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Media Release

Rockwoods Investment Group Pty Ltd convicted and fined for breach of WHS law

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On 28 February 2024, the NSW District Court entered a conviction and imposed a fine of \$150,000 on Rockwoods Investment Group Pty Ltd (formerly known as Milbrae Quarries Pty Ltd) for breaching section 32 (Category 2) of the Work Health and Safety Act 2011 by failing to comply with duties required by section 19(2) of the Act.

Rockwoods also admitted 2 other offences under section 33 (Category 3) of the Act for failing to comply with duties required by section 19(1) and 19(2) of the Act, which arose out of the same circumstances. The 2 section 33 charges were dismissed on the basis they would be dealt with on a Form 1 and taken into account by the court when imposing a penalty for the section 32 offence.

The conviction relates to a shotfiring incident that occurred at Cootamundra Quarry on 8 April 2021. During the blast, a worker from an adjacent concrete batching plant and a neighbouring resident found themselves in the blast exclusion zone, exposing them to the risk of serious injury or death due to flyrock discharge. The worker, situated about 340 metres from the blast, narrowly avoided injury by seeking cover behind a concrete truck to shield against flyrock.

At the time of the incident, Rockwoods operated the Cootamundra Quarry, about 4 kilometres south of Cootamundra. In September 2021, the quarry was sold to a new owner.

On 9 October 2023, Rockwoods pleaded guilty to an offence under section 32 of the Act, for failing to comply with its duties under section 19(2) of the Act. In delivering his sentence on 28 February 2024, Judge Russell ordered that Rockwoods:

- be convicted and fined \$200,000 reduced to \$150,000 after a 25% discount for an early guilty plea, in consideration of the offending conduct and taking account of the 2 section 33 offences
- pay a 50% moiety of the fine to the prosecutor
- pay the prosecutor's costs in the sum of \$84,500.

The full judgment is available [on the NSW Caselaw website](#).

The NSW Resources Regulator carried out an investigation into the matter. Please read the [Investigation information release here](#).

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