

# **MONTHLY BUSINESS ACTIVITIES REPORT**

November 2019



## Document control

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## Activities snapshot

### Activities at a glance



## Key enforcement actions

On 8 November 2019, judgment was delivered in the District Court of New South Wales in the prosecution of Hunter Quarries Pty Limited for an alleged Category 2 offence under the *Work Health and Safety Act 2011*. The NSW Resources Regulator alleged that Hunter Quarries Pty Limited failed to comply with its health and safety duty under section 19 of the WHS Act which exposed a worker to a risk of death or serious injury.

The Judge found the offence not to be proven to the requisite legal standard. The judgment is being considered by the NSW Resources Regulator, including consideration of its legal options.

## Safety incidents

A drill collided with a light vehicle when an operator was retrieving a production drill from the surface workshop after a service. To tram the machine from the workshop bay, the operator removed the barricade tape at the entrance and went back to the cabin of the machine. While the drill operator was preparing to begin tramming, a fitter parked a light vehicle in front of the drill without the drill operator's knowledge and walked away. The light vehicle was not visible from the cabin of the drill as the machine was in the tramming position with the boom and carousel raised. The drill operator moved the drill forward, colliding with the parked light vehicle.

The NSW Resources Regulator's [weekly incident summary](#) references any recently published safety publications.

## Communication highlights

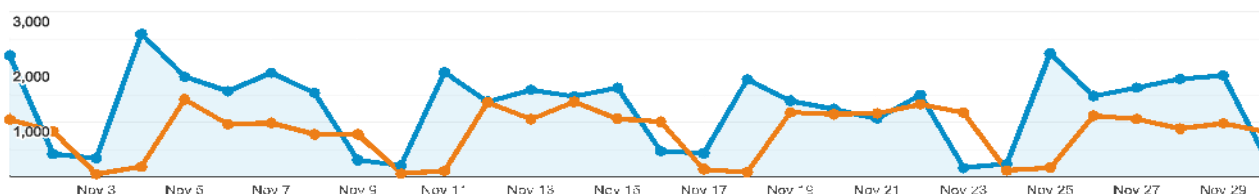
The Resource Regulator's rigorous efforts to deliver industry specific news, alerts and guidance material to its stakeholders in a timely manner continues to be reflected in the Regulator's website analytics. Significant increases in user return rates, new visitors, and overall page views was noted during November 2019.

The website recorded 7,500 users in November 2019, of which 5,600 were new users (88%), compared with 2,900 new visitors in the same period for 2018. Unique page views during November 2019 were up 60% compared to the same period last year.

Nov 1, 2019 - Nov 30, 2019: ● Pageviews  
Nov 1, 2018 - Nov 30, 2018: ● Pageviews

Pageviews  
**57.48%**  
38,330 vs 24,339

Unique Pageviews  
**59.48%**  
28,376 vs 17,793

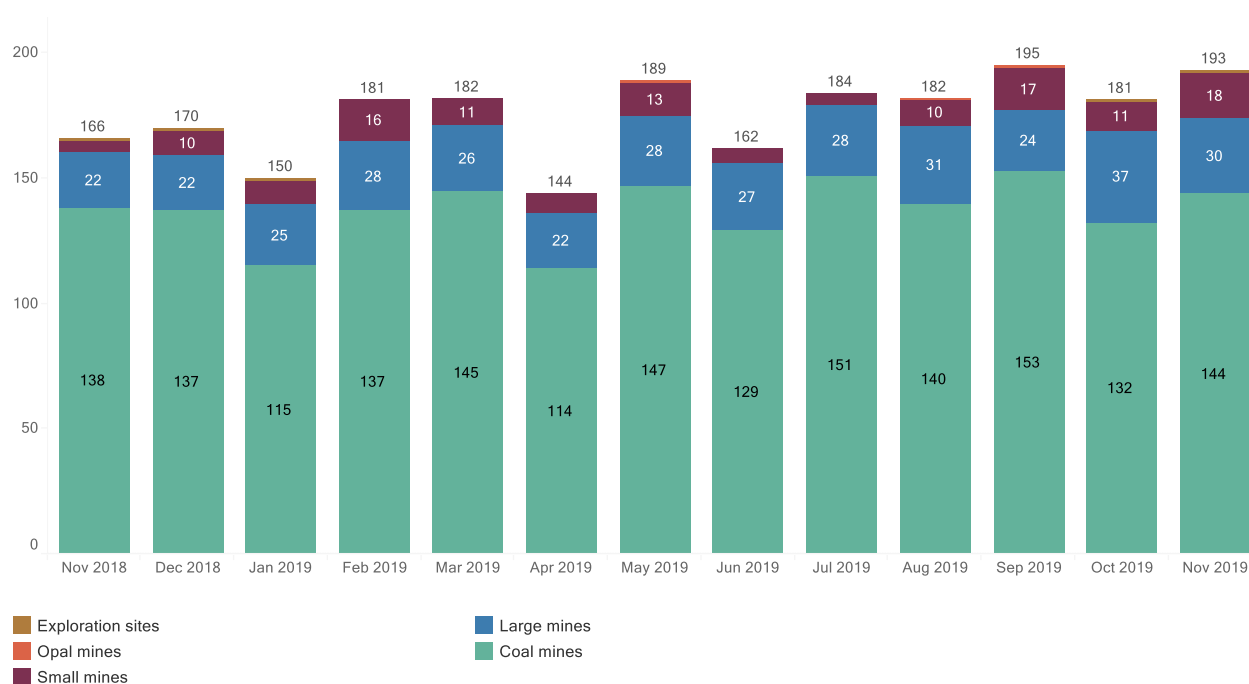


## Work health and safety activities

### Safety incident notifications

In November 2019, 193 safety incidents were notified to the NSW Resources Regulator by mining operations in NSW.

**FIGURE 1. SAFETY INCIDENT NOTIFICATIONS RECEIVED BY SECTOR - NOVEMBER 2018 TO NOVEMBER 2019**



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

**TABLE 1. DETAILS OF SAFETY INCIDENTS WHERE INSPECTORS WERE DEPLOYED - NOVEMBER 2019**

Date notified	Sector	Incident
3 November	Coal mines	Fire on mobile plant, operator observed flame coming from the engine bay.
8 November	Exploration sites (excluding Petroleum and Geothermal)	Driller sustained a broken leg when hit during the removal of rods from drill hole.
15 November	Coal mines	Operator of a dozer was found unconscious in vehicle. The worker was pronounced dead at the scene.
20 November	Coal mines	Respirable dust, quartz failure.
24 November	Large mines – Metalliferous and Quarries	Fire on mobile plant, a fully loaded agitator truck travelling down mine and operator saw smoke and stopped the truck. Operator reported seeing flames in the brakes area.
28 November	Coal mines	A fall of ground in the goaf has caused a wind blast event.

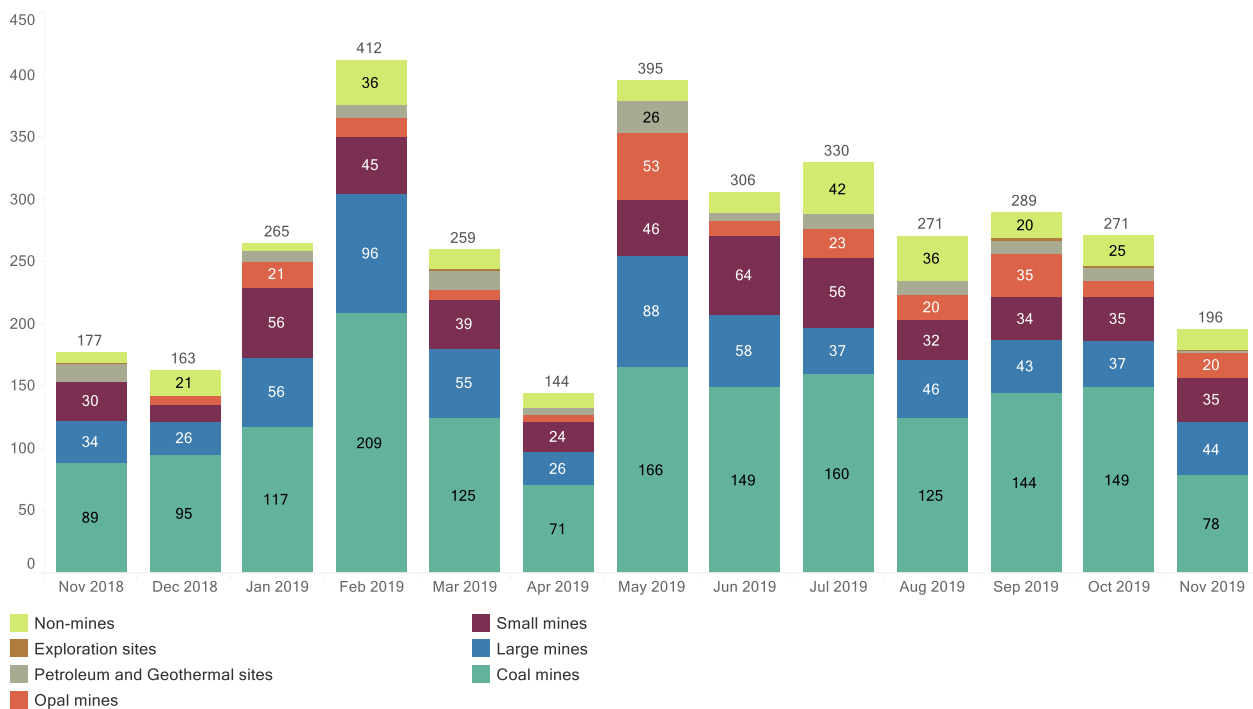
Date notified	Sector	Incident
28 November	Coal mines	A truck coming down a ramp lost control and drifted. To re-establish control the truck was turned towards the middle of the road where a water truck was travelling in the opposite direction. The water truck came to a halt. There was no collision or injuries.
29 November	Coal mines	Shearer operator undergoing respirable dust sampling returned a result of greater than 0.1g/m <sup>3</sup> of respirable quartz.
<b>Total</b>		<b>8</b>

## Safety assessments

### Safety assessments commenced

In November 2019, a total of 196 safety assessments had been commenced across all mining sectors, a decrease of 75 on the previous month. Of the 196 assessments, 78 (40%) occurred in the coal mines sector.

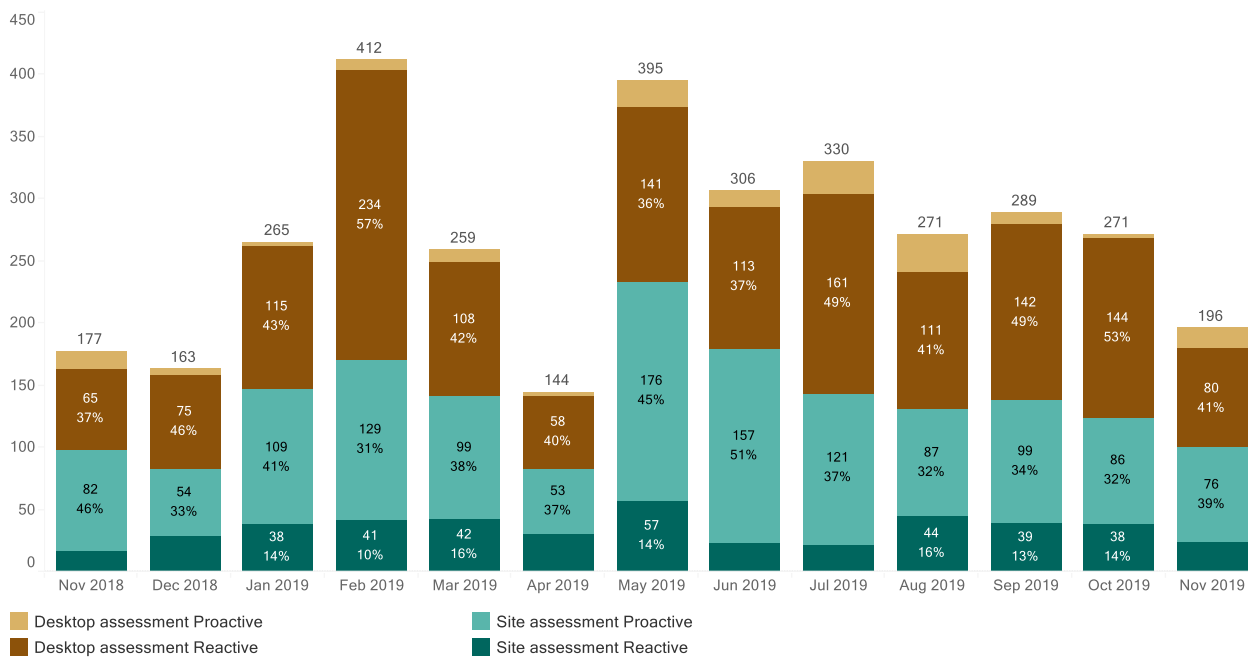
**FIGURE 2. SAFETY ASSESSMENT ACTIVITIES COMMENCED BY SECTOR - NOVEMBER 2018 TO NOVEMBER 2019**



## Proactive and reactive safety assessments

In November 2019, 47% (92) of the 196 safety 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. During November 39% of site assessments were proactive.

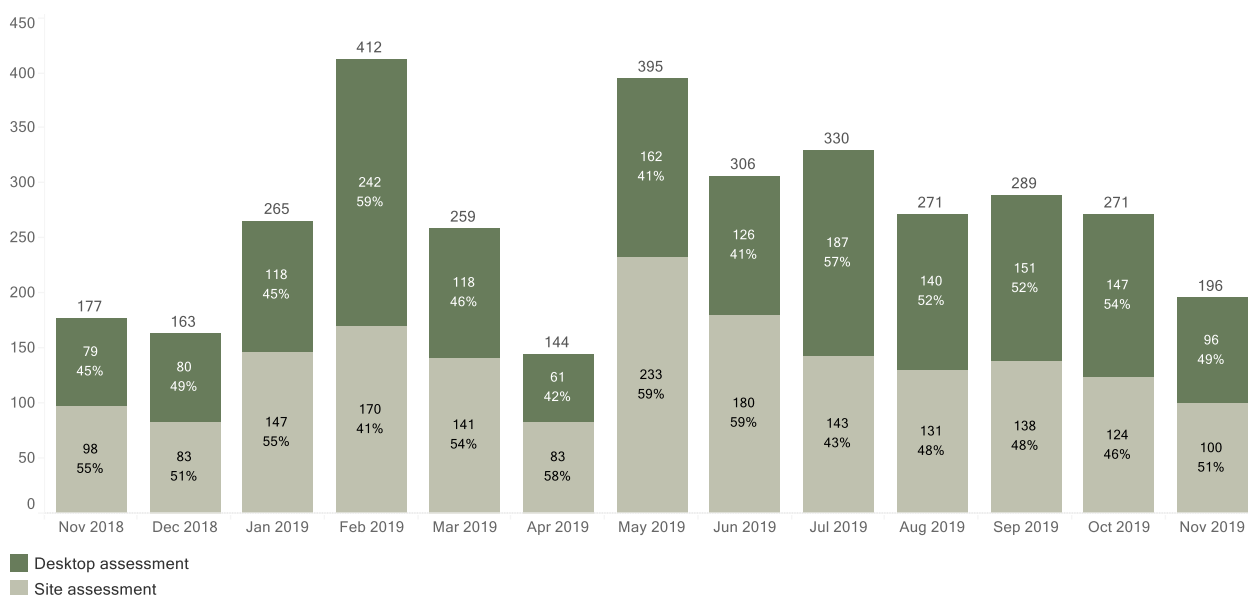
**FIGURE 3. SAFETY ASSESSMENT ACTIVITIES BY CATEGORY AND NATURE - NOVEMBER 2018 TO NOVEMBER 2019**



## Site and desktop safety assessments

In November 2019, 51% (100) of the 196 safety assessments were site assessments.

**FIGURE 4. SITE SAFETY ASSESSMENTS CONDUCTED NOVEMBER 2018 TO NOVEMBER 2019**

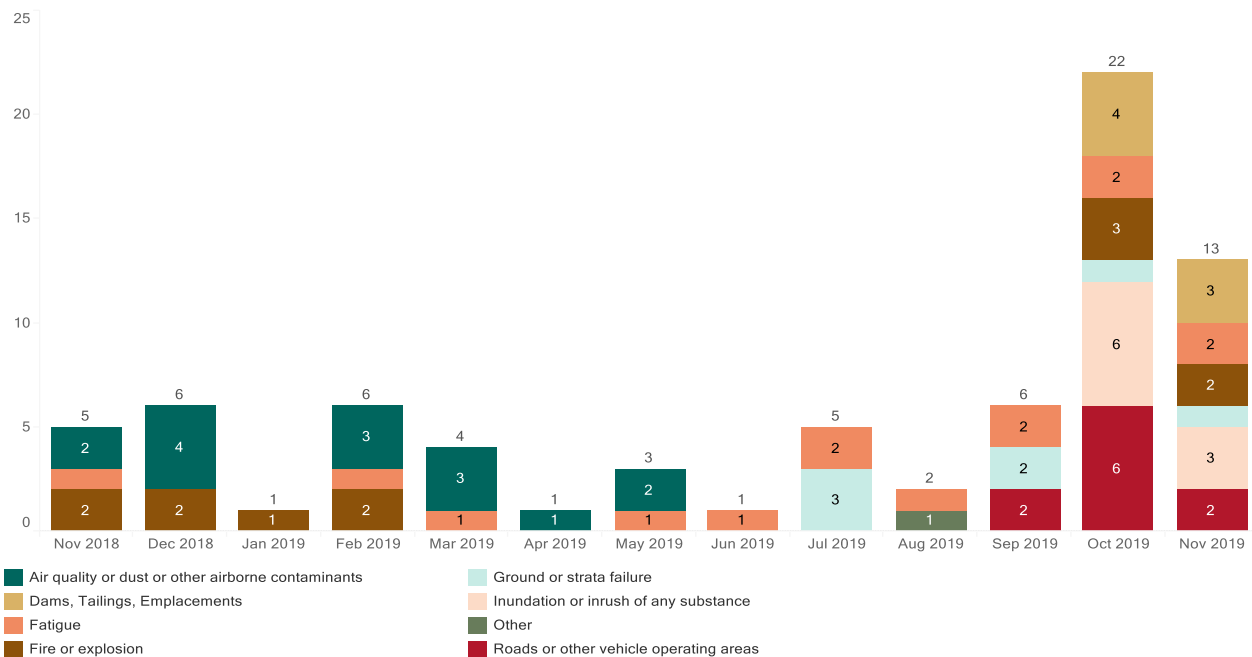




## Targeted assessment program

Under the safety targeted assessment program, the NSW Resources Regulator conducted 13 site-based targeted assessments (TAP). Details are in the table below.

**FIGURE 5. SAFETY SITE TARGETED ASSESSMENTS - NOVEMBER 2018 TO NOVEMBER 2019**



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

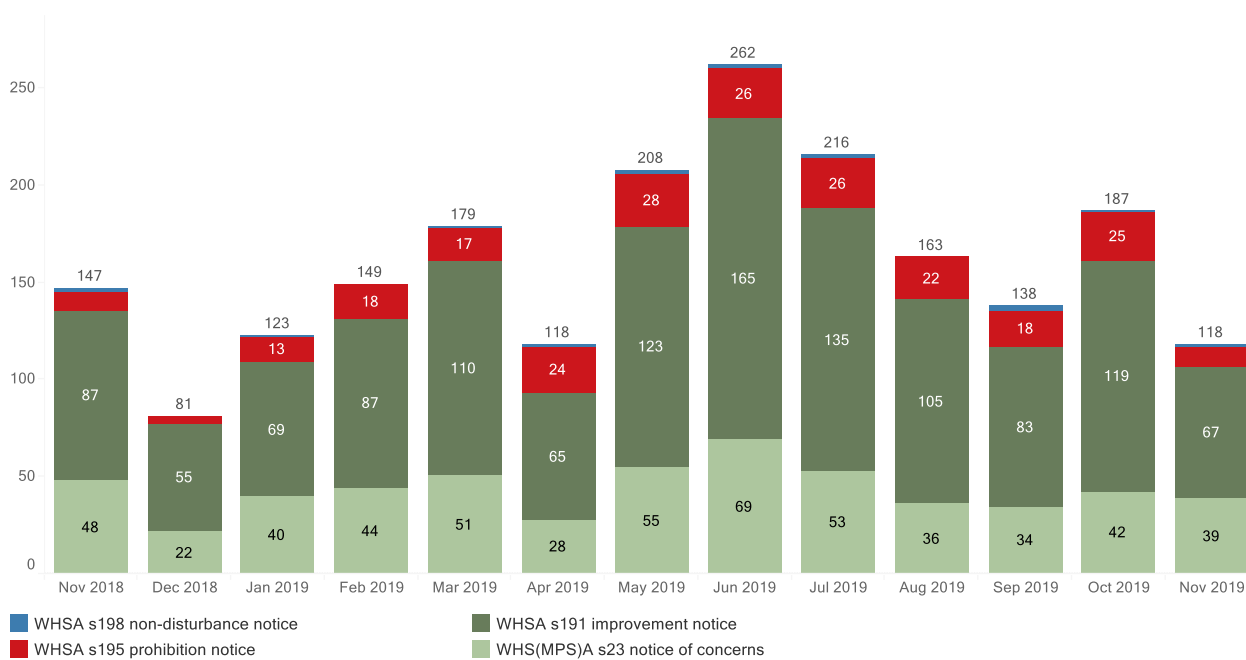
Hazard	Sector	Mine
Fire or explosion	Coal	Moolarben Coal Operations - Underground
		Ulan Underground Mine
Ground or Strata	Metex	CSA Mine
Roads or other vehicle operating areas	Coal	Mount Thorley Warkworth Operations
		Mount Thorley Coal Processing Plants
Fatigue	Metex	Woodlawn Mine x 2
Dams, tailings and emplacements	Metex & Coal	Rasp Mine
		Southern Operations
		Wollondilly Washery Reject Processing Plant
Inundation or inrush of any substance	Coal	Myuna Colliery
		Springvale Mine Underground Operation
		Ashton Coal Mine (Underground)
<b>Total</b>		<b>13</b>

## Safety compliance activities

### Safety notices issued

In November 2019, 118 safety notices were issued, a decrease of 69 compared to 187 safety notices issued in the previous month.

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



### Prohibition notices issued

In November 2019, 11 prohibition notices were issued under section 195 of the *Work Health and Safety Act 2011*.

TABLE 3. PROHIBITION NOTICES ISSUED - NOVEMBER 2019

Issued to PCBU	Mine Location	Prohibited activity
M. Collins & Sons Holdings Pty Ltd	Spring Farm Quarry	The house which is currently being used as a crib room and kitchen is to be vacated and not used until an asbestos assessment has been undertaken.
DKS Organics Pty Ltd	DKS Organics Pty Ltd - Agnes Banks Quarry	CAT 735 Articulated dump truck on site and requires the mine operator to: 1. No person proceed beyond the door of the identified articulated dump trucks (driver's side), unless it is to enter the cabin. 2. No person to use the ladder or truck platform on the identified articulated dump trucks (opposite side of cabin) to proceed up for any task.
T J & R F Fordham Pty Ltd	Nepean Quarry - Brownlow Hill	No excavation of quarry material along the base of the southern high-wall.
Dean Troake	MC56863	No persons to ride the hoist to access and egress the shaft.

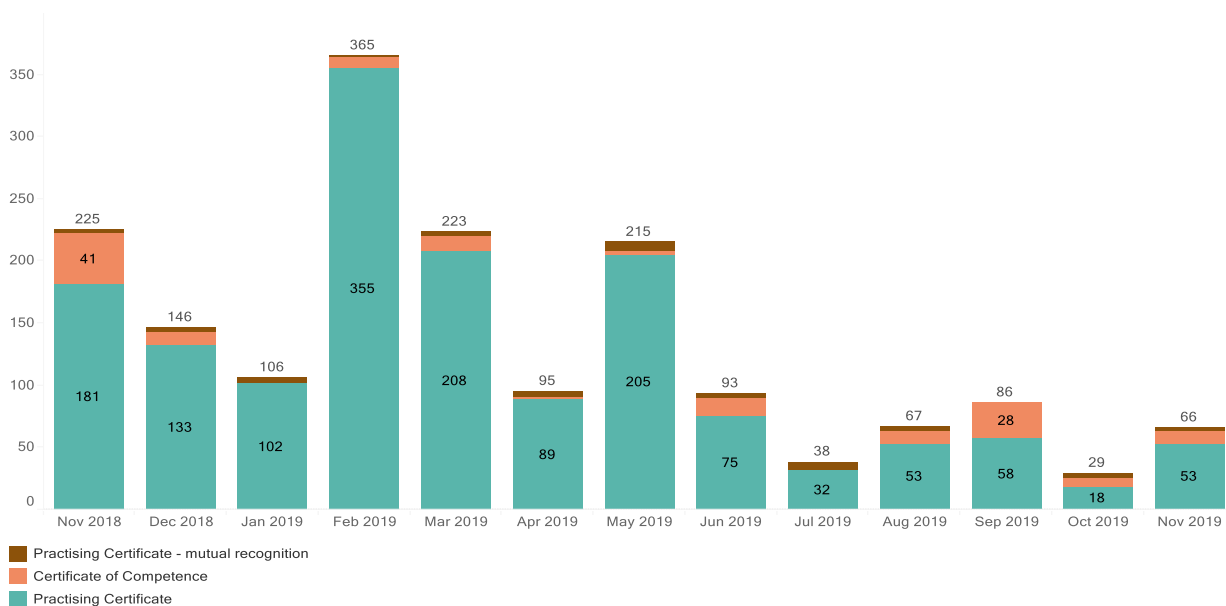
Issued to PCBU	Mine Location	Prohibited activity
Maules Creek Coal Pty Ltd	Maules Creek Mine	The simultaneous operation of autonomous vehicles and vehicles other than manned instrumented vehicles (MIVs) on the same haul roads or vehicle operating areas. Work activities within an autonomous operating zone (AOZ) where autonomous vehicles are in operation and persons are required to be outside of a manned instrumented vehicle.
Tritton Resources Pty Ltd	Tritton Copper Mine	Boilermaker and electrical activities must not continue in the combined boilermaker and electrical workshop until the workshop is brought into compliance with Work Health and Safety Regulation 2011 Part 3.1 clause 34 and clause 35.
Perilya Broken Hill Limited	Southern Operations	The placing of tailings and tailings water into the Site D cell 3 tailings dam outside of the design parameters.
Young Mining Co Pty Ltd	Thuddungra Mine	The operation of bin 2 and 3 of the plus 65 bin assembly.
Hanson Construction Materials Pty Ltd	Monak Sand Pit 4	Mining of the South East face of Sand Pit No.4 must not be conducted until the face can be made safe.
Morello Earthmoving Pty Ltd	Morello Monak Sand Pit 3	The Powerscreen Commander 195 screening plant, located in Morrelo's Monak Sandpit No.3, must not be operated until adequate guarding has been fitted and the plant is made safe to operate.
Tronox Mining Australia Limited	Ginkgo Mineral Sands Mine	Welding repairs to tanks containing flammable / combustible liquids.
<b>Total</b>		<b>11</b>

\*Person Conducting Business or Undertaking

## Mining safety competencies activities

Activities relating to mine safety competencies include certificate of competence, practising certificate and practising certificate (mutual recognition). In November 2019, three practising certificate - mutual recognition, 10 certificates of competence and 53 practising certificates were granted.

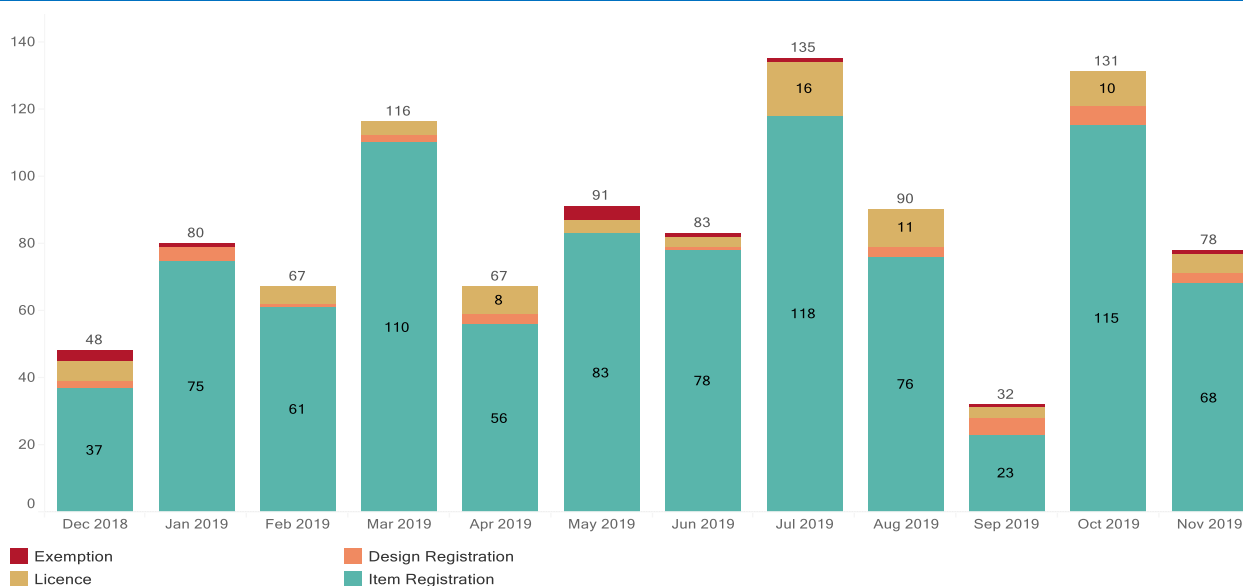
**FIGURE 7. COMPETENCE AND PRACTISING CERTIFICATES GRANTED - NOVEMBER 2018 TO NOVEMBER 2019**



## Mine safety authorisation activities

The figure below shows one exemption, six licences, three design registrations and 68 item registrations were granted in November 2019.

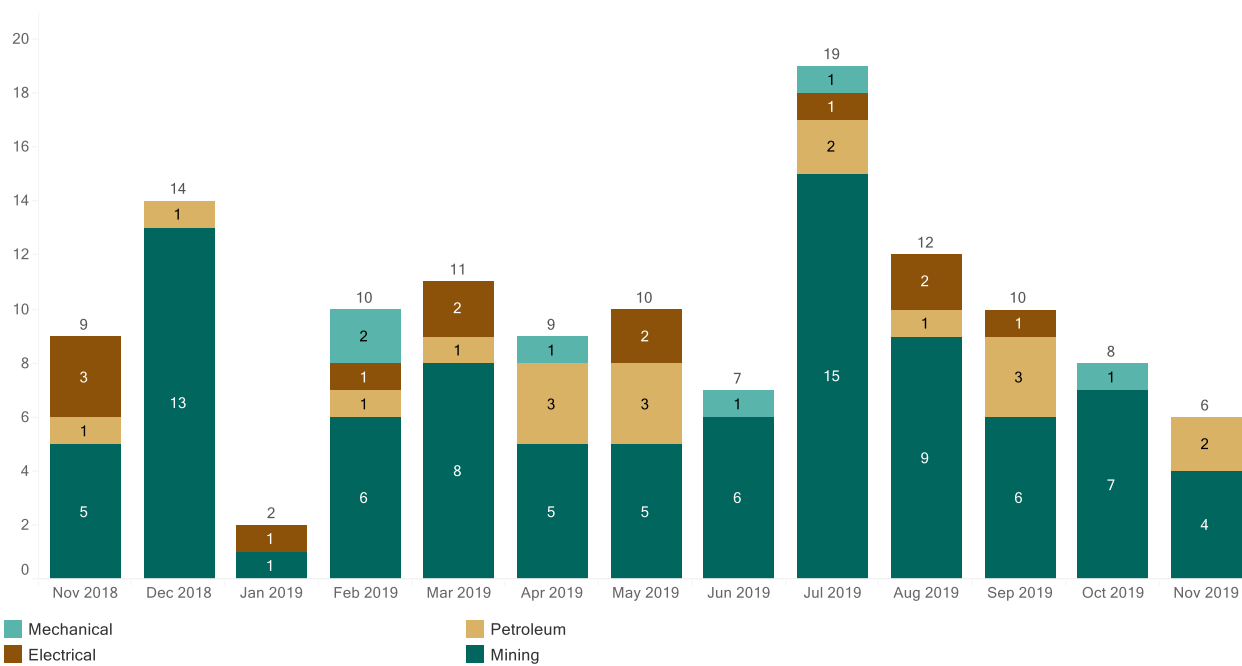
**FIGURE 8. EXEMPTIONS, LICENCES, DESIGN ITEM REGISTRATIONS GRANTED NOVEMBER 2018 TO NOVEMBER 2019**



## High risk notifications

In November 2019, the NSW Resources Regulator received six high risk activity notifications under clause 33 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.

**FIGURE 9. HIGH RISK ACTIVITY BY ENGINEERING DISCIPLINE - NOVEMBER 2018 TO NOVEMBER 2019**



**TABLE 4. HIGH RISK ACTIVITY NOTIFICATIONS RECEIVED - NOVEMBER 2019**

Mine	Legislation*	Type of notification	No
Tahmoor Colliery	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	1
Ulan Underground Mine	Schedule 3 Clause 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining.	1
Narrabri Colliery	Schedule 3 Clause 10	Sealing (other than emergency sealing), but only if notice has not been given as part of a notice for secondary extraction.	1
PPL0004 Razor Back 11	Schedule 3 Clause 32	Decommissioning a well.	1
PPL0004 Razor Back 12	Schedule 3 Clause 32	Decommissioning a well.	1
Integra Underground	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	1
<b>Total</b>			<b>6</b>

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

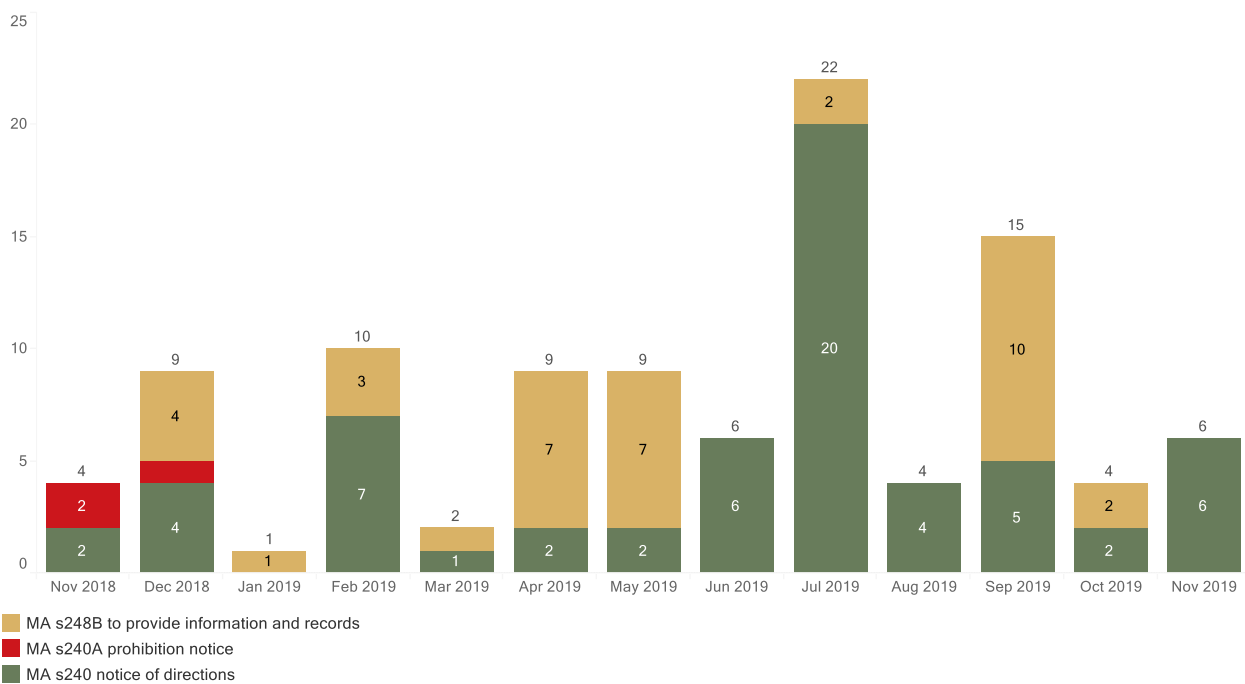
## Mining Act regulatory activities

### Compliance activities

#### Statutory notices

In November 2019, the NSW Resources Regulator issued six statutory notices under the *Mining Act 1992*.

**FIGURE 10. MINING ACT STATUTORY NOTICES ISSUED BY NOTICE TYPE - NOVEMBER 2018 TO NOVEMBER 2019**



\* **Note** - The significant increase in statutory notices issued in July 2019 relates to the NSW Resources Regulator's state-wide compliance blitz which was undertaken in June 2019.

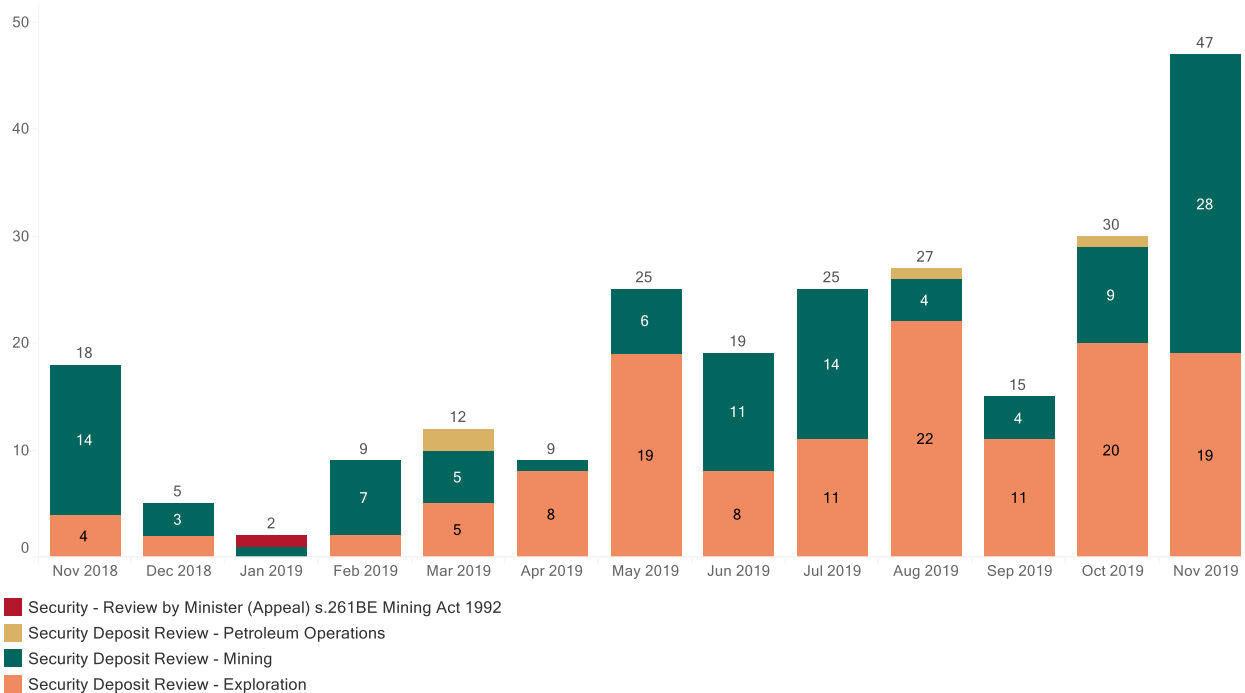
TABLE 5. NOTICES OF DIRECTIONS ISSUED DETAILS - NOVEMBER 2019

Issued to	Location	Section 240 of the <i>Mining Act 1992</i> Direction
Bengalla Mining Company Pty Limited	Bengalla Mine	<ul style="list-style-type: none"> <li>Appoint a suitably qualified auditor (or audit team) to undertake an audit and prepare an audit report in accordance with AS/NZ ISO 19011:2018 Guidelines for auditing management systems to enable a determination of whether the way activities are being carried out under the Authorisations can be improved to protect the environment.</li> <li>Submit the names and relevant qualifications of the proposed person(s) to be engaged.</li> <li>Submit the audit report to the NSW Resources Regulator</li> </ul>
Bengalla Mining Company Pty Limited	Bengalla Mine	<ul style="list-style-type: none"> <li>Undertake an assessment of the risks to the rehabilitation of the site.</li> <li>Prepare a Rehabilitation Risk Assessment Report and submit it to the NSW Resources Regulator.</li> </ul>
Bengalla Mining Company Pty Limited	Bengalla Mine	<ul style="list-style-type: none"> <li>Undertake an assessment of the risks to the rehabilitation of the site in regard to top soil.</li> <li>Prepare a Rehabilitation Risk Assessment Report and submit it to the NSW Resources Regulator.</li> </ul>
Great Southern Energy Pty Ltd	CCL 706 (1973)	<ul style="list-style-type: none"> <li>Prepare and submit a Mining Operations Plan (the Plan) that specifically addresses the closure and final rehabilitation of CCL 706 - Domain 5B (Possum Gully) and condition 3 of the authorisation.</li> </ul>
Mach Energy Australia Pty Ltd	Mount Pleasant Coal Mine	<ul style="list-style-type: none"> <li>Undertake an assessment of the risks to the rehabilitation of the Site. The Rehabilitation Risk Assessment must identify and evaluate all potential risks to achieving the final land use and the specific measures to be implemented to mitigate those risks and have regard to the AS NZS ISO 31000:2009 Risk Management – Principles and Guidelines to support any rehabilitation risk assessment.</li> <li>Prepare a Draft Mount Pleasant Operations Rehabilitation Risk Assessment Report which encompasses the Rehabilitation Risk Assessment undertaken in Direction 1 and submit it to the NSW Resources Regulator.</li> <li>Prepare a Final Mount Pleasant Operations Rehabilitation Risk Assessment Report which encompasses the Draft Mount Pleasant Operations Rehabilitation Risk Assessment Report (as described in Direction 2) and associated feedback from the Regulator. Submit the report to the NSW Resources Regulator.</li> </ul>
Maxwell Ventures (Management) Pty Ltd	Maxwell Infrastructure (formerly known as Drayton Mine)	<ul style="list-style-type: none"> <li>Undertake an assessment of the risks to the rehabilitation of the site. The Rehabilitation Risk Assessment must identify and evaluate all potential risks to achieving the final land use and the specific measures to be implemented to mitigate those risks and have regard to the AS NZS ISO 31000:2009 Risk Management – Principles and Guidelines to support any rehabilitation risk assessment.</li> <li>Prepare a Draft Maxwell Infrastructure Rehabilitation Risk Assessment Report which encompasses the Rehabilitation Risk Assessment undertaken in Direction 1 and submit it to the NSW Resources Regulator.</li> <li>Prepare a Rehabilitation Risk Assessment Report which encompasses the Draft Maxwell Infrastructure Rehabilitation Risk Assessment Report and submit the report to the NSW Resources Regulator.</li> <li>Revise the Rehabilitation Cost Estimate (RCE) for the Authorisations in accordance with ESG1: Rehabilitation Cost Estimate Guidelines (June 2017) using the Rehabilitation Cost Estimate Tool (May 2019).</li> </ul>
<b>Total</b>		<b>6</b>

## Security deposit reviews

In November 2019, the NSW Resources Regulator completed 47 exploration and mining security deposit reviews under the *Mining Act 1992*. Of note, a review of held security deposits is undertaken when an authorisation holder applies to vary approved activities.

**FIGURE 11. SECURITY REVIEWS COMPLETED - SEPTEMBER 2018 TO SEPTEMBER 2019**





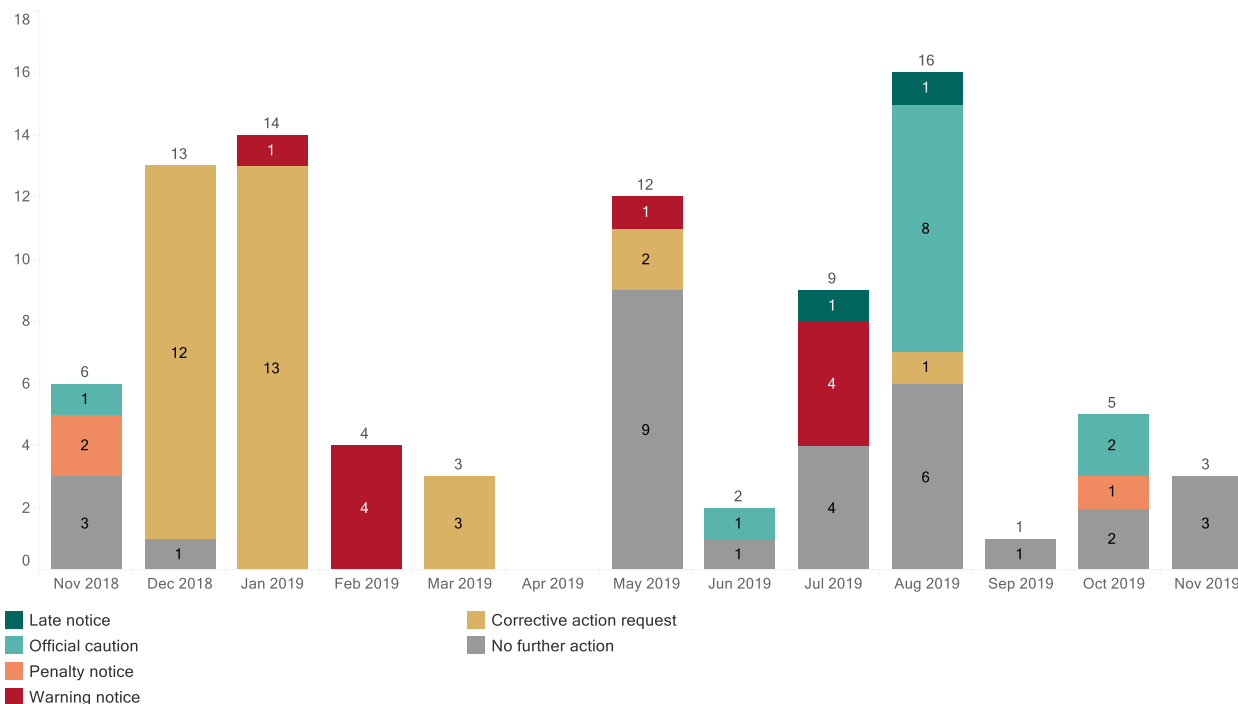
## Safety legislation and *Mining Act* non-compliances by regulatory response

The NSW Resources Regulator uses a variety of enforcement tools under both the Mining Act and WHS laws to ensure compliance. The approach taken depends on the significance and impacts of the breach, the tools available under the legislation and the NSW Resources Regulator’s [compliance and enforcement approach](#).

### Safety non-compliances breaches by regulatory response

In November 2019, there were three sustained non-compliance breaches under the Work Health and Safety (Mines and Petroleum Sites) legislation where the NSW Resources Regulator determined no further action was the appropriate response.

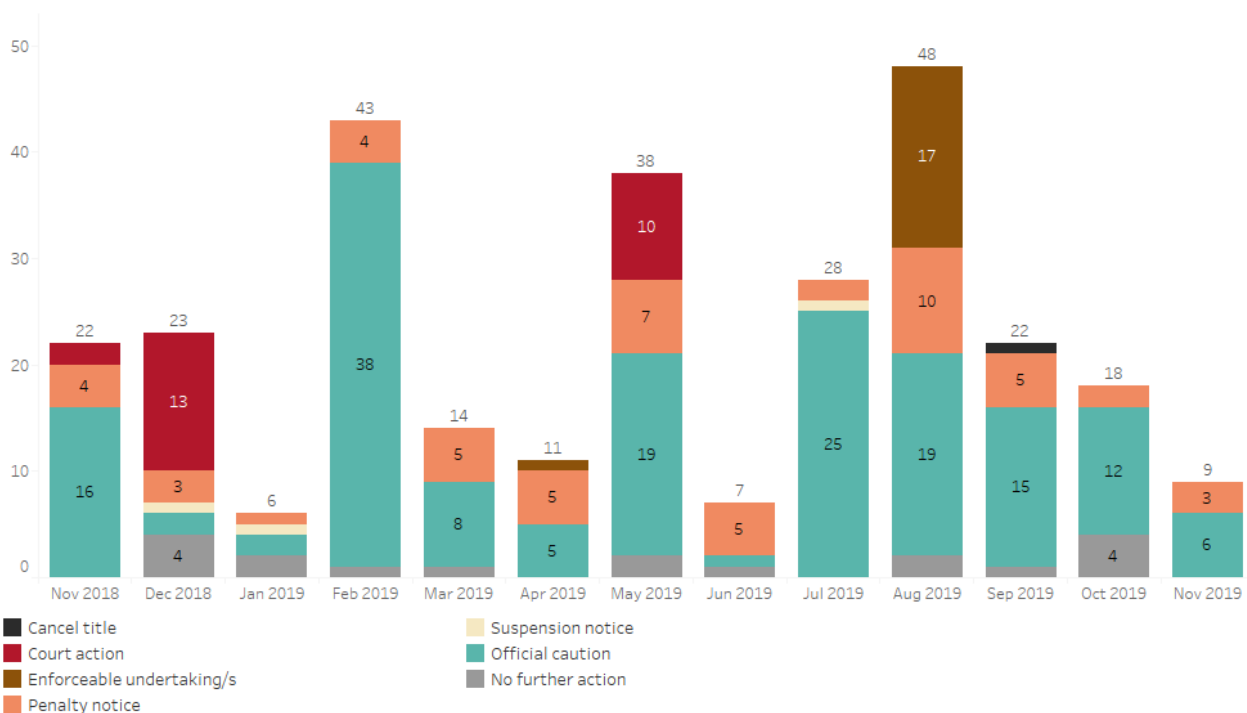
**FIGURE 12. SAFETY NON-COMPLIANCES BREACHES SUSTAINED BY REGULATORY RESPONSE NOVEMBER 2018 TO NOVEMBER 2019**



## Mining Act non-compliance breaches by regulatory response

In November 2019, the NSW Resources Regulator finalised nine breaches which resulted in three penalty infringement notices and six official cautions for sustained non-compliance breaches under the *Mining Act 1992*. Details are listed below under key enforcement actions.

**FIGURE 13. MINING ACT 1992 SUSTAINED NON-COMPLIANCE BREACHES BY REGULATORY RESPONSE - NOVEMBER 2018 TO NOVEMBER 2019**



**TABLE 6. KEY MINING ACT 1992 ENFORCEMENT ACTIONS - NOVEMBER 2019**

Date	Entity	Authority	Action	Amount	Details / Direction
22 November	Whitehaven Coal Mining Limited	ML 1718	Penalty Notice	\$5,000	Prospecting for minerals without authorisation – section 5 of the <i>Mining Act 1992</i> .
22 November	Whitehaven Coal Mining Limited	CCL 316	Penalty Notice	\$2,500	Breach of condition of authorisation – section 378D(1) of the <i>Mining Act 1992</i> .
25 November	Australian Gemstone Resources Pty Ltd	ML1492	Penalty Notice	\$1,000	Failure to pay annual rental fee or administrative levy – corporation – section 292C of the <i>Mining Act 1992</i> .
<b>Total</b>					<b>3</b>

## Industry engagement activities

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

### Committees and other industry body involvement

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

**TABLE 7. COMMITTEES AND OTHER INDUSTRY BODY INVOLVEMENT - NOVEMBER 2019**

Date	Committee / Body	Detail
14 November	CCAA NSW Executive Committee meeting	Presented and discussed silica dust management in quarry sector.
18 & 19 November	Australian Standards committee ME-063 Earthmoving Equipment	Committee Meeting and commence adoption of ISO 3450 Brake Testing.
19 November	Mining & Petroleum Competence Board	Developed, workshopped and presented strategic planning day.
20 November	Aust Standards – EL-023 Technical committee	Technical committee for the management and review of Australian Standards relating to electrical equipment in mining and quarrying. This committee reviews the activities of sub committees and working groups and determines priorities for standards review and development\ activities.
26 & 27 November	Australian Standards committee FP-022 Fire Protection	Committee meeting and commencement of review ad update of AS5062.
27 November	ANZEx Advisory Committee	JAS-ANZ committee for review and advising of the workings of the ANZEx hazardous area equipment scheme.
27 & 28 November	Aust standards EL-023-03 – Cables, Couplers and Receptacles	Working group committee meeting for the review of AS/NZS 1802 and AS/NZS 2802.cable standards. This review is combining the two standards for reeling and training cables for underground and surface mining activities and updating the standards to reflect changes in material sciences and remove.
29 November	Aust standards EL-023-03 – Cables, Couplers and Receptacles	Working group committee meeting for the review of AS/NZS 1747.- Reeling, trailing and feeder cables used for mining—Repair, testing and fitting of accessories.
29 November	TestSafe Australia Certification Committee	Annual review meeting of certification activities undertaken by TestSafe in respect of the ANZEx and the IECEx hazardous area equipment certification schemes.
29 November	Australian Standards committee SF-041 Functional Safety	Committee meeting.
<b>Total</b>		<b>10</b>

## External education and engagement activities

**TABLE 8. WORKSHOPS AND INFORMATION SESSIONS - NOVEMBER 2019**

Date	Type of activity	Location	Detail
5 November	Small Mines Roadshow	Merimbula	Small Mines Inspectors delivered Roadshow content. Including Learning from Disasters 2-hour package.
7 November	Industry engagement	Penrith	Meeting with Underground Managers of Mining Engineering.
7 November	Small Mines Roadshow	Queanbeyan	Small Mines Inspectors delivered Roadshow content. Including Learning from Disasters 2-hour package.
7 November	Industry engagement	Penrith	Mechanical Engineering Managers Forum – Underground Coal 40 attendees.
12 November	Industry engagement	Muswellbrook	Mechanical Engineering Managers Forum – Open Cut Coal. 28 attendees.
13 & 14 November	Event management	Sydney	29th Engineering Safety Seminar Theme: Maintaining control
26 November	Small Mines Roadshow	Wollongong	Small Mines Inspectors delivered Roadshow content. Including Learning from Disasters 2-hour package.
28 November	Small Mines Roadshow	Liverpool	Small Mines Inspectors delivered Roadshow content. Including Learning from Disasters 2-hour package.
26 & 27 November	Lightning Ridge Miner's Safety Training	Lightning Ridge	Monthly safety training delivered by NSW Resources Regulator.
28 November	Site Safety Health Representative Training	Lithgow	Presented at Western District Site Safety Health Representative training day
<b>Total</b>			<b>10</b>

## Publications and alerts

In November 2019, 36 items were published for the NSW Resources Regulator.

**TABLE 9. MEDIA RELEASES, SAFETY BULLETINS AND PUBLICATIONS - NOVEMBER 2019**

Date	Type	Summary
1 November	Weekly summary	Weekly incident summary (ISR19-42).
4 November	Safety bulletin	Spontaneous combustion of conveyor rubber.
4 November	Safety bulletin	Drive shaft failures cause fires.
5 November	Form	ESF4 rehab form.
7 November	News item	Final workshop on practising certificates in 2019 series.
7 November	Safety bulletin	Rapid face bolter incidents.
7 November	Safety bulletin	Conveyor pulley failures initiate fires.
7 November	Safety bulletin	Workers injured while installing conveyor boot ends.
8 November	Weekly summary	Weekly incident summary (ISR19-43).
11 November	Webpage	Contact Us webpage edits.
14 November	News item	Seeking synergy across jurisdictions, the common ground at recent AMCAC and CCIM talks.
14 November	Form	ESF2 rehab form.
14 November	Form	Notification of other matters (including reportable events).
14 November	Form	Notification of other matters (including reportable events) Exploration only.
15 November	Media release	NSW Resources Regulator investigating incident at Bulga Open Cut mine.
15 November	Weekly summary	Weekly incident summary (ISR19-44).
18 November	Form	Mine emergency plan consultation form.
22 November	Weekly summary	Weekly incident summary (ISR19-45).
22 November	Safety bulletin	Gemstone hoist rope.
24 November	eNews	Mine Safety News.
25 November	Webpage	Concurrent review of Work Health and Safety (Mines and Petroleum Sites) laws.
25 November	Webpage	New public consultation added to 'Have your say' + revised layout.
26 November	Decision document	Variation (revocation) of authorisation.
26 November	Media release	Review of mining and petroleum health and safety laws.
27 November	Fact sheet	Heat stress fact sheet.
27 November	Report	Targeted intervention program (TIP) - Report on respirable dust in quarry operations.
27 November	Webpage	Heat stress (compliance priorities outcomes).

Date	Type	Summary
27 November	Guidance	Heat stress control plan.
27 November	Webpage	Heat stress.
27 November	Webpage	Airborne contaminants and dust.
27 November	Webpage	New page on Your Privacy.
28 November	eNews	Mine Safety News.
28 November	Media release	Three possible dust disease cases being investigated.
29 November	Weekly summary	Weekly incident summary (ISR19-46).
29 November	Media release	Report highlights common dust hazard management issues.
29 November	Safety bulletin	Hoist rope unravels overhead sheave.
<b>Total</b>		<b>36</b>