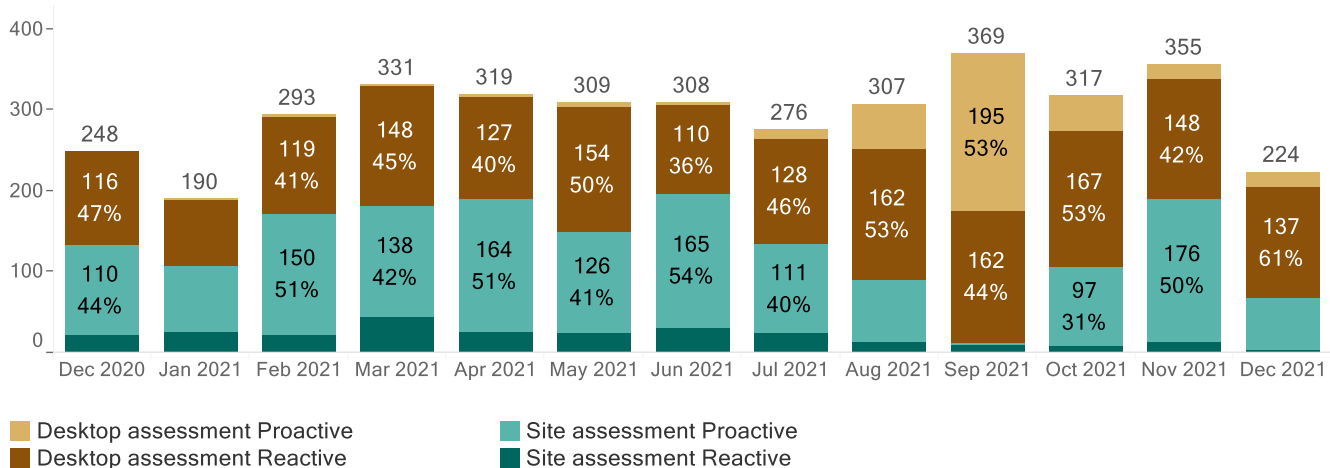


*The decrease in site assessments and increase in desktop assessments is due to COVID-19

Proactive and reactive safety assessments

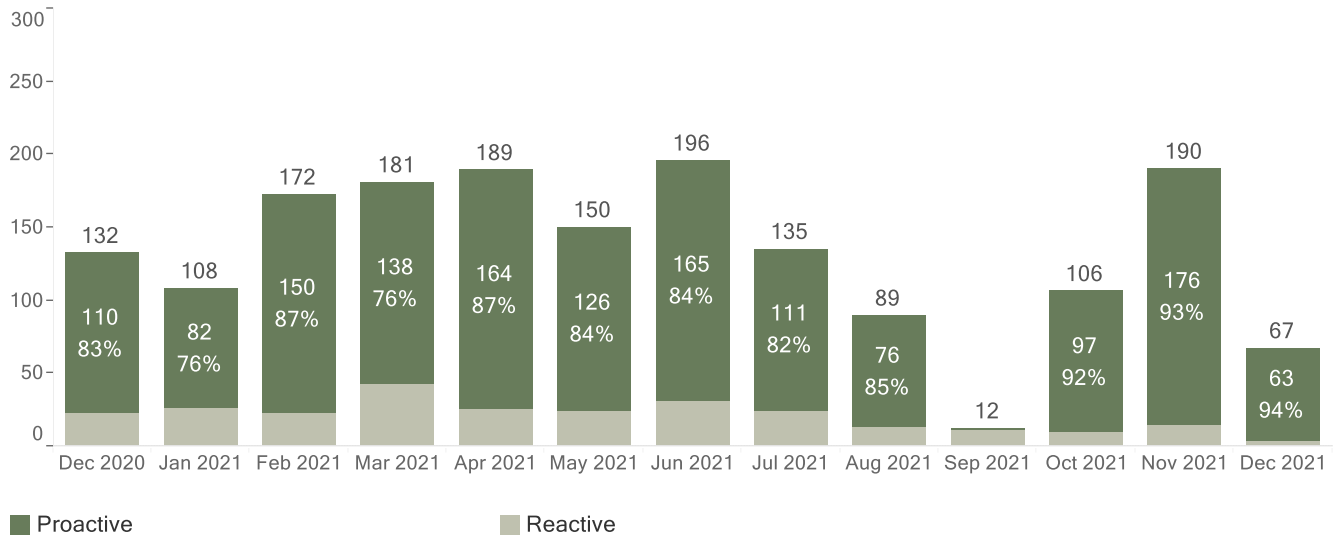
Proactive assessments include targeted assessments and planned inspections. Reactive assessments are conducted in response to incident notifications, targeted interventions and high-risk activity notifications.

SAFETY ASSESSMENTS COMMENCED BY CATEGORY AND NATURE*



*The decrease in site assessments and increase in desktop assessments is due to COVID-19

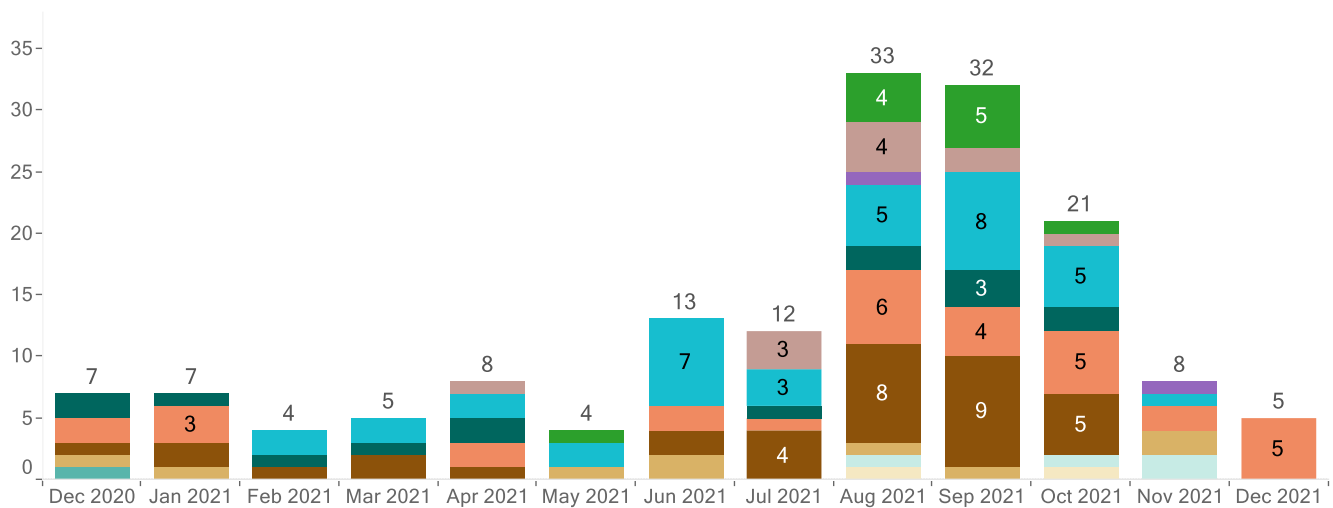
SAFETY SITE ASSESSMENTS COMMENCED BY NATURE*



*The decrease in site assessments is due to COVID-19, with desktop assessments conducted instead.

Safety targeted assessment program

TARGETED SAFETY ASSESSMENTS COMMENCED*



- Hazard/Control plan - Electrical Engineering Control Plan
- Hazard/Control plan - Explosives
- Hazard/Control plan - Falling objects
- Hazard/Control plan - Mechanical Engineering Control Plan
- Principal hazard - Air quality or dust or other airborne contaminants
- Principal hazard - Fire or explosion
- Principal hazard - Ground or strata failure
- Principal hazard - Inundation or inrush of any substance
- Principal hazard - Mine shafts and winding systems
- Principal hazard - Roads or other vehicle operating areas
- Principal hazard - Spontaneous combustion

* Due to COVID-19, the August – December figures also include desktop assessments.

DETAILS OF TARGETED SAFETY ASSESSMENTS *

SECTOR	HAZARD / CONTROL PLAN	NO.
Coal mines	Principal hazard - Fire or explosion	1
	Total	1
Large mines	Principal hazard - Fire or explosion	4
	Total	4
Grand Total		5

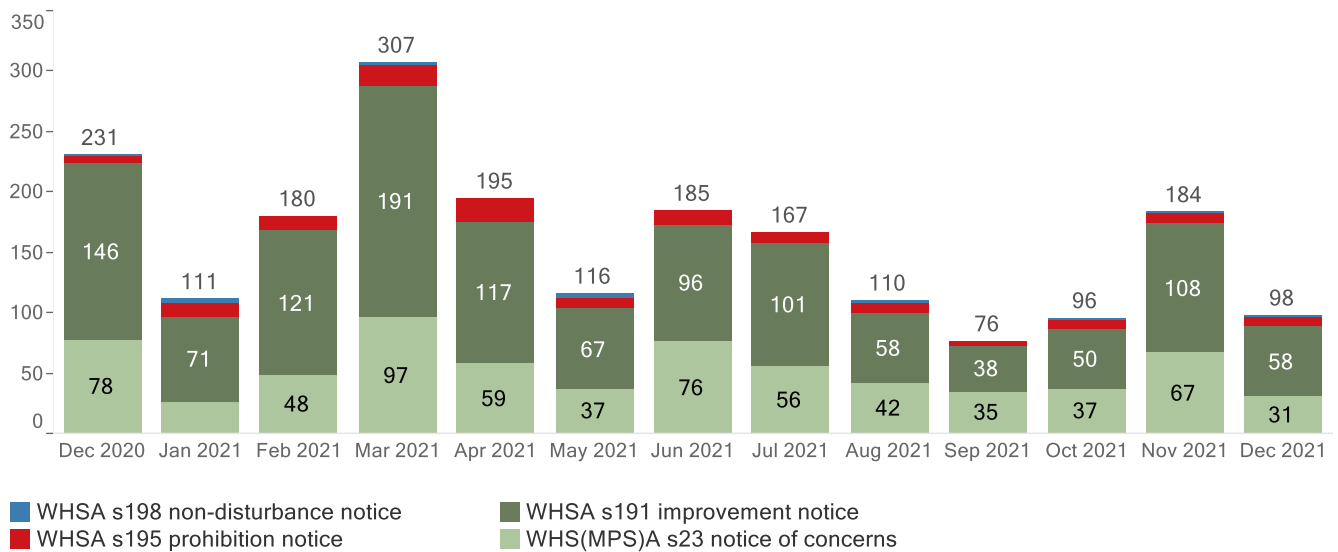
*Includes site assessments conducted virtually

Compliance activities

Notices issued

In December 2021, we issued 98 statutory notices under the *Work Health and Safety Act 2011*, comprising of 58 improvement notices, 31 notice of concerns and 8 prohibition notices.

SAFETY NOTICES ISSUED BY NOTICE TYPE



Prohibition notices issued

In December 2021, eight prohibition notices were issued under section 195 of the *Work Health and Safety Act 2011*.

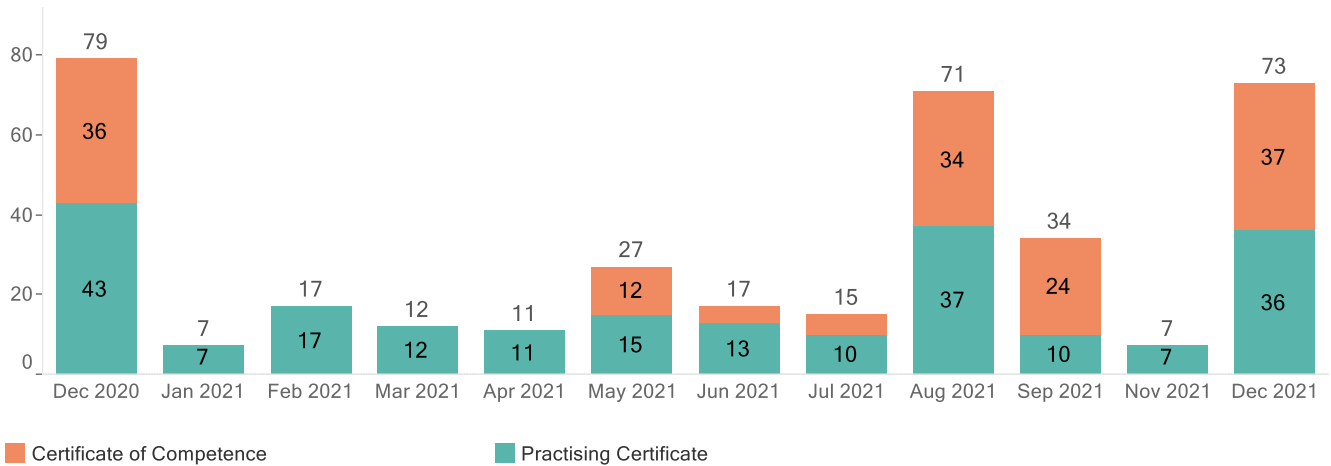
PROHIBITION NOTICES ISSUED

ISSUED TO PCBU*	MINE LOCATION	PROHIBITED ACTIVITY
Mt Boppy Resources Pty Ltd	Mt Boppy Gold Mine	Access to the open cut pit and access ramps to the pit.
Maules Creek Coal Pty Ltd	Maules Creek Mine	Cease all mining operations on site.
Centennial Myuna Pty Limited	Myuna Colliery	Cease coal production pending roadway and strata assessment.
Individual	MC61395	Persons riding the materials hoist to access and egress the mine.
Individual	MC52673	All mining operations.
Individual	MC56459	All mining operations.
Individual	MC42402	All mining operations.
Omya Australia Pty Limited	Cow Flat Quarry	No person to proceed beyond the door of the identified dump trucks (operators' side).
TOTAL		8

*Person conducting business or undertaking

Mining competencies activities

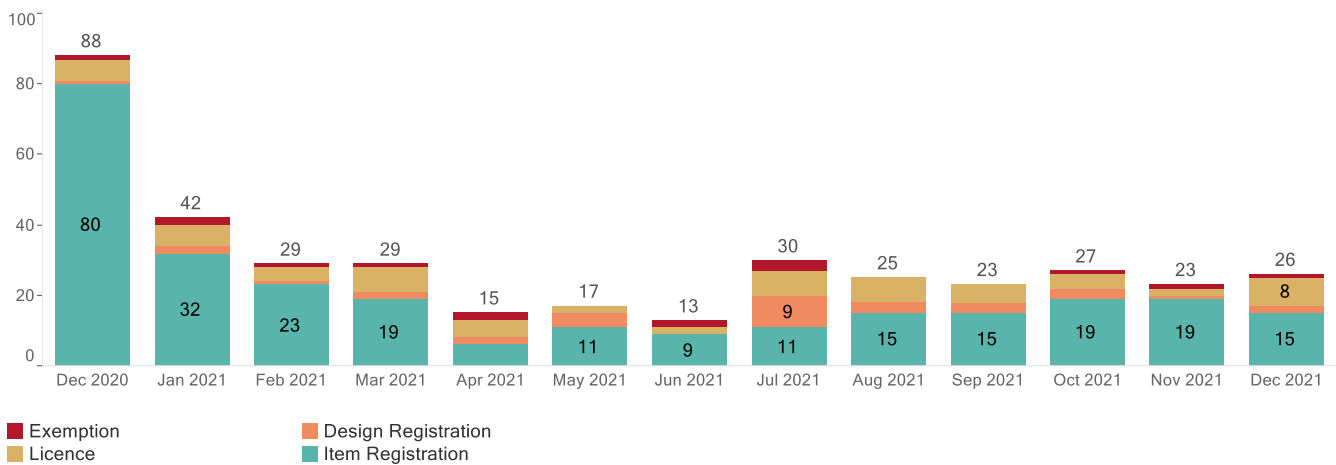
COMPETENCE AND PRACTISING CERTIFICATES GRANTED



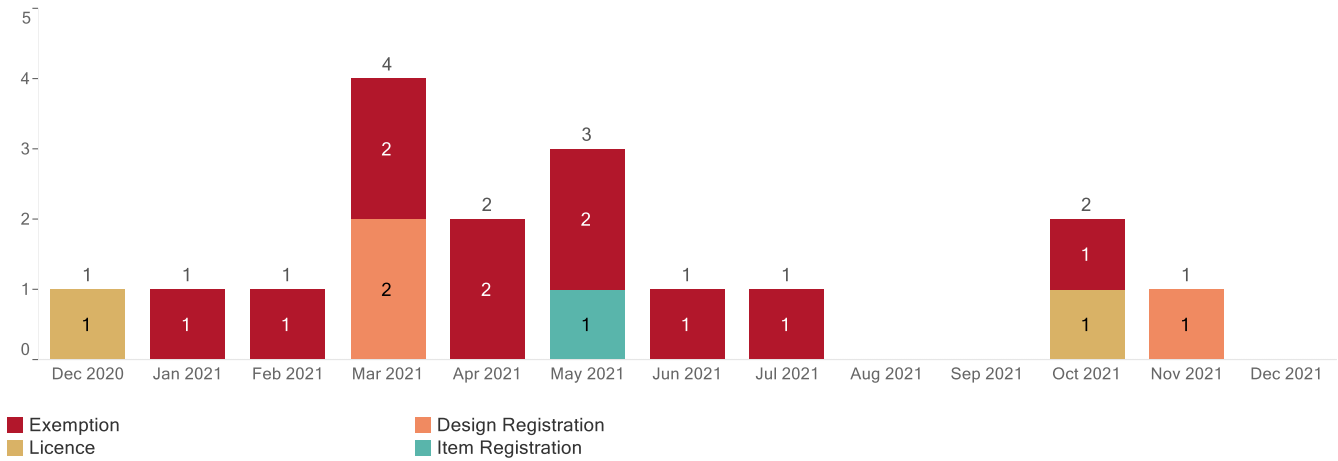
Mining authorisation activities

Safety mining authorisations include licence applications to carry out prescribed high-level activities, plant item registrations, design registrations and exemptions.

EXEMPTIONS, LICENCE, DESIGN & ITEM REGISTRATIONS GRANTED



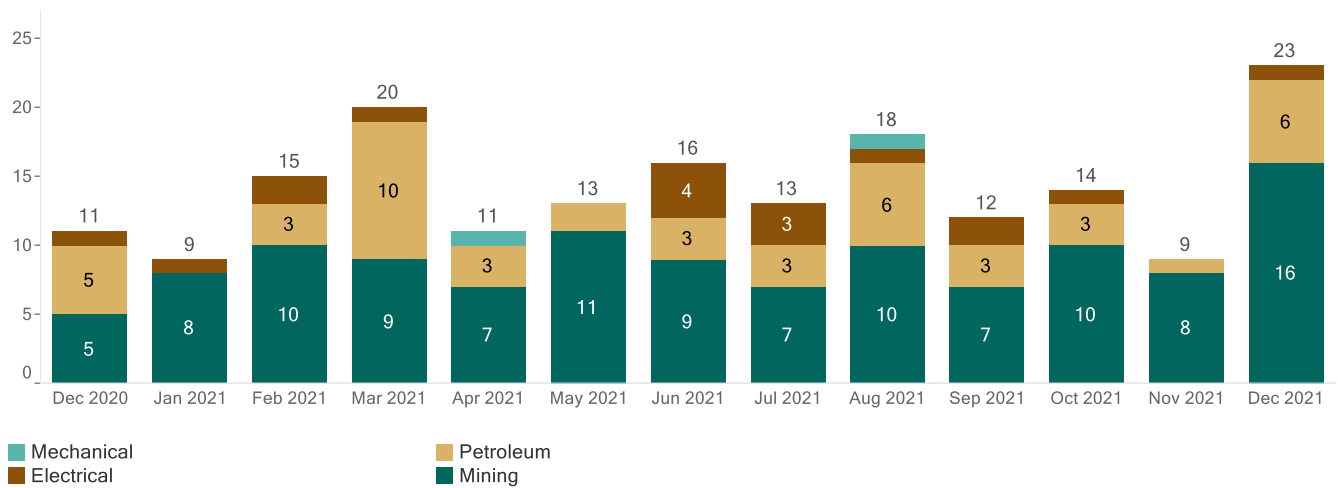
EXEMPTIONS, LICENCE, DESIGN & ITEM REGISTRATIONS NOT GRANTED



In December 2021, 26 applications requesting exemption from specific provisions of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* were granted and no applications refused.

High-risk activities notifications

HIGH-RISK ACTIVITY NOTIFICATIONS RECEIVED BY ENGINEERING DISCIPLINE



HIGH-RISK ACTIVITY NOTIFICATIONS RECEIVED

MINE	LEGISLATION*	TYPE OF NOTIFICATION	NO.
Wongawilli Colliery	WHS(MPS) Reg Sch 3 cl 10	Sealing (other than emergency sealing), but only if notice has not been given as part of a notice for secondary extraction.	1
Cadia Valley Shared Surface Infrastructure	WHS(MPS) Reg Sch 3 cl 35	The establishment, operation, alteration or decommissioning of a tailings storage facility.	1
Mount Pleasant Operation - Thiess Pty Ltd	WHS(MPS) Reg Sch 3 cl 27	The establishment, operation, alteration or decommissioning of an emplacement area.	1
Tomingley Gold Mine	WHS(MPS) Reg Sch 3 cl 4	Development of a new mine entry (including by sinking a shaft or drift or raise boring).	2
PEL0238 Bohena 3	WHS(MPS) Reg Sch 3 cl 33	Suspending a well.	1
Appin Colliery	WHS(MPS) Reg Sch 3 cl 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining.	1
Dargues Gold Mine	WHS(MPS) Reg Sch 3 cl 35	The establishment, operation, alteration or decommissioning of a tailings storage facility.	1
Integra Underground	WHS(MPS) Reg Sch 3 cl 10	Sealing (other than emergency sealing), but only if notice has not been given as part of a notice for secondary extraction.	1
Mandalong Mine	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar.	2
Metropolitan Colliery	WHS(MPS) Reg Sch 3 cl 10	Sealing (other than emergency sealing), but only if notice has not been given as part of a notice for secondary extraction.	1
Mt Owen Coal Handling and Preparation Plant	WHS(MPS) Reg Sch 3 cl 35	The establishment, operation, alteration or decommissioning of a tailings storage facility.	1
PEL0001 Georges Island 1	WHS(MPS) Reg Sch 3 cl 33	Suspending a well.	1

MINE	LEGISLATION*	TYPE OF NOTIFICATION	NO.
PEL0001 Georges Island 2A	WHS(MPS) Reg Sch 3 cl 33	Suspending a well.	1
PEL0001 Georges Island 3	WHS(MPS) Reg Sch 3 cl 33	Suspending a well.	1
PEL0238 Bibblewindi 6	WHS(MPS) Reg Sch 3 cl 33	Suspending a well.	1
PPL0004 Elizabeth Macarthur 15	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well.	1
Springvale Mine Underground Operation	WHS(MPS) Reg Sch 3 cl 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining	1
Tahmoor Colliery	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar.	4
TOTAL			23

*Work Health and Safety (Mines and Petroleum Sites) Regulation 2014

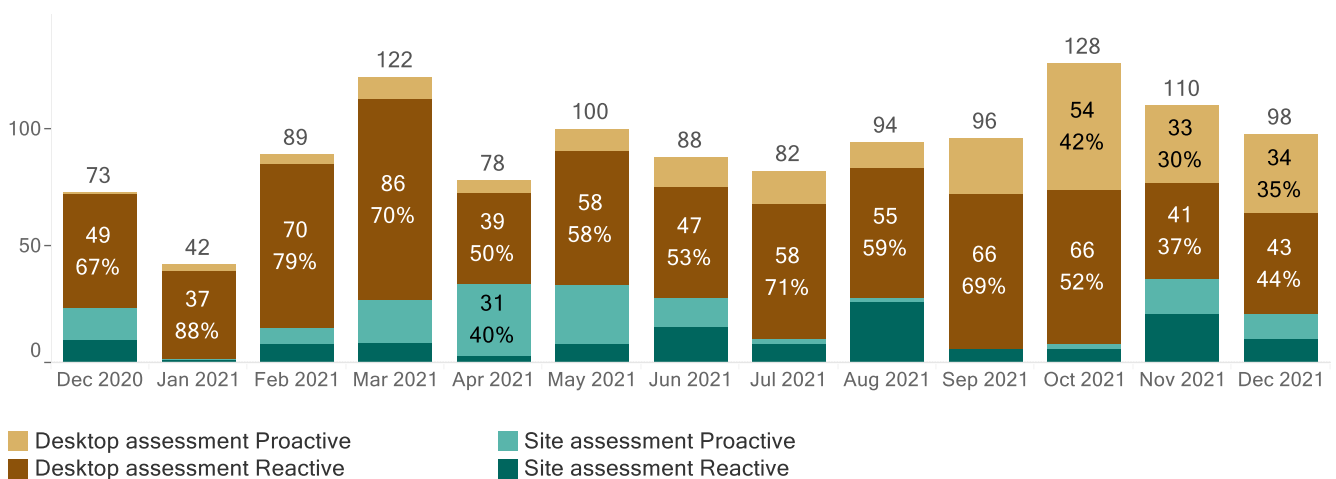
Mining Act 1992 regulatory activities

Mining Act assessments

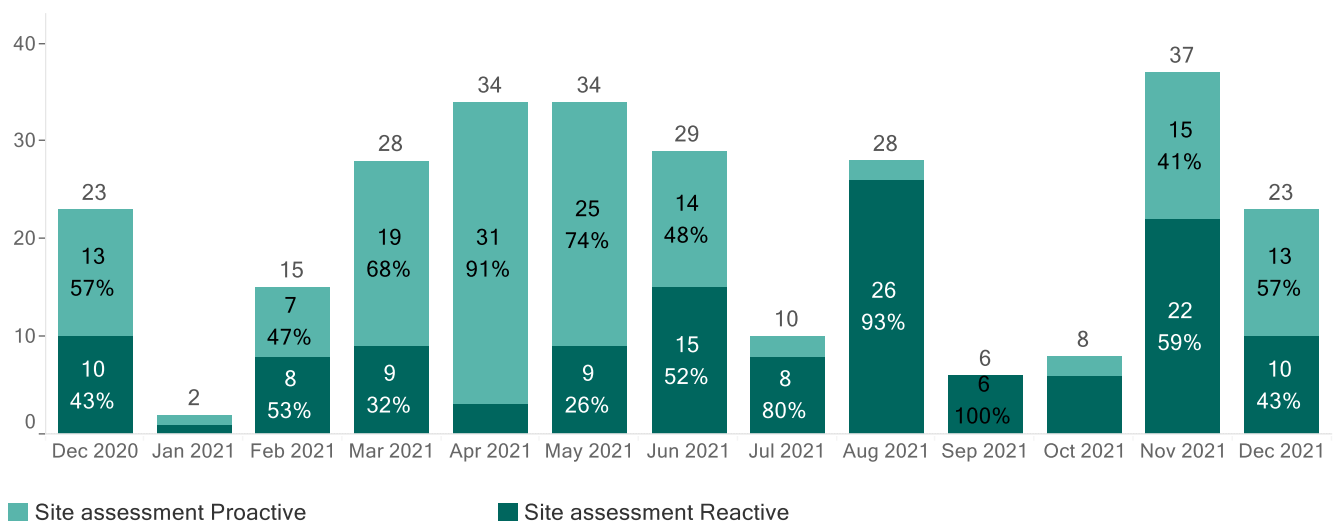
Proactive and reactive assessments

We undertake both proactive and reactive site assessments. Proactive site assessments include planned inspections, compliance inspections and regulatory audits. Reactive site assessments include assessments conducted in response to lodgement of mining operation plans, annual reports, security reviews, applications to conduct exploration activities, title dealings and action requests.

MINING ACT ASSESSMENTS COMMENCED BY CATEGORY AND NATURE



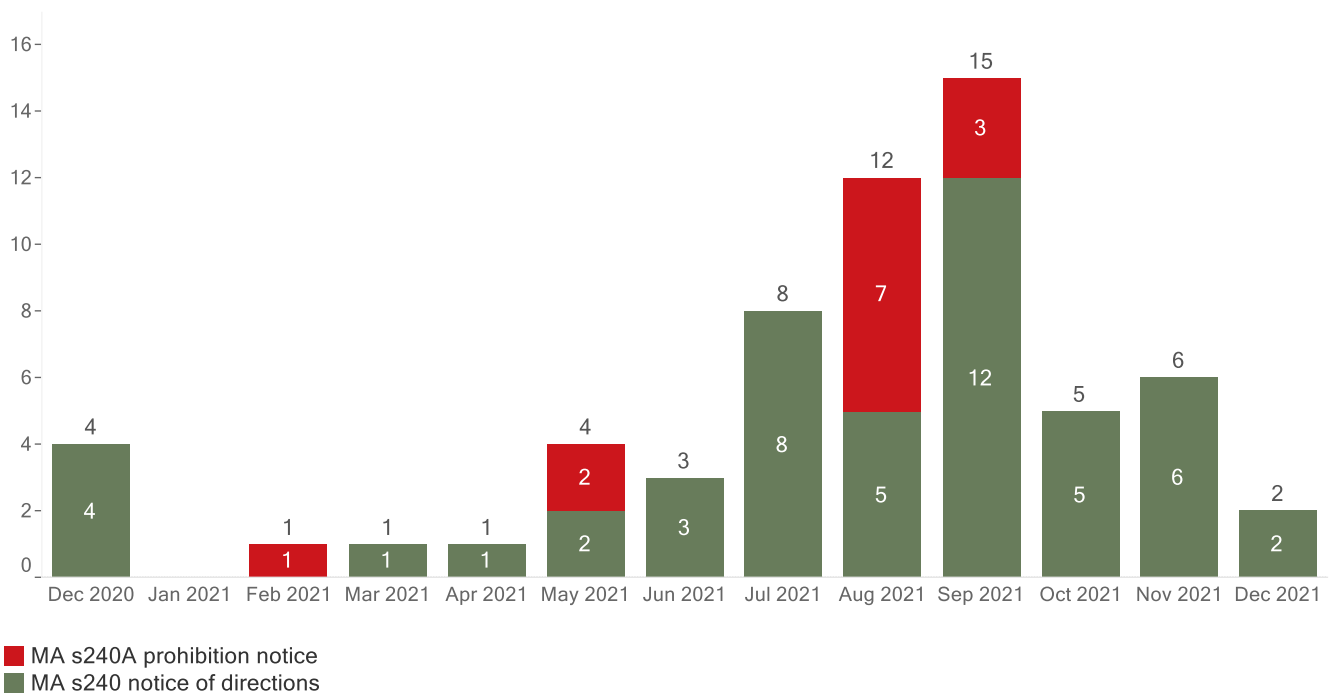
MINING ACT SITE ASSESSMENTS COMMENCED BY NATURE



Mining Act compliance activities

Statutory notices issued

MINING ACT STATUTORY NOTICES ISSUED



NOTICES OF DIRECTIONS ISSUED DETAILS

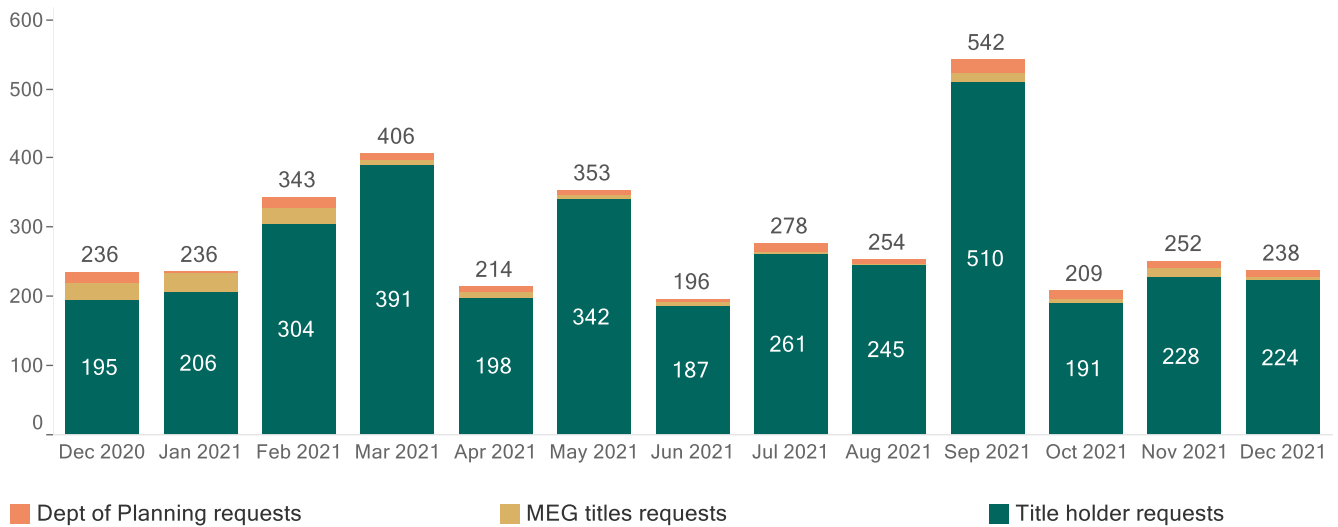
ISSUED TO	LOCATION	SUMMARY S.240 OF THE MINING ACT 1992 DIRECTION
Silver Orchid Pty Limited	Golden Gully Operation	Prepare and submit a Mining Operations Plan for Golden Gully Operation in accordance with the <i>ESG3: Mining Operations Plan (MOP) Guidelines, September 2013</i> .
Silver Orchid Pty Limited	Swan Bay Mine	<p>Rehabilitate the land that is affected by activities under ML 5938 (1906) to a condition that achieves the approved rehabilitation objectives and completion criteria for the Swan Bay Kaolin Mine.</p> <p>Remediate the land impacted by erosion. Implement control measures to prevent recurrence of erosion and transportation of sediment laden water.</p> <p>Complete re-vegetation works to address insufficient groundcover and vegetation establishment.</p> <p>Decommission and rehabilitate groundwater bores that are not to be retained in the final landform. Should bores be proposed to be retained within the final landform, appropriate licensing and</p>

ISSUED TO	LOCATION	SUMMARY S.240 OF THE <i>MINING ACT 1992</i> DIRECTION
		<p>confirmation that landholder consent to future licence transfer is to be demonstrated.</p> <p>Remove all waste including but not limited to corrugated sheeting, fiberglass fragments generated by damaged culverts, obsolete fencing and star pickets, polypipe and associated general wastes and dispose of at a licensed receiving facility.</p> <p>Assess current fencing against requirements within the final landform.</p> <p>Remove the timber currently stockpiled and dispose of the material in accordance with relevant EPA requirements.</p> <p>Submit an electronic version of a <i>Form ESF2 Rehabilitation completion and/or review of rehabilitation cost estimate and/or notification of mine or petroleum site closure</i> and final Rehabilitation Report providing evidence of rehabilitation work completed in accordance with Directions 1-7 above.</p>
TOTAL		2

Mining Act requests for service

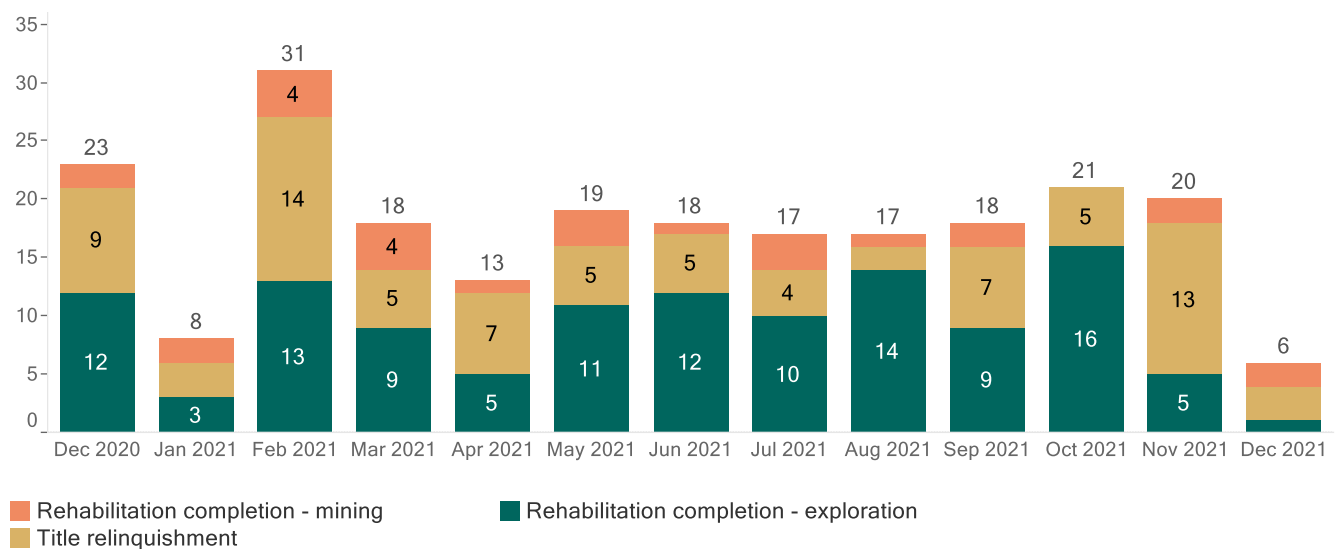
Requests for service includes requests from title holders, Mining, Exploration and Geoscience concerning the administration of mining authorisations, and requests from either the NSW Department of Planning and Environment or a local consent authority relating to development assessment applications under the *NSW Environmental Planning and Assessment Act 1979*.

MINING ACT REQUESTS FOR SERVICE ACTIONED



Mining Act rehabilitation completion

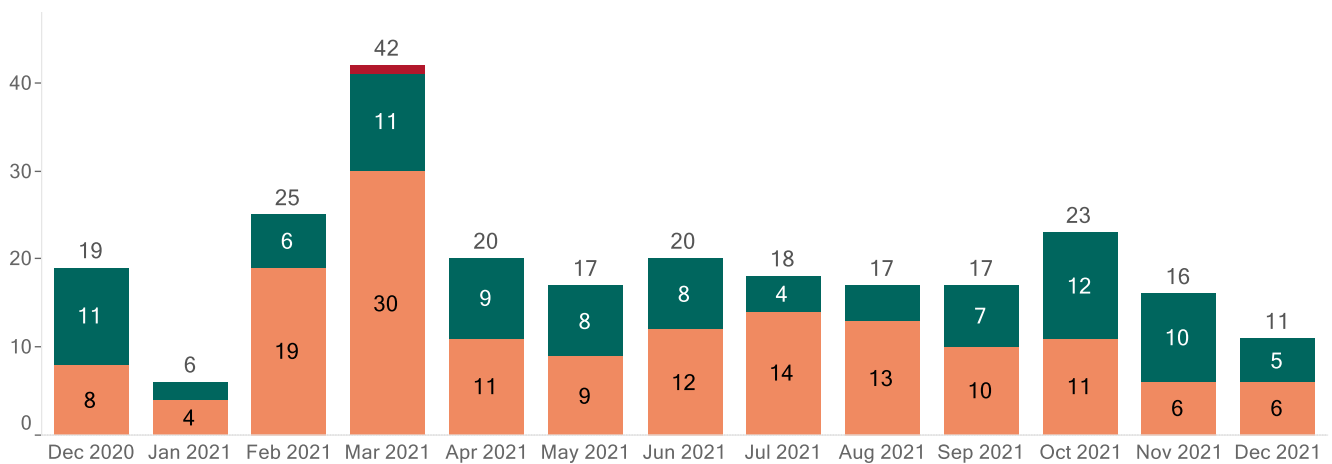
MINING ACT REHABILITATION COMPLETION ACTIONED



Rehabilitation security deposit review

Our inspectors regularly assess the surface disturbance (or proposed disturbance) of a mine or exploration site to calculate the security deposit. This is known as the assessed deposit. Once the assessed deposit is determined, we advise Mining, Exploration and Geoscience who vary the condition of the title and seek the additional funds - or in the case of satisfactory rehabilitation, return some or all of the security deposit.

REHABILITATION SECURITY DEPOSIT REVIEWS ASSESSED



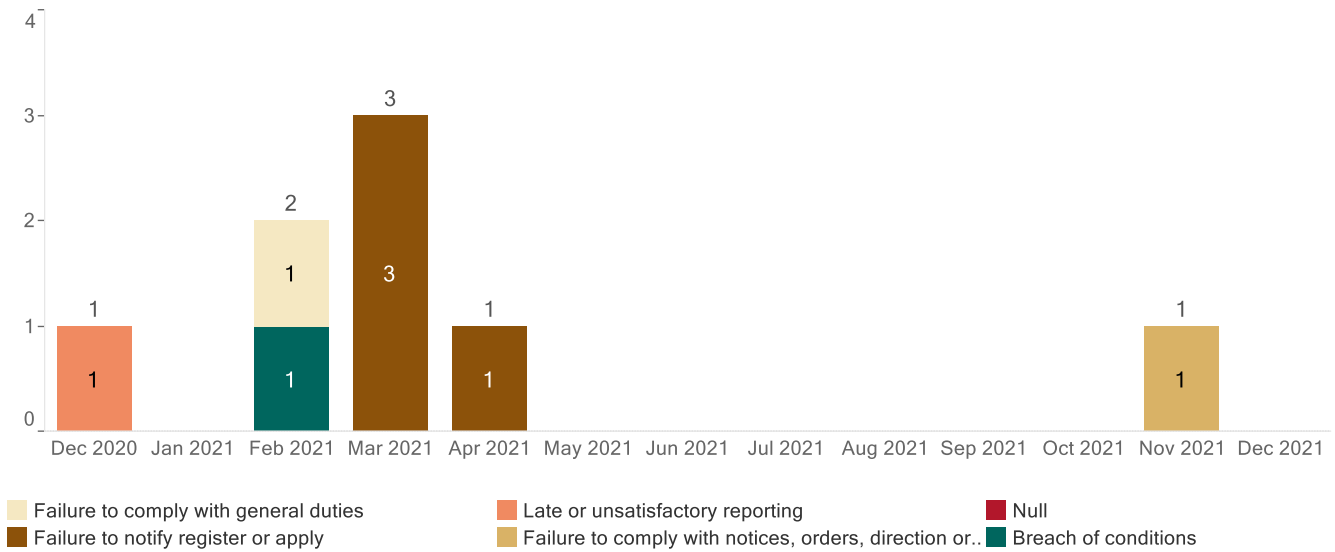
- Security - Review by Minister (Appeal) s.261BE Mining Act 1992
- Security Deposit Review - Mining
- Security Deposit Review - Exploration

Compliance concerns and non-compliances

Safety non-compliance breaches

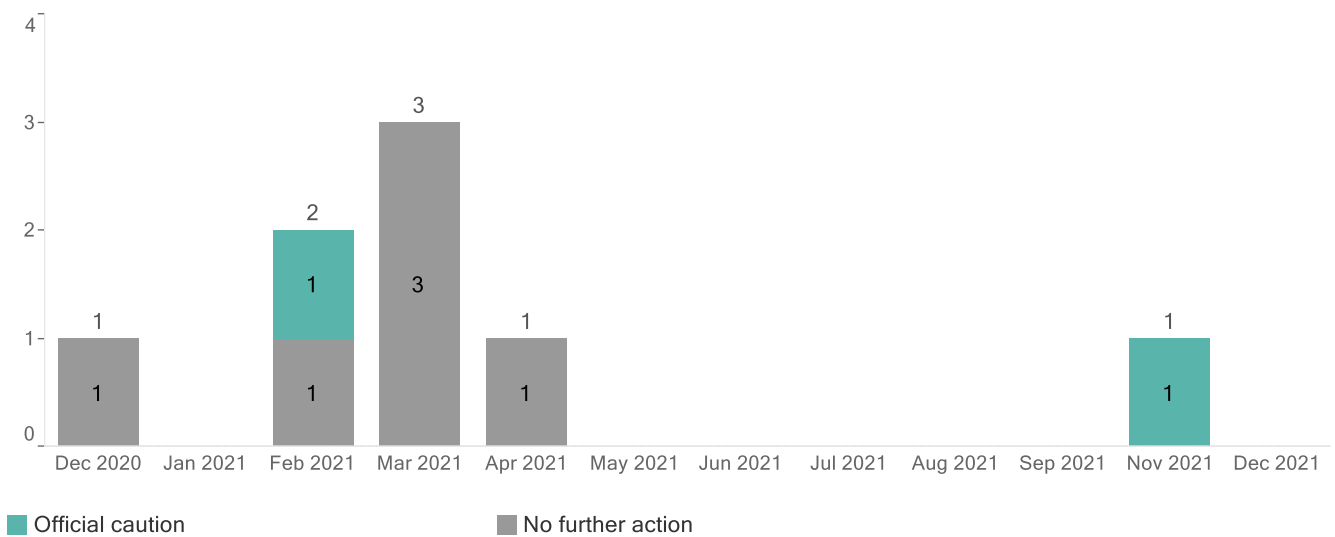
Non-compliance breaches sustained by category

SAFETY NON-COMPLIANCE BREACHES SUSTAINED BY CATEGORY



Non-compliance breaches sustained by regulatory response

SAFETY NON-COMPLIANCE BREACHES SUSTAINED BY REGULATORY RESPONSE

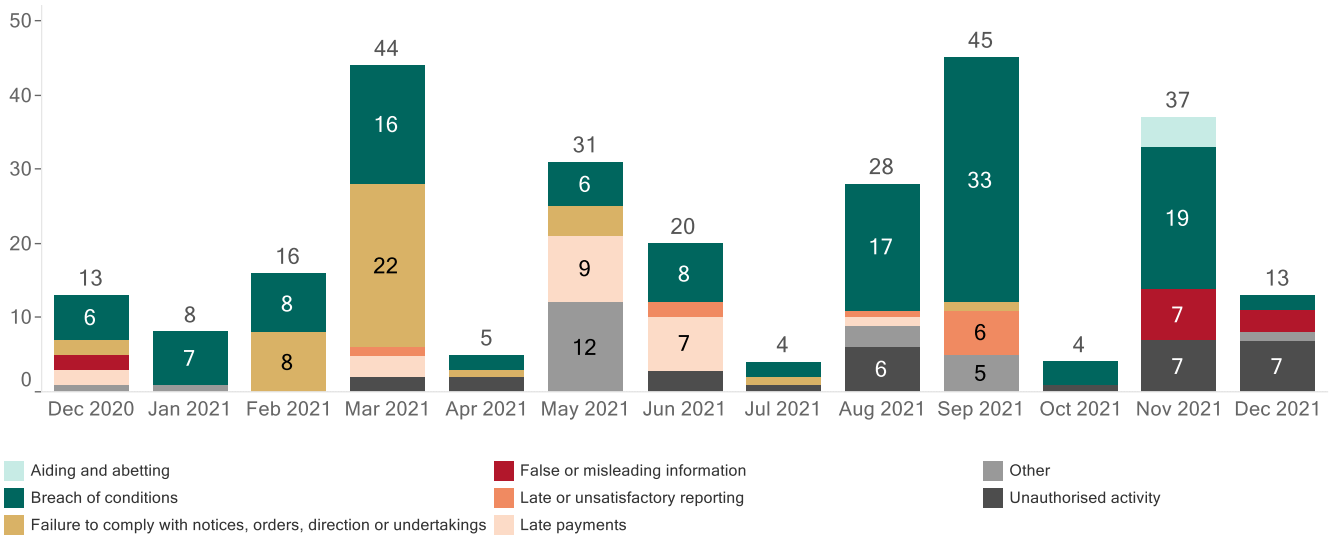


Mining Act non-compliance breaches

Non-compliance breaches sustained by category

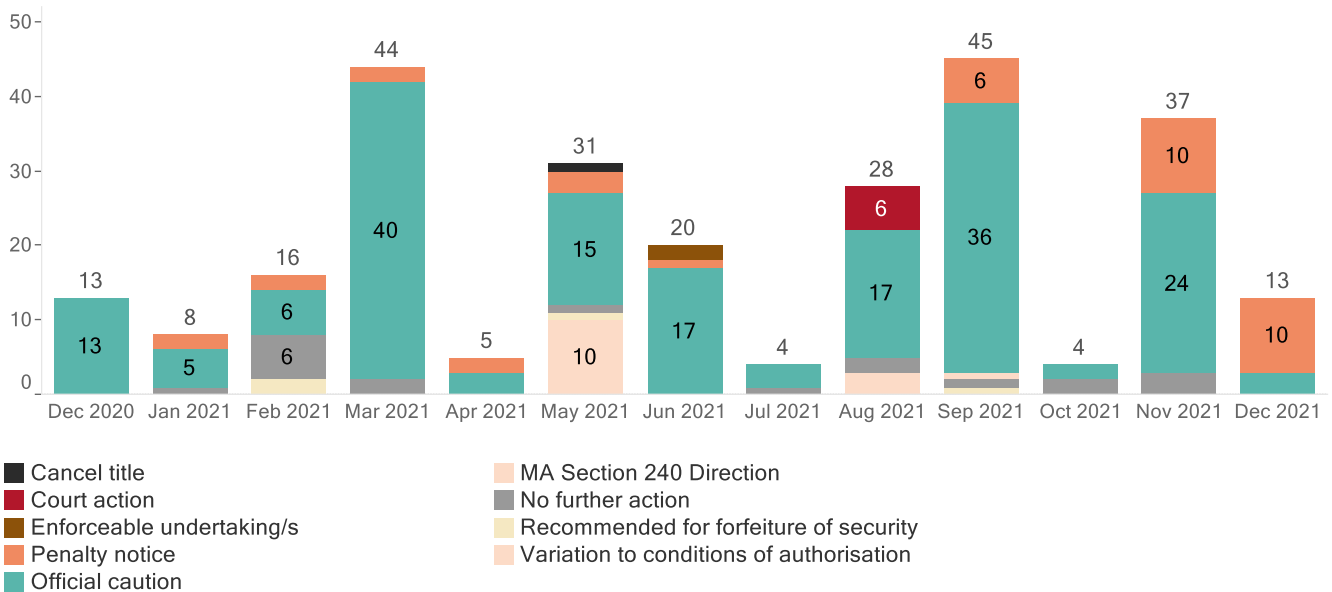
Compliance categories shown in the figure below is non-exhaustive.

MINING ACT 1992 NON-COMPLIANCE BREACHES SUSTAINED BY CATEGORY



Non-compliance breaches sustained by regulatory response

MINING ACT 1992 NON-COMPLIANCE BREACHES SUSTAINED BY REGULATORY RESPONSE



Key enforcement actions

MINING ACT 1992 KEY ENFORCEMENT ACTIONS

DATE	ENTITY	AUTHORITY	ACTION	AMOUNT	ALLEGATION/FINDING
6 Dec	Individual	MC61188	Penalty Notice	\$2,500	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting and or mining operations without authorisation to do so.
6 Dec	Individual	MC61188	Penalty Notice	\$2,500	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting and or mining operations without authorisation to do so.
6 Dec	Individual	MC61188	Penalty Notice	\$2,500	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting and or mining operations without authorisation to do so.
6 Dec	RZ Resources Ltd	EL 8312	Penalty Notice	\$2,500	Contravention of section 378C of the <i>Mining Act 1992</i> for providing false or misleading information.
6 Dec	Individual	MC 61757	Penalty Notice	\$2,500	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting and or mining operations without authorisation to do so.
6 Dec	Individual	MC 61757	Penalty Notice	\$2,500	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting and or mining operations without authorisation to do so.
6 Dec	Individual	MC 61757	Penalty Notice	\$2,500	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting and or mining operations without authorisation to do so.

DATE	ENTITY	AUTHORITY	ACTION	AMOUNT	ALLEGATION/FINDING
13 Dec	Mt Boppy Resources Pty Ltd	EL 5842 (1992)	Penalty Notice	\$2,500	Contravention of section 378D of the <i>Mining Act 1992</i> for exceeding the authorised number of drill holes.
13 Dec	Mt Boppy Resources Pty Ltd	EL 5842 (1992)	Penalty Notice	\$2,500	Contravention of section 378D of the <i>Mining Act 1992</i> for exceeding the authorised number of surface disturbance thresholds.
13 Dec	Mt Boppy Resources Pty Ltd	EL 5842 (1992)	Penalty Notice	\$2,500	Contravention of section 378C of the <i>Mining Act 1992</i> for providing false or misleading information.
TOTAL					10

Industry engagement activities

Committees and other industry body involvement

COMMITTEES AND OTHER INDUSTRY BODY INVOLVEMENT

COMMITTEE/BODY	DETAIL
Earth Moving Equipment Safety Round table – Tyres and Rims	Monthly meeting
Earth Moving Equipment Safety Round table – Equipment fires	Monthly meeting
Standards Association – review of Australian Standards for earthmoving equipment - Off-the-road wheels, rims and tyres - Maintenance and repair	Meeting
TestSafe Certification Committee Meeting	Annual meeting
TOTAL	4

External education and engagement activities

WORKSHOPS AND INFORMATION SESSIONS

TYPE OF ACTIVITY	LOCATION	DETAIL
Industry forum	Online	Compliance Management in Exploration webinar
Industry forum	Online	Mechanical Engineers Combined Quarterly Meeting
TOTAL		2

Publication and alerts

MEDIA RELEASES, SAFETY BULLETINS AND PUBLICATIONS

TYPE	NO.
Guidance material	2
Investigation information release	2
Media release / News item	8
Mine safety news	3
Reports	8
Safety bulletin	2
Video	1
Weekly summary	4
Grand Total	30