



**NSW  
Resources  
Regulator**

# **MONTHLY BUSINESS ACTIVITIES REPORT**

**JUNE 2019**



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## Activities snapshot

### Activities at a glance



## Key enforcement actions

On 31 May 2019, prosecution proceedings were commenced against Mudgee Stone Co Pty Ltd and one of its directors for alleged contraventions of the *Mining Act 1992* including unauthorised mining and breaches of prohibition notices at the quarry.

On 20 June 2019, three prosecutions were finalised for five offences under the *Mining Act 1992*, at Far Western Stone Quarry Pty Ltd, near Bourke. The operator was convicted of three offences including failing to comply with a notice that required environmental remediation works to be undertaken; failing to submit a mandatory Annual Environmental Management Plan; and failing to pay annual levies and charges. The operator was fined \$8000 and ordered to pay the NSW Resources Regulator's legal costs of \$10,000.

Mr Antony Martin, a director of Western Stone Quarry Pty Ltd, was placed on a conditional release order, without conviction, for failing to ensure the company submitted a revised Mine Operation Plan, including a Mine Closure Plan. The order is conditional on Mr Martin being of good behaviour for 12 months, and on a mine closure plan being submitted within six months. Mr Martin received a further conditional release order, with conviction, for failing to ensure the company paid a mandatory mine rehabilitation security deposit of \$63,000.

## Safety incidents

On 5 June, unintended movement of a Joy CM12 remote controlled continuous miner at Ashton Mine put three workers at risk of serious injury. A major investigation has commenced in response.

On 9 June, at Appin Colliery an operator was standing on a mesh guard when his right foot fell into the scavenger conveyor. The operator sustained injuries to his right foot, including serious lacerations and possible broken bones. Safety inspectors were deployed in response to this incident and a major investigation has commenced.

On 28 June, a worker at Springvale Mine was struck by nylon rope when conducting maintenance on the goaf side of spill plates resulting in right ankle fracture. A major investigation has commenced in response.

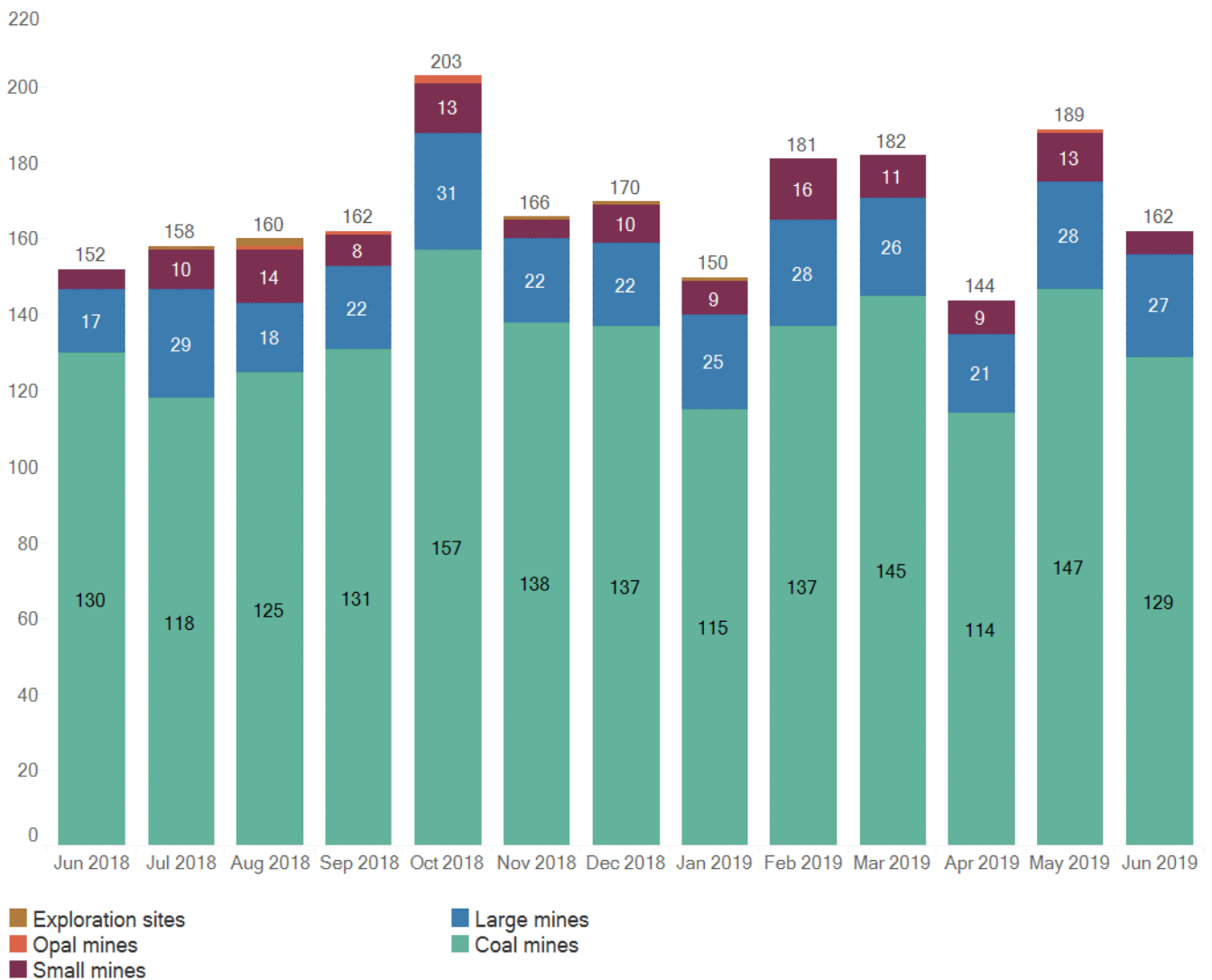
The NSW Resources Regulator's [weekly incident summary](#) references any recently published safety publications. The alerts section provides further details about any dangerous and serious safety incident notifications received in June 2019.

# Work health and safety activities

## Safety incident notifications received

In June 2019, 162 incidents were notified to the NSW Resources Regulator by mining operations. This was down 27 from the 189 received in May 2019.

**FIGURE 1 SAFETY INCIDENT NOTIFICATIONS BY SECTOR - JUNE 2018 TO JUNE 2019**



The NSW Resources Regulator deployed inspectors to the following safety incidents described in the table below.

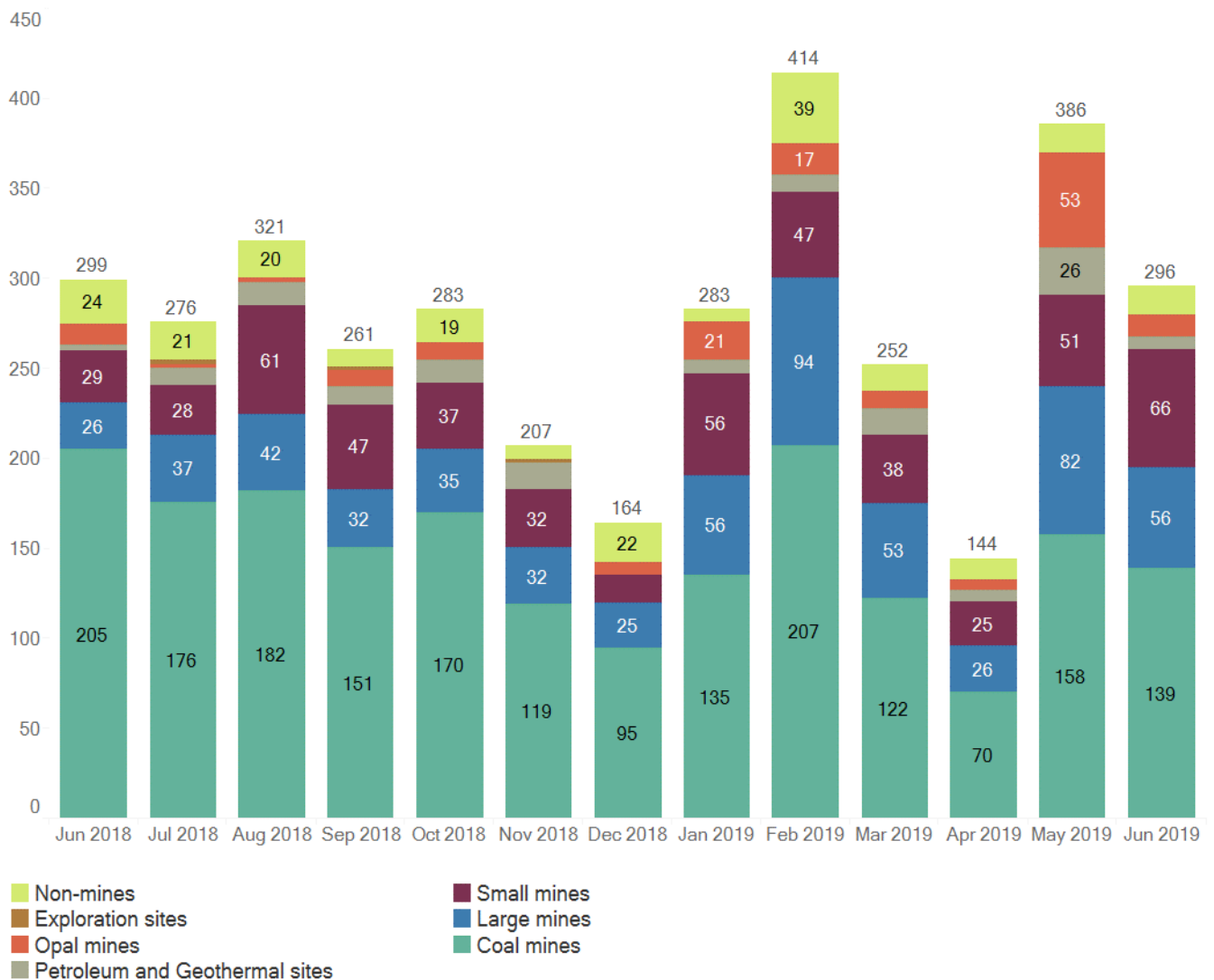
**TABLE 1. DETAILS OF SAFETY INCIDENTS WHERE INSPECTORS WERE DEPLOYED – JUNE 2019**

Date notified	Location	Incident
3 Jun	Coal mine - Underground operation	As the dayshift crew entered the mine, they discovered a fall of ground in the main travel road. A drill rig was near the fall. The mine implemented its emergency management procedure to confirm all personnel had been accounted for. The site administration system indicated that there would not have been anyone in the location at the time.
3 Jun	Large mines - Metalliferous and Quarries	Two workers were underground, in a work basket attached to an integrated transporter. One worker reportedly bent down to pick up an impact wrench and felt intense pain upon rising.
4 Jun	Coal mine - Underground operation	A coal burst occurred on the tail gate road of the longwall. Remote mining was under way and no workers were in the vicinity. The longwall was shut down and the scene was preserved. No injuries occurred.
9 Jun	Coal mine – Underground operation	An operator was standing on a mesh guard when his right foot fell into the scavenger conveyor. The operator sustained injuries to his right foot, including serious lacerations and possible broken bones.
13 Jun	Coal mine – Underground operation	Coal Mines Technical Services undertook respirable dust sampling on 17 May 2019. A final summary report, issued on 11 June 2019, stated that three longwall operators recorded results exceeding the Occupational Exposure Limit for respirable quartz (>0.1mg/m <sup>3</sup> ).
23 Jun	Coal mine - Underground	A worker was repairing a broken conveyor chain. While pulling the chain on, a flight became jammed in the foot sprocket, resulting in the flight fracturing and ejecting. Part of the flight hit a worker’s left shoulder.
<b>Total</b>		<b>6</b>

## Safety assessments commenced

In June 2019, a total of 296 safety assessments had been commenced across all mining sectors, down 90 on the previous month. Of the 296 assessments, 139 (47%) occurred in the coal mines sector.

**FIGURE 2. SAFETY ASSESSMENT ACTIVITIES COMMENCED BY SECTOR - JUNE 2018 TO JUNE 2019**

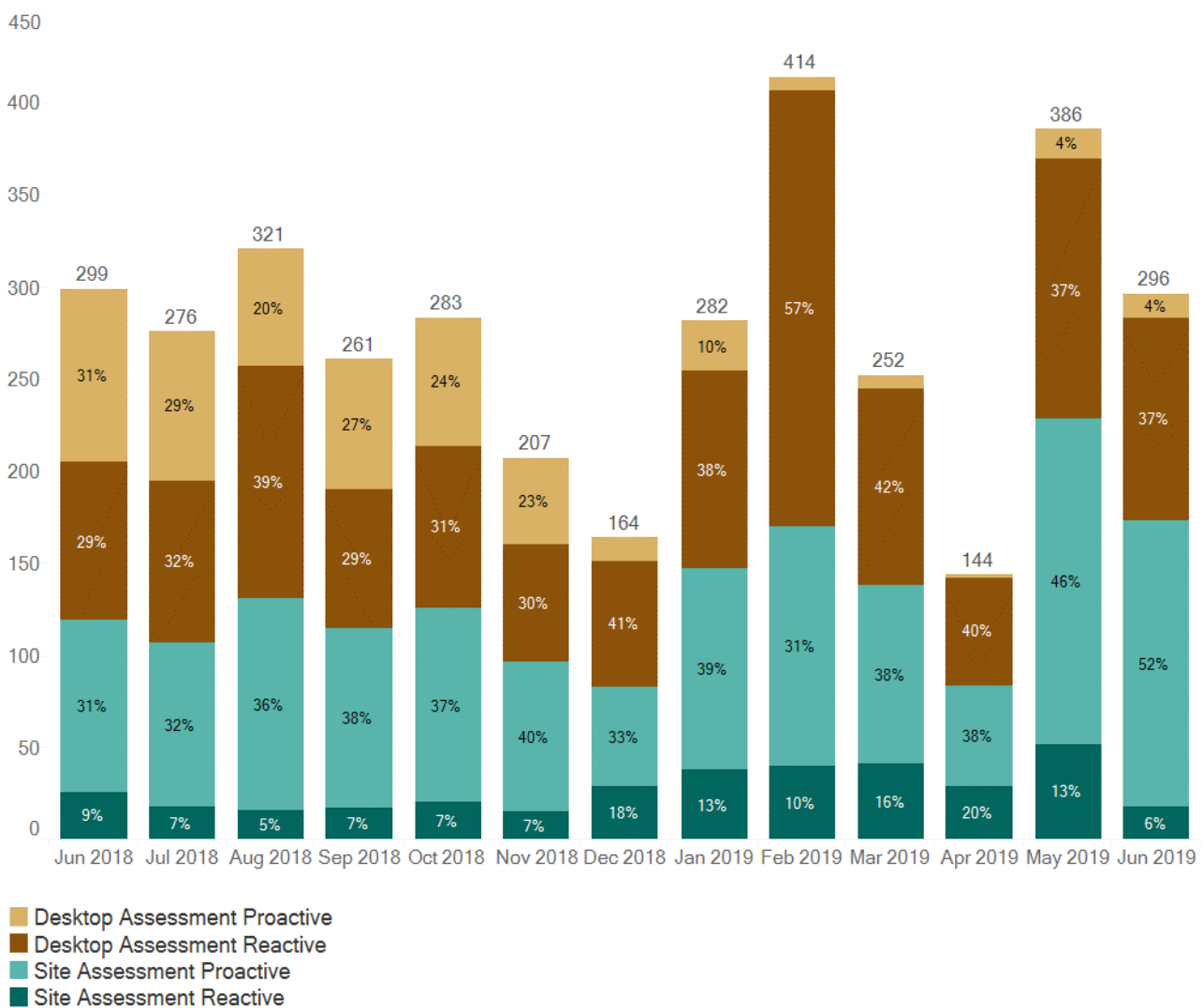




## Proactive and reactive safety assessments

In June 2019, 56% (168) of the NSW Resources Regulator’s 296 assessments were proactive. Proactive assessments include targeted assessments and planned inspections. Reactive assessments include assessments conducted in response to incident notifications, targeted interventions, high risk activity notifications and action requests.

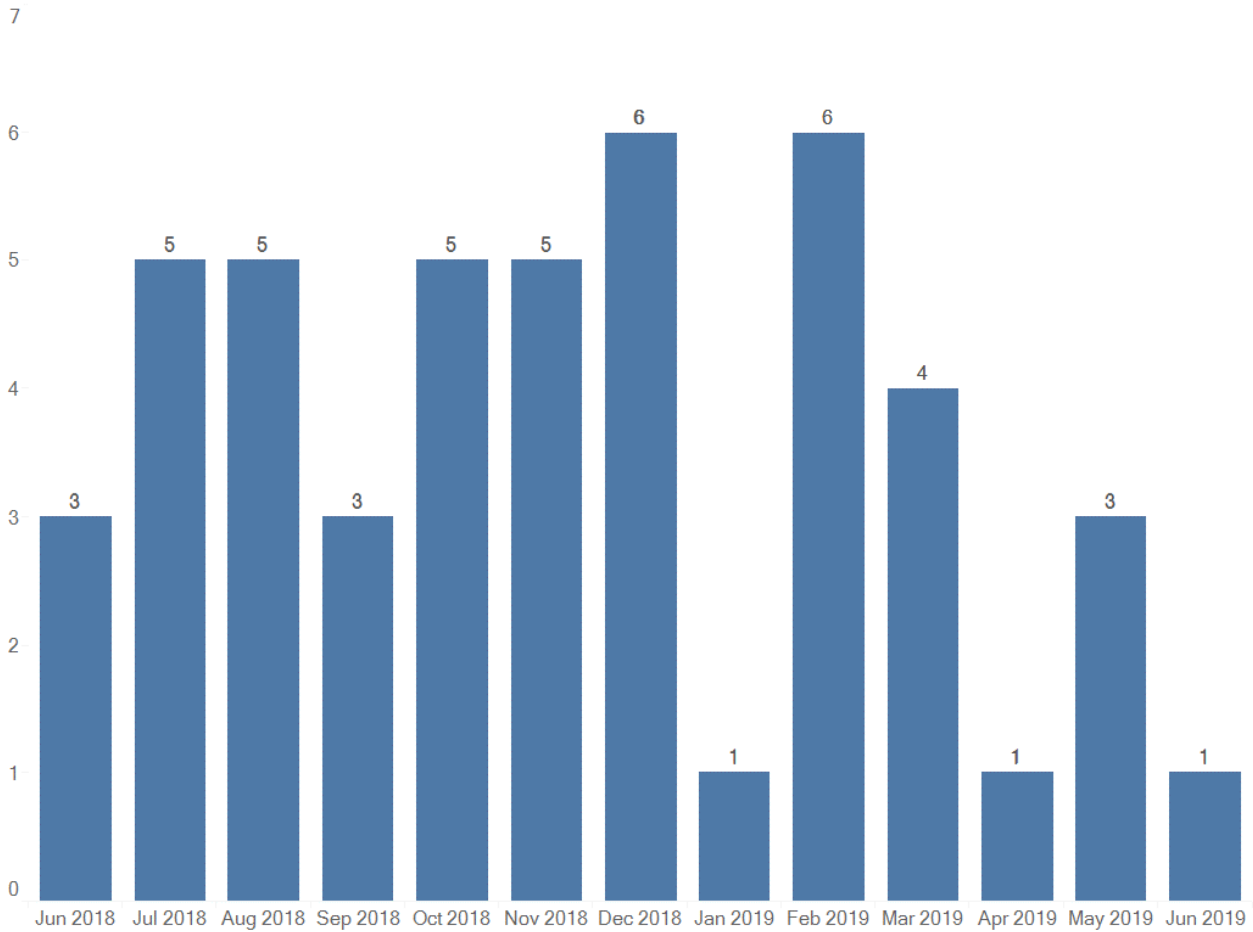
**FIGURE 3. SAFETY ASSESSMENT ACTIVITIES BY NATURE - JUNE 2018 TO JUNE 2019**



## Safety targeted assessment program

Under the safety proactive assessment program, in June 2019 the NSW Resources Regulator conducted one site-based targeted assessment (TAP). Details are in the table below.

**FIGURE 4. SAFETY TAP ASSESSMENTS - JUNE 2018 TO JUNE 2019**



**TABLE 2. DETAILS OF SAFETY TARGETED ASSESSMENTS - JUNE 2019**

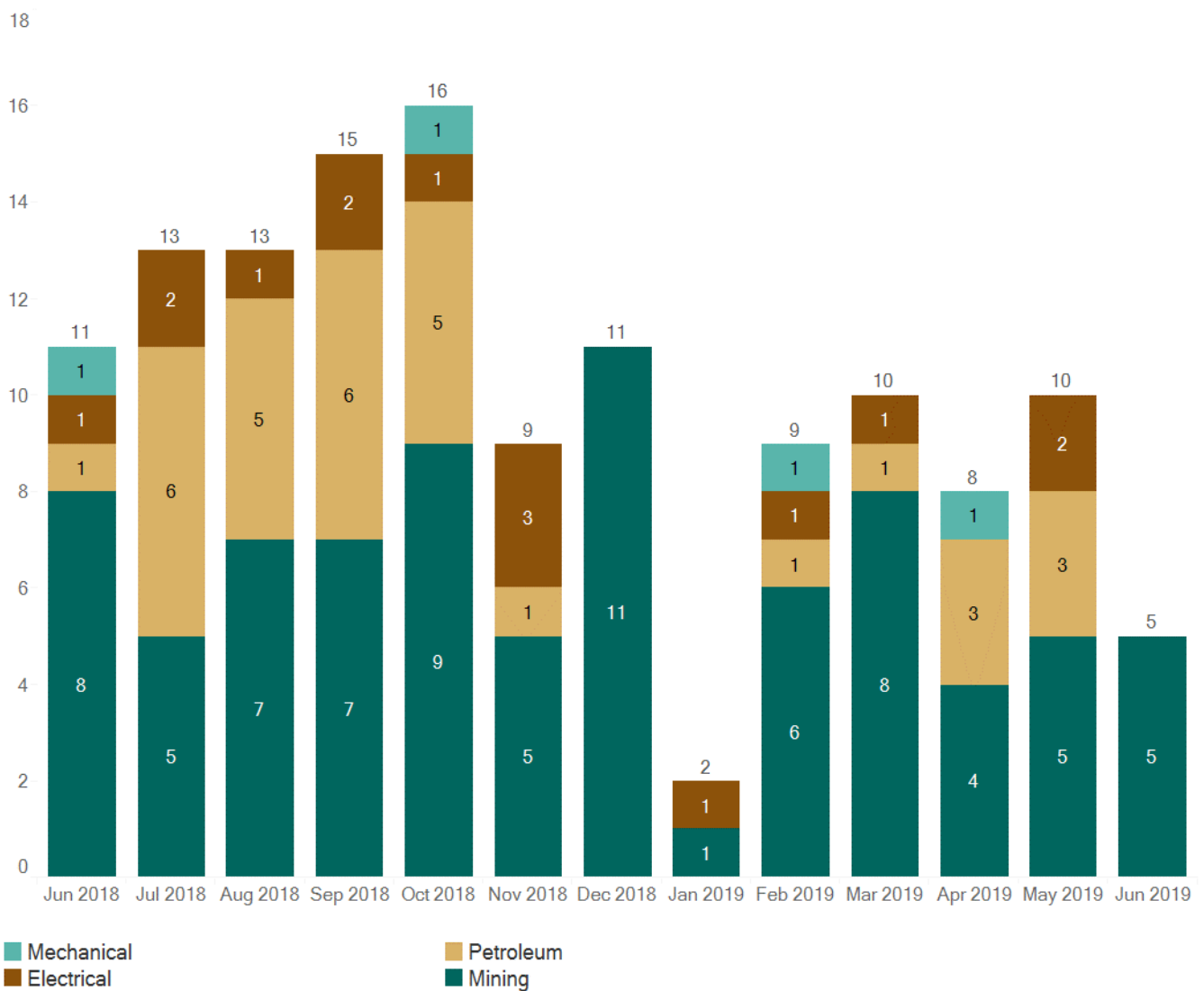
Hazard	Mine
Fatigue	Hera Mine
<b>Total</b>	<b>1</b>

## Safety statutory notifications and exemptions

### High risk activity notifications

The figure below summarises high risk activity notifications received by engineering discipline under the Work, Health and Safety (Mines & Petroleum Sites) Regulation 2014.

**FIGURE 5. HIGH RISK ACTIVITY BY NOTIFICATIONS RECEIVED BY ENGINEERING DISCIPLINE - JUNE 2018 TO JUNE 2019**



**TABLE 3. HIGH RISK ACTIVITY NOTIFICATIONS RECEIVED - JUNE 2019**

Mine	Legislation*	Type of notification	No
Tahmoor Colliery	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	1
Tahmoor Colliery	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	1
Chain Valley Colliery	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	1
Springvale Mine Underground Operation	Schedule 3 Clause 7(2)(b)	Working in inrush control zone - potential source of inrush cannot be inspected.	1
Mandalong Mine	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	1
<b>Total</b>			<b>5</b>

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

## Exemption applications

In June 2019, the NSW Resources Regulator granted one application requesting exemption from compliance with specific provisions of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.

**TABLE 4. EXEMPTION APPLICATIONS FINALISED AND GRANTED - JUNE 2019**

Mine/PCBU*	Details	Status
Dendrobium Colliery	Exemption from having at least two trafficable exits to the surface.	Granted
<b>Total</b>		<b>1</b>

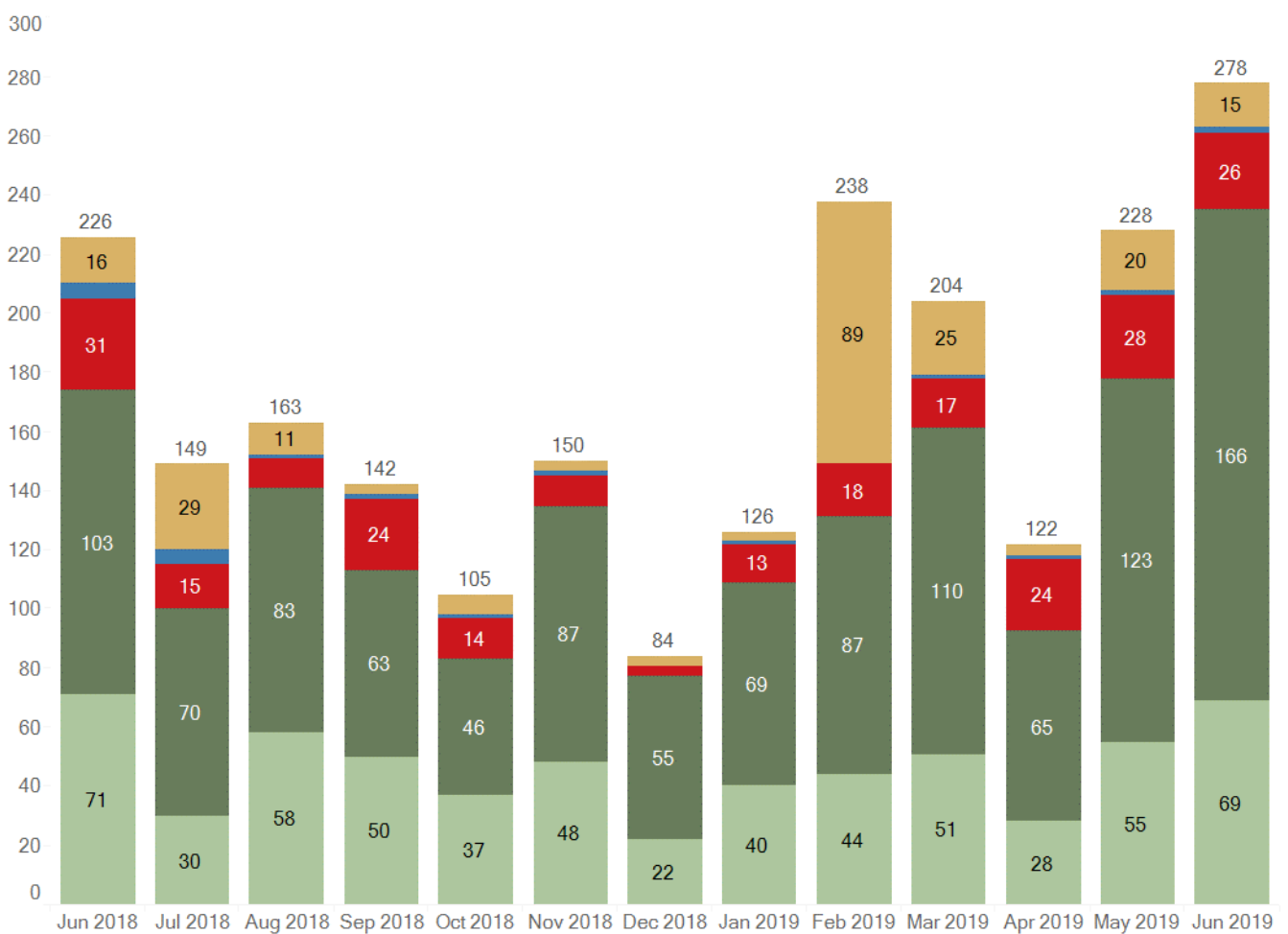
\*Person Conducting Business or Undertaking

## Compliance activities

### Safety notices issued

In June 2019, the NSW Resources Regulator issued 278 safety notices, an increase of 50 compared to the 228 safety notices in the previous month.

**FIGURE 6. SAFETY NOTICES ISSUED BY NOTICE TYPE - JUNE 2018 TO JUNE 2019**



- WSA s155 to obtain information
- WSA s198 non-disturbance notice
- WSA s195 prohibition notice
- WSA s191 improvement notice
- WHS(MPS)A s23 notice of concerns

## Details of prohibition notices issued

In June 2019, the NSW Resources Regulator issued 26 prohibition notices under section 195 of the *Work Health and Safety Act 2011*.

**TABLE 5. PROHIBITION NOTICES ISSUED - JUNE 2019**

Issued to PCBU*	Mine Location	Prohibited activity
Ashton Coal Mine (Underground)	Ashton Coal Mine (Underground)	Operating the continuous miner in the longwall install roadway 203 development panel.
Peats Ridge Quarry (Boral)	Boral Resources (NSW) Pty Ltd	Using the Komatsu PC 850 excavator.
Appin Colliery	Endeavour Coal Pty Ltd	Accessing and operating sludge scraper conveyor inbye, syntron feeder at Appin North BCW Drift Conveyor.
Bylong Quarry	Mudgee Dolomite & Lime Pty Ltd	Operating the Caterpillar 769C dump truck for production purposes (haulage).
Ashton Coal Mine (Underground)	Ashton Coal Operations Pty Limited	Operating any continuous miner for the function of developing the roadway in the longwall install roadway 203 development panel.
Bylong Quarry	Mudgee Dolomite & Lime Pty Ltd	Accessing the back-tray area of the Mitsubishi fuel truck.
North Wambo Underground	Wambo Coal Pty Limited	Operating the MG18 conveyor belt.
North Wambo Underground	Wambo Coal Pty Limited	Mining Operations in MG18 install road.
Cowal Gold Mine	Evolution Mining (Cowal) Pty Limited	Undertaking live electrical work other than 'testing for dead' as per clause 155 of the WHS Regulation.
Bogo Quarry	Bogo Operations Pty Ltd	Using or lifting the portable access platform using the tynes fitted to the front-end loader.
Cadia East Project	Newcrest Mining Limited	Constructing any raise or lift above the current constructed height.
Petersons Quarry	Quarry Solutions Pty Ltd	Undertaking maintenance activities along the walkways on both sides of the operator's cabin until identified fall from height issues are addressed.
Rasp Mine	Broken Hill Operations Pty Ltd	Tailing above the top lip of the Backwoods in pit tailings storage facility.
Rasp Mine	Broken Hill Operations Pty Ltd	Placing the contractor go line for heavy equipment underneath overhead pipelines.

Issued to PCBU*	Mine Location	Prohibited activity
Bogo Quarry	Bogo Operations Pty Ltd	Operating the Komatsu PC 270 Excavator on stockpiles above ground level or on the edge of a bench where there is a risk of fall or toppling over.
Bogo Quarry	Bogo Operations Pty Ltd	Proceeding beyond the door (drivers' side), unless it is to enter cabin. Proceeding beyond the designated walkway (offside of cabin) to undertake maintenance tasks. Operating the Volvo BM 120 loader for production activities on site.
Tharwa Sands - Murrumbidgee Dredging Operation	Tharwa Sands Pty Ltd	Proceeding beyond the door (drivers' side), unless it is to enter cabin. Using ladder or platform (opposite side of cabin) to proceed up for any task.
Lismore City Council - Northern Rivers Quarry and Asphalt Plant	Lismore City Council	Undertaking maintenance activities along the walkways on both sides of the operator's cabin until the identified fall from height issues are addressed.
Lismore City Council - Northern Rivers Quarry and Asphalt Plant	Lismore City Council	Using the precision screen scorpion pugmill and screen.
Tharwa Sands - Murrumbidgee Dredging Operation	Tharwa Sands Pty Ltd	Proceeding beyond the door (drivers' side), unless it is to enter cabin. Using ladder or platform (opposite side of cabin) to proceed up for any task.
Newman Quarrying Pty Ltd	Mark Newman	Undertaking maintenance activities along the walkways on both sides of the operator's cabin until the identified fall from height issues are addressed.
Tegra Australia Jugiong Quarry	Tegra Australia Pty Ltd	Entering or exiting the Komatsu Dump truck from the driver's side until the identified fall from height issue (gap in guardrail) is addressed.
Coastal Quarry Products	Coastal Quarry Products Pty Ltd	Using all lifting devices (chains, slings, endless chains) that have defects and are not tagged with a current compliance tag.
MC46071	Wayne Hottes	Using the emergency exit due to poor installation.
North Wambo Underground	Wambo Coal Pty Limited	Pulling a conveyor chain onto a continuous miner with a QDS winch.
MC3265	Steven Bavdek	Riding the hoist to access and egress the shaft.
<b>Total</b>		<b>26</b>

\*Person Conducting Business or Undertaking

## Mining Act 1992 activities

### Regulatory audits

In June 2019, the NSW Resources Regulator conducted seven site-based regulatory audits under the *Mining Act 1992*. At the time of reporting outcomes had not yet been determined.

**TABLE 6. REGULATORY AUDITS UNDERTAKEN ON SITE – JUNE 2019**

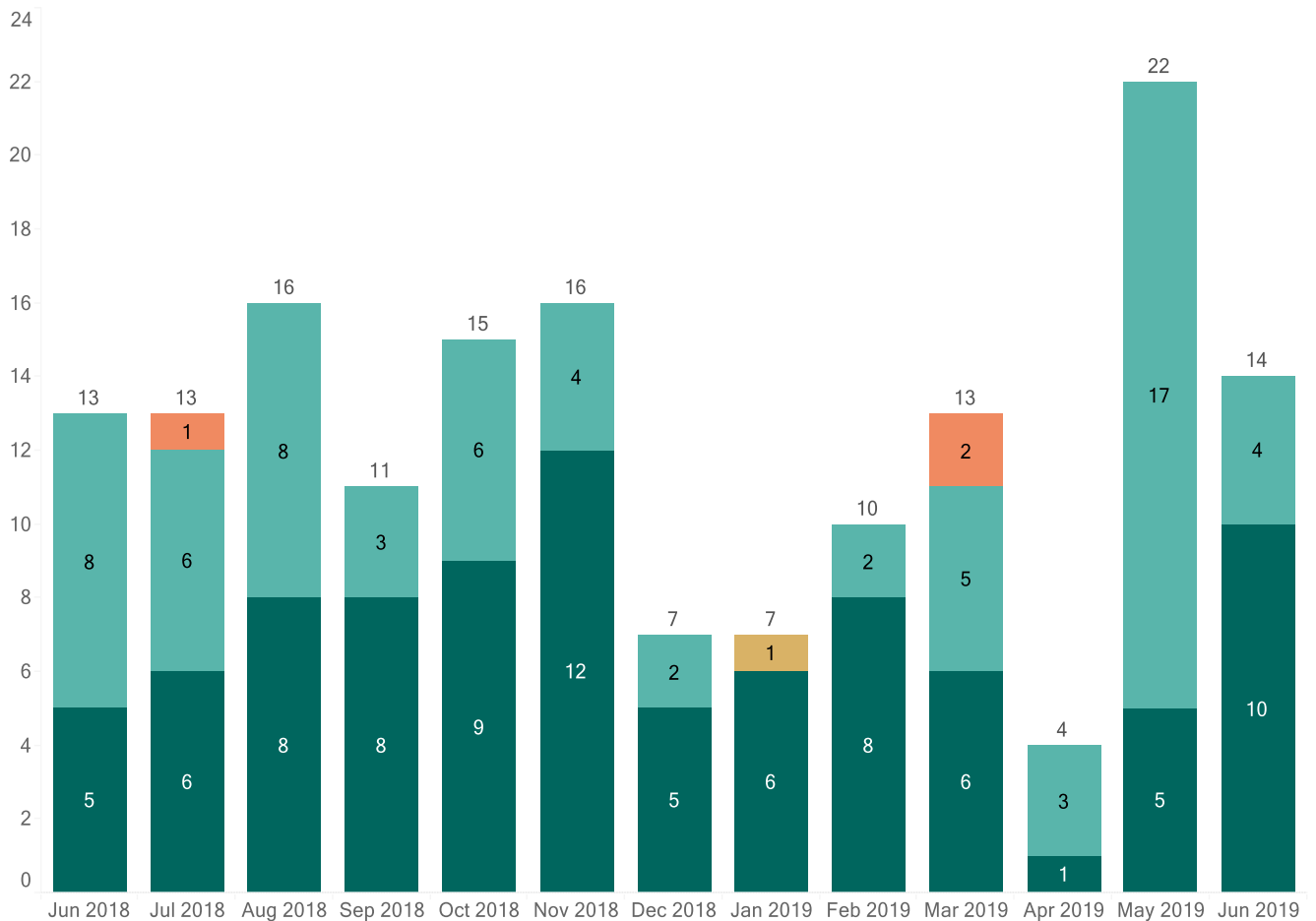
Date	Entity	Scope
5 June	Hunter Valley Operations Pty Ltd	Topsoil management audit – Hunter Valley Operations South.
6 June	Mt Owen Pty Ltd	Topsoil management audit – Mount Owen Mine.
11 June	Wambo Coal Pty Ltd	Topsoil management audit – Wambo Mine.
18 June	Perilya Broken Hill Pty Ltd	General mining compliance – Southern Operations.
19 June	Perilya Broken Hill Pty Ltd	General mining compliance – North Mine.
19 June	Perilya Broken Hill Pty Ltd	General mining compliance – Potosi Mine.
20 June	Perilya Broken Hill Pty Ltd	Exploration compliance – CML5 and EPL2379.
<b>Total</b>		<b>7</b>



## Security reviews

In June 2019, the NSW Resources Regulator completed 14 exploration and mining security deposit reviews under the *Mining Act 1992*. Of note, a review of held security deposits is always undertaken when an authorisation holder applies to vary approved activities.

**FIGURE 7. SECURITY REVIEWS COMPLETED - JUNE 2018 TO JUNE 2019**



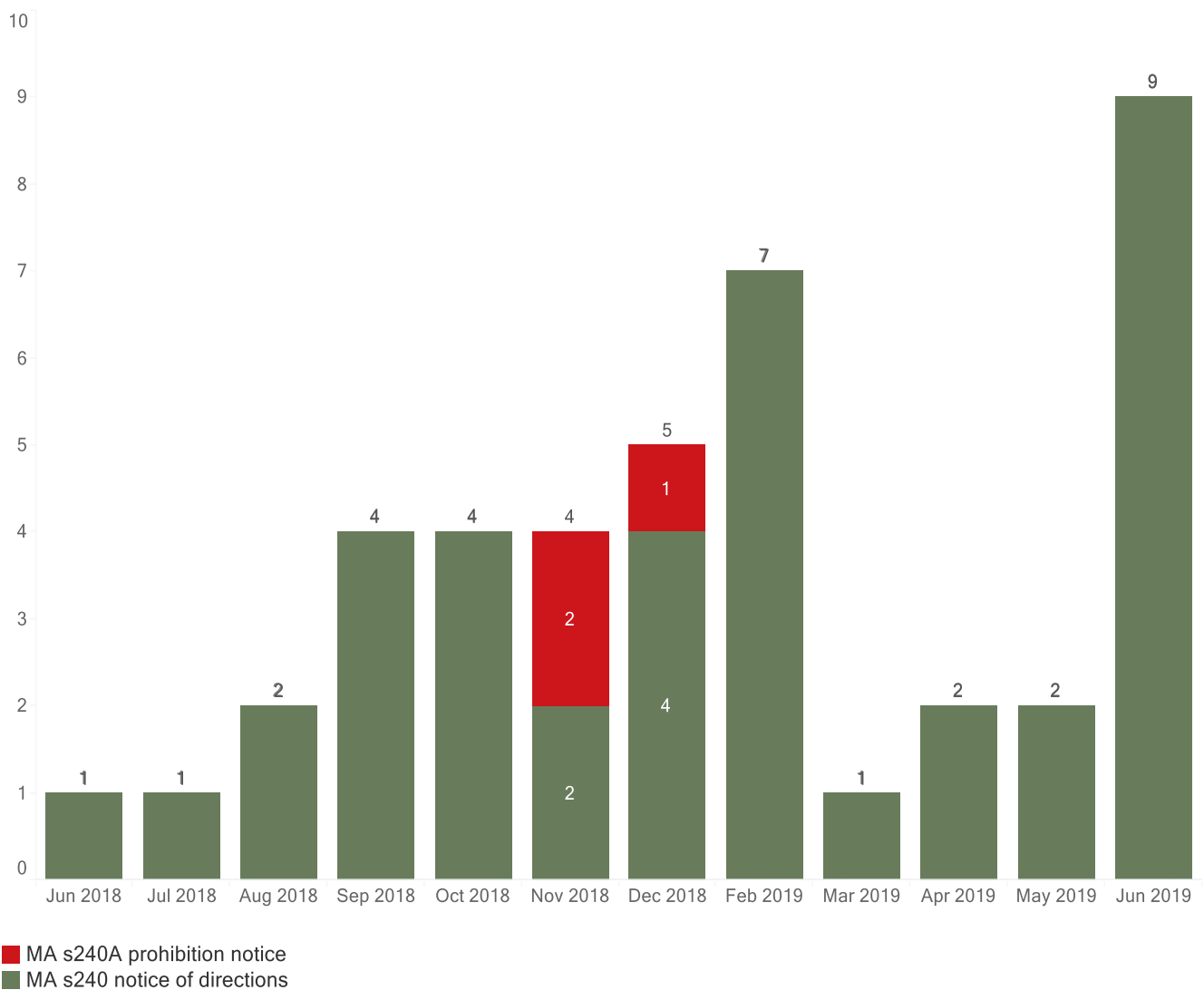
- Security Deposit Review - Petroleum Operations
- Security - Review by Minister (Appeal) s.261BE Mining Act 1992
- Security Deposit Review - Exploration
- Security Deposit Review - Mining

## Compliance activities

### Mining Act 1992 notices issued

In June 2019, the NSW Resources Regulator issued nine s240 direction notices under the *Mining Act 1992*.

**FIGURE 8. MINING ACT 1992 NOTICES ISSUED BY NOTICE TYPE - JUNE 2018 TO JUNE 2019**



## Details of notices issued

In June 2019, the NSW Resources Regulator issued nine Section 240 direction notices under the *Mining Act 1992* details below.

**TABLE 7. NOTICES ISSUED DETAILS - JUNE 2019**

Issued to	Location	<i>Mining Act 1992</i>	Directions
Silver Orchid Pty Ltd	GL5801, 5812 and DL1231 (1906)	s240(1)(d)	Repair collapsed fencing of stopes in the Union Shaft area (GL5801) to restrict access by personnel and wildlife. Install appropriate signage. Undertake appropriate housekeeping to make safe and restrict access by personnel and wildlife to the disused shed north of the union air shaft and winder shed.
Boral Limited	Consolidated Coal Lease (CCL) 748 (Act, 1973), Mining Purposes Lease (MPL) 603 (Act, 1906) and MPL 604 (Act, 1906)	s240(1)(a)	1. Recommence groundwater monitoring at the bore monitoring sites referenced in Section 3.2.2 of the Berrima Colliery, CCL No. 748, Environmental Management Plan, South West 1 Panel, 406 and 407 Panels, and 59 Panel, June 2013 (Approved EMP) as per the commitments in the approved EMP. Investigate the potential causes of the groundwater level drop at the monitoring bores identified in Section 3.2.2 of the approved EMP.
		s240(2A)	2. Prepare and submit an investigation report following completion of the actions, outlined in direction 1 of this notice.
		s240(1)(a)	3. Implement the required actions outlined in the approved EMP, including Appendix A - Trigger Action Response Plan - Table 1 relating to groundwater & water level.
Coalex Pty Ltd		s240(B)	Revocation of notice issued on 21/07/2015.
Cadia Holdings Pty Limited	Authorisations ML 1405 (1992), ML 1449 (Act 1992), ML 1472 (Act 1992), ML 1481 (Act 1992), ML 1689 (Act 1992), ML 1690 (Act 1992)	s240(1)(c) and s240(2A)	Engage a suitably qualified independent person(s) to undertake a rehabilitation cost estimate (RCE) for the authorisations in accordance with ESG1: Rehabilitation cost estimate guidelines (June 2017) which utilises the Department's rehabilitation cost estimate tool (May 2019). Submit the RCE electronically along with a completed form (ESF2): Rehabilitation completion and/or review of rehabilitation cost estimate.

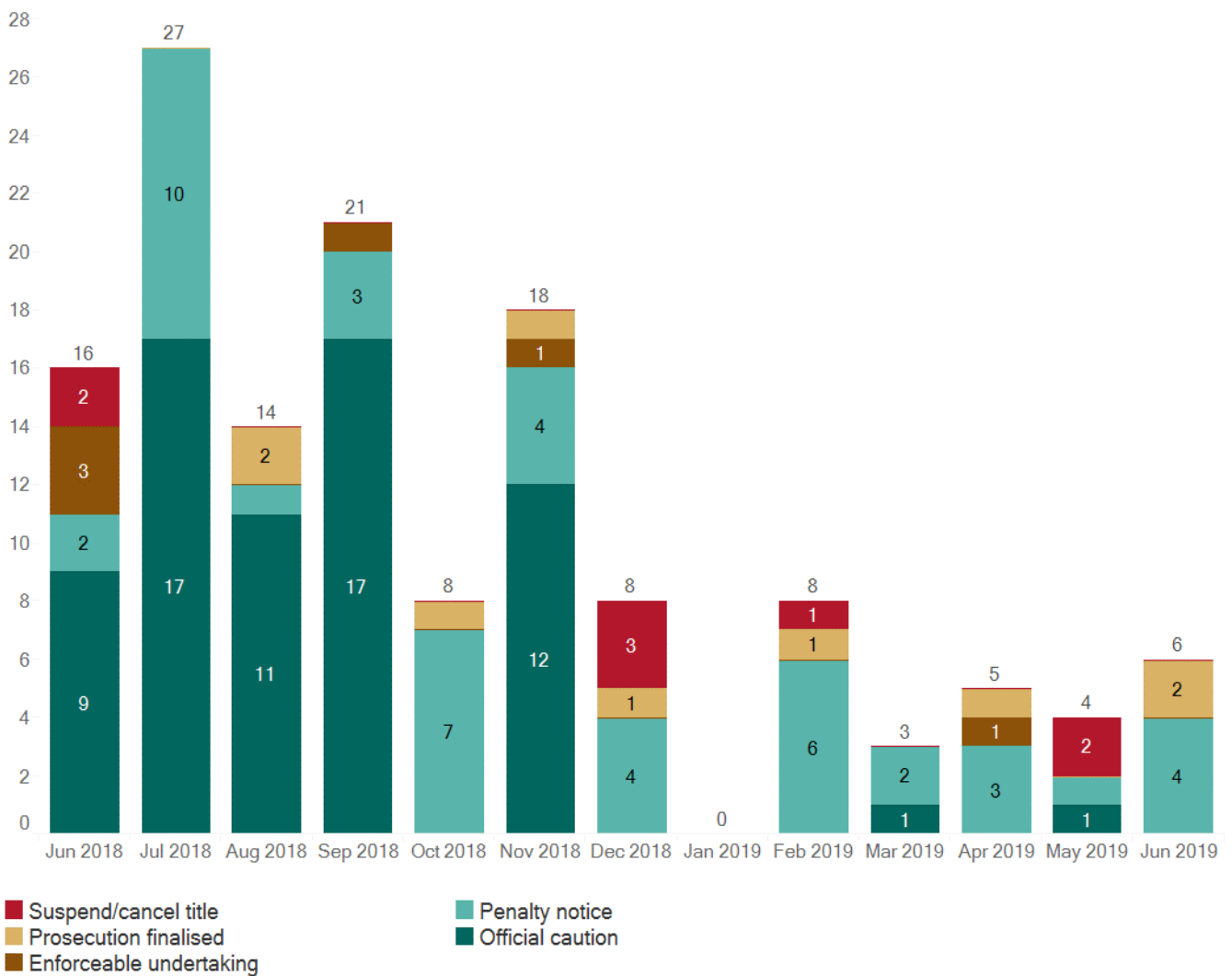
Issued to	Location	Mining Act 1992	Directions
Kandos Collieries Pty Ltd Authorisation CCL726 (1973)		s240(1)(e)	1. Rehabilitate the collapsed ventilation shaft in the old Kandos Colliery No 3 pit top area within the excised portion of CCL726 (1973) to the satisfaction of the NSW Resources Regulator.
		s240(2A)	2. Submit a rehabilitation completion report to the satisfaction of the NSW Resources Regulator, which details the rehabilitation methodology and the works undertaken. This report must be provided to the NSW Resources Regulator by email.
Sibelco Australia Limited	Authorisation ML5106 (Act 1906)	s240(1)(e)	NTCE0003122 is a variation of DI 0801 2018
Tahmoor Coal Pty Ltd	Authorisations Consolidated Coal Lease (CCL) 716 (Act 1973), Mining Lease (ML) 1308 (Act 1992), ML 1376 (Act 1992), ML 1539 (Act 1992) and ML 1642 (Act 1992)	s240(B)	This is a revised Notice (NTCE0003132), supersedes and replaces NTCE0002519 and extends the submission date for a revised and updated version of the Redbank Creek Corrective Management Action Plan from 28 June to 1 July 2019. There are no other content changes in comparison to NTCE0002519.
P & D Whyte Pty Ltd	Authorisation ML1775 (Act 1992)	s240(1)(a)	Prepare a Mining Operations Plan (MOP). The MOP must be prepared in accordance with ESG3: Mining Operations Plan (MOP) Guidelines, September 2013 as published. The MOP must address the inconsistencies in domains identified during the inspection undertaken by the NSW Resources Regulator in May 2019.
Gibsonvale Alluvials Pty. Ltd	Authorisations ML 1132 (1973) and ML 1182 (1973)	s240(1)(a)	Prepare and submit a Mining Operations Plan (MOP) to the NSW Resources Regulator. The MOP submission is required to comply with the further information request Letter dated 17 May 2019 to the satisfaction of the NSW Resources Regulator.
<b>Total</b>			<b>9</b>

\*Mining Act 1992

## Mining Act 1992 key enforcement actions

In June 2019, the NSW Resources Regulator undertook six enforcement actions under the *Mining Act 1992*. This included finalising two prosecutions and issuing four penalty notices, details below.

**FIGURE 9. MINING ACT 1992 ENFORCEMENT ACTIONS FINALISED – JUNE 2018 TO JUNE 2019**



**TABLE 8. KEY MINING ACT 1992 ENFORCEMENT ACTIONS - JUNE 2019**

Date	Entity	Authority	Action	Amount	Details / Direction
5 June	Elsmore Resources	EL8005	Penalty Notice	\$2,500	Provide false or misleading information section 378C. Provide false information within statement of corporate compliance for title renewal.
6 June	Individual	MPL 296	Penalty Notice	\$500	Fail to pay rent and levy fees section 292C.
6 June	Individual	MPL 297	Penalty Notice	\$500	Fail to pay rent and levy fees s292C.
27 June	Sonshel Pty Ltd	ML 1584	Penalty Notice	\$1,000	Fail to pay rent and levy fees s292C.
<b>Total</b>					<b>4</b>

## Industry engagement activities

The NSW Resources Regulator's industry engagement activities for June 2019 are outlined below.

### Workshops and information sessions

**TABLE 9. WORKSHOPS AND INFORMATION SESSIONS - JUNE 2019**

Date	Type of activity	Location	Detail
5 June	Illawarra Local Emergency Management Committee	Metropolitan Mine	Quarterly meeting. Discussions regarding multi-agency emergency simulation exercise at Metropolitan Mine by emergency services.
6 June	Singleton Muswellbrook Local Emergency Management Committee	Mount Thorley Warkworth mine	Quarterly meeting. Mine emergency planning discussion, including a mine familiarisation tour and discussions about Hunter Valley mine operators' emergency response arrangements.
6 June	Presentations	Caves Beach	Mine Managers Association of Australia Seminar. Presentations on critical control focused assessments, airborne contaminants in surface coal operations, and diesel exhaust emissions in underground coal mines.
13 June	Central and Far West Regional Emergency Management Committee	Dubbo	Quarterly meeting. Discussions about the Regulator's incident notification fact sheet and consultation requirements for central and western NSW mines.
20 June	Workshop	Dubbo	Practising certificates and maintenance of competence.
20 June	Workshop	Dubbo	Presentation to Mining Electrical and Mining Mechanical Engineering Society on practising certificates.
25 June	Training	Lightning Ridge	Opal mining safety awareness course.
26 June	Meeting	Maitland	Briefed Forsythes registered training organisation on maintenance of competence changes.
27 June	Workshop	Orange	Presentation on Mining Act compliance for explorers. Part of NSW Geological Survey's exploration data workshop.
27 June	Workshop	Lightning Ridge	Opal mining Mine Operators Course.
<b>Total</b>			<b>10</b>

## Committees and other industry body involvement

In June 2019, the NSW Resources Regulator participated in the following committees and working groups.

**TABLE 10. COMMITTEES AND OTHER INDUSTRY BODY INVOLVEMENT - JUNE 2019**

Date	Committee / Body	Detail
5 June	QLD Electrical Inspectors meeting	Attended meeting.
6 June	Mine Safety and Environment Award Committee	Periodic meeting.
6 June	MSAC	Provided MSAC with an update on the Learning from Disasters training materials.
7 June	JAS-ANZ ANZEx Rules Working Group	Revision of the rules for the ANZEx scheme for certification of equipment for use in explosive atmospheres.
11 June	Project working group meeting for mine supervisors	AQF RII training package units and qualifications for supervisors (final meeting).
19 June	EL-023	Australian Standards technical committee meeting.
<b>Total</b>		<b>6</b>



## Publications and alerts

In June 2019, the NSW Resources Regulator published 12 media releases, news articles and safety alerts on our website.

**TABLE 11. MEDIA RELEASES, SAFETY NEWS AND PUBLICATIONS - JUNE 2019**

Date	Type	Summary
5 June	Media release	NSW Resources Regulator begins proceedings against Mudgee Stone Co and a director.
7 June	Weekly incident summary	Week ending 31 May 2019.
7 June	Mine safety news	Week starting 3 June 2019.
11 June	Media release	NSW Resources Regulator declares causal investigation for incident at Wilpinjong Coal Mine.
13 June	Mine safety news	Week starting 10 June 2019.
14 June	Weekly incident summary	Week ending 7 June 2019.
17 June	Media release	New compliance blitz for NSW mines.
21 June	Weekly incident summary	Week ending 14 June 2019.
21 June	Media release	Mining leases granted for coal project.
24 June	Media release	Far Western Stone Quarries convicted.
28 June	Weekly incident summary	Week ending 21 June 2019.
28 June	Mine safety news	Week ending 28 June 2019.
<b>Total</b>		<b>12</b>

