

**NSW
Resources
Regulator**

○ Monthly business activity report

OCTOBER 2018



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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (November 2018). However, because of the receipt of new information or reclassification of information, reports may vary month-to-month. Users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment.



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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 (e.g. 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



Key statistics

SUMMARY OF REGULATORY ACTIVITIES - OCTOBER 2018



Key activities

ENFORCEMENT ACTIONS

In October 2018, the Resources Regulator finalised one prosecution under the *Mining Act 1992* against [Mudgee Stone Co Pty Ltd and the director, Robert Murdoch](#) for unauthorised mining and hindering inspector's investigation. The company was found guilty of mining feldspar without an authorisation, fined \$60,000 and ordered to pay the regulator's costs of \$40,000. Mr Murdoch was found to have obstructed an inspector and put a two-year good behaviour bond in lieu of having a conviction recorded and ordered to pay the Regulator's costs of \$8,000.

SAFETY INCIDENTS

On 18 October 2018 the regulator responded to a death of a worker at [Wilpinjong Coal Mine](#) near Mudgee. The worker collapsed in the administration area crib room and unfortunately was unable to be revived.

The regulator commenced an investigation after an incident at the [Mt Arthur open-cut mine](#) in the Hunter Valley on 23 October 2018 involving a grader operator. The operator suffered injuries when the grader contacted a pipe causing pressurised water and material to enter the cabin. The investigation is ongoing.

COMMUNICATION

The 8 October 2018 saw the launch by the [regulator of Safe Work Month](#) and its annual Health and Safety at Small Mines Roadshow.

On 9 October 2018, the regulator published its [investigation report](#) into the serious injury of a worker at the Mt Arthur Coal Mine on 10 August 2017.

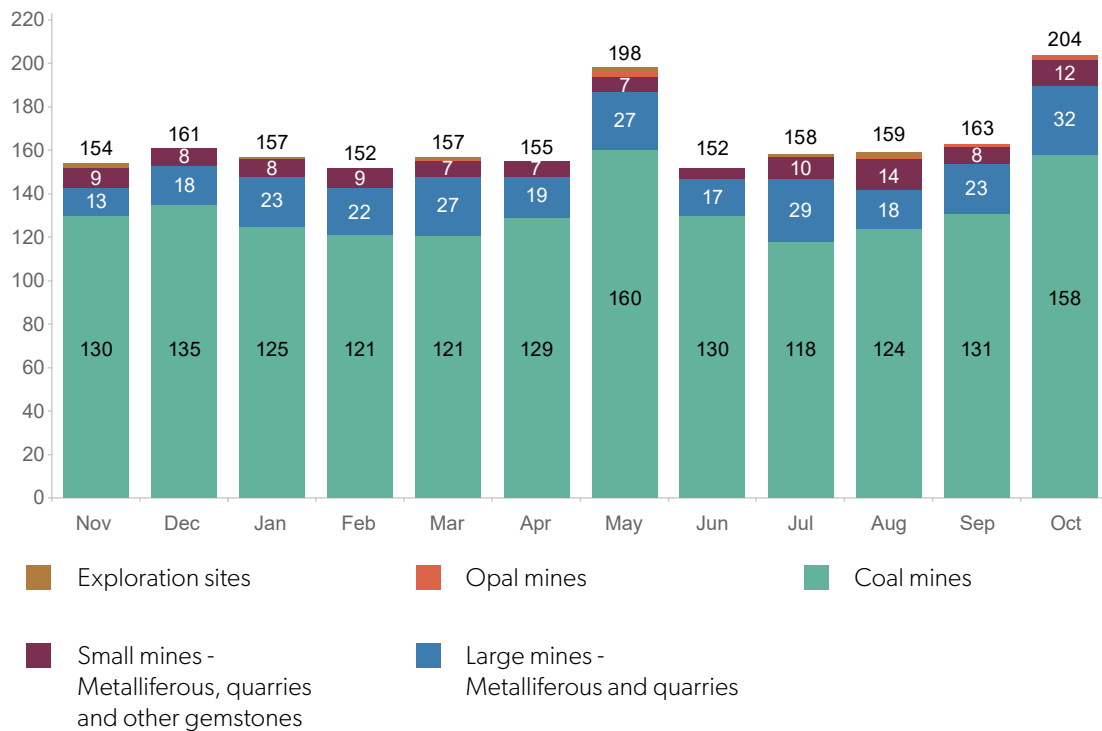


Work health and safety

Safety incident notifications received

In October 2018, 204 incidents were notified to the regulator. The numbers notified by mining sector are shown below.

FIGURE 1. SAFETY INCIDENT NOTIFICATIONS BY SECTOR - NOVEMBER 2017 TO OCTOBER 2018



WHS Compliance overview

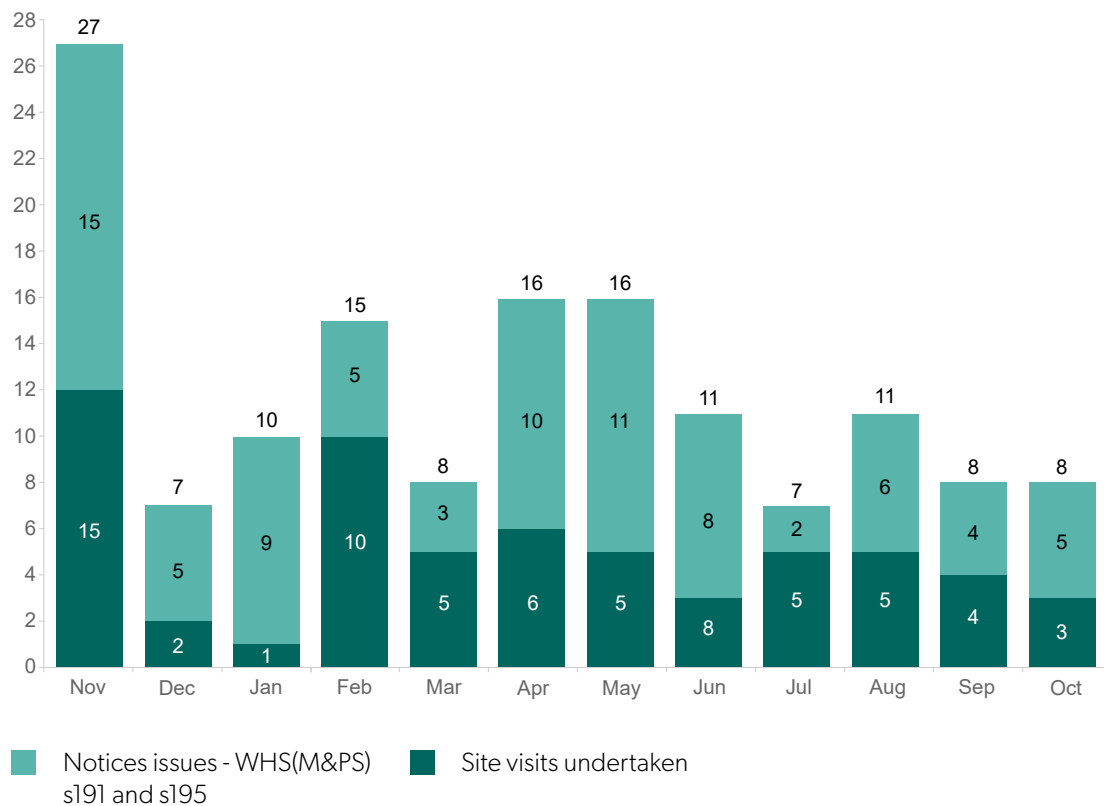
TARGETED ASSESSMENT PROGRAMS (TAPS)

In October 2018, the regulator conducted three TAP site assessments. Details are shown in the figure below including reports issued and notices for the past 12 months. Please note of the five notices shown, two were issued in November 2018.

TABLE 1. TARGETED ASSESSMENT PROGRAMS - OCTOBER 2018

Hazard	Mine	Date Activity	Activity
Diesel exhaust emissions	Integra UG	9-10 Oct 2018	Site Assessment
Airborne contaminants	Maules Creek OC	23-24 Oct 2018	Site assessment
Fire or explosion	Peak UG	16-17 Oct 2018	Site assessment

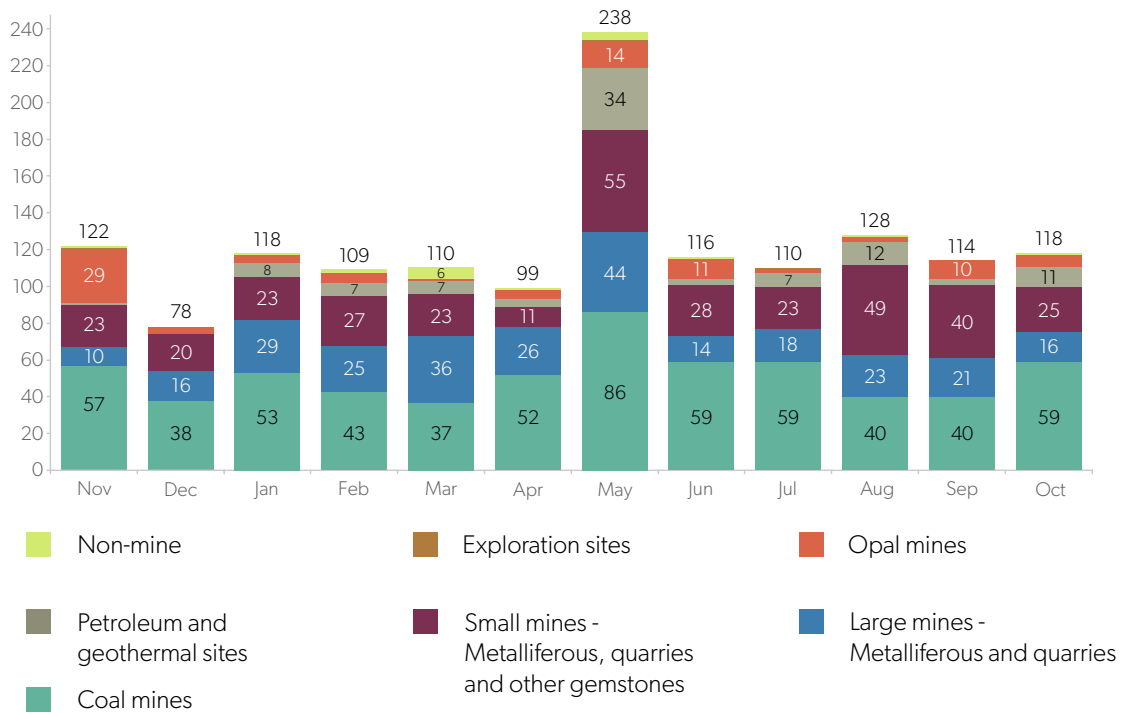
FIGURE 2. ASSESSMENT ACTIVITIES BY SECTOR - NOVEMBER 2017 TO OCTOBER 2018



SAFETY ASSESSMENTS

In October 2018, the regulator conducted 118 site assessments. This month, the coal sector accounted for approximately half of all assessments conducted.

FIGURE 3. SITE ASSESSMENTS BY SECTOR - NOVEMBER 2017 TO OCTOBER 2018



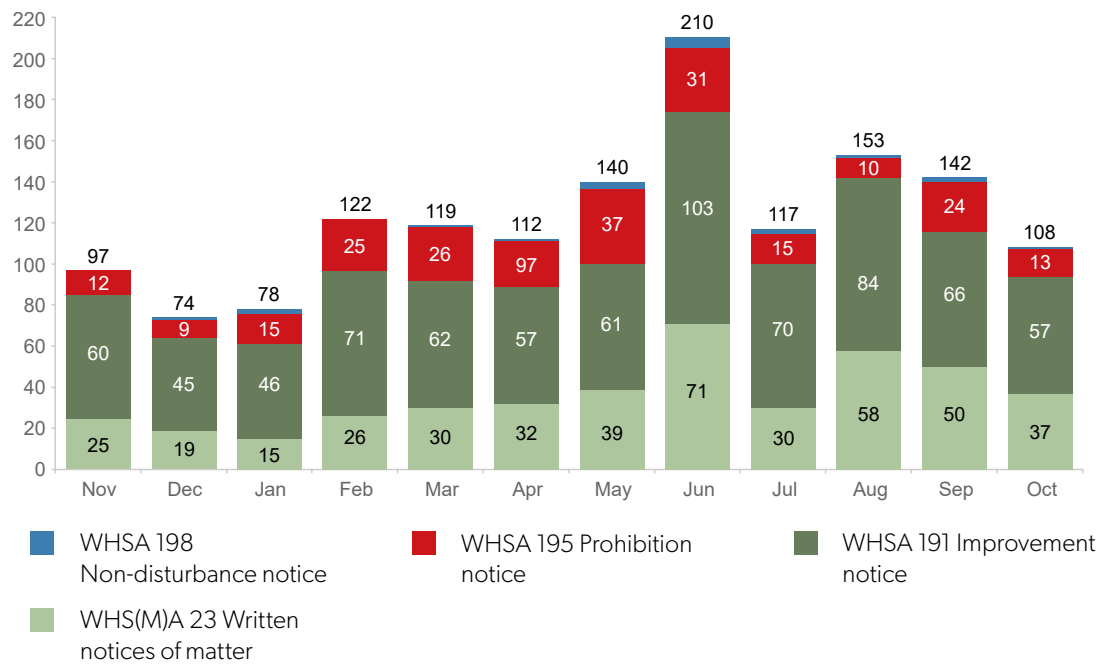
WHS enforcement actions

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

SAFETY NOTICES ISSUED

In October 2018, the regulator issued 108 notices.

FIGURE 4. NOTICES ISSUED BY NOTICE TYPE - NOVEMBER 2017 TO OCTOBER 2018



PROHIBITION NOTICES ISSUED

In October 2018, the regulator issued 13 prohibition notices. Two notices were issued in relation to Tahmoor Colliery.

TABLE 2. PROHIBITION NOTICES ISSUED (S195 WORK HEALTH AND SAFETY ACT 2011) - OCTOBER 2018

PCBU	Mine	Prohibited Activity
Tahmoor Coal Pty Ltd (ACN: 076663968)	Tahmoor Colliery	Operating No.3 Shaft Winder at a speed greater than 'Inspection' or 'Creep' speed (0.75m/s and with persons on or in the conveyance except for the purposes of inspections and repairs required to return the winder to a safe operating condition.
Cobar Management Pty Ltd (ACN: 083171546)	CSA Mine	Jumbo Operator and Trainee are not to operator Jumbos. The jumbo was stopped and made safe. The jumbo operator and trainee operator are provided with the appropriate information training and instruction and supervision to operate the jumbo rig without risk to workers to as low as is reasonably practicable.
Glendell Mining Pty Ltd (ACN: 003827361)	Glendell Open Cut	Prohibiting the return to service (use) of CAT 637G Scraper (SC38) on which the fire occurred on 4th October 2018 until the cause(s) has been identified and addressed (see directions). This notice does not prohibit operation for the purposes of incident investigation, relocation to a workshop for repairs or commissioning post repair by competent persons.
HV Coking Coal Pty Limited (ACN: 605492804)	Integra Underground	Operating Longwall Haul Dozer P1507 in the underground coal mine.
Muswellbrook Coal Company Limited (ACN: 000009521)	Muswellbrook Coal Company	All drilling on site
Livai Simpson	Grose Road Quarry	All mining activities
Roger & Lynne Withers Earthmoving Pty Ltd (ACN: (none))	Wyangle Quarry	This notice relates to the Volvo A40E and Komatsu 350 Articulated Dump Trucks on site requires the mine operator to: <ol style="list-style-type: none"> 1. No person to proceed beyond the door of the identified articulated dump trucks (drivers side), unless it is to enter 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.

PCBU	Mine	Prohibited Activity
Wilpinjong Coal Pty Ltd (ACN: 104594694)	Wilpinjong Coal Mine	All reverse dumping by trucks against windows associated with 'low walls' or 'high walls'.
Maules Creek Coal Pty Ltd (ACN: 140533875)	Maules Creek Mine	No drilling is to commence or continue on any drill bench until full compliance with WHC-PRO-OC-DRILL BENCH PREPARATION has been established and confirmed.
Mudgee Dolomite & Lime Pty Ltd (ACN: 076313034)	Buckaroo Mine	1. Entry or exit to the Komatsu HD 325 dump truck is prohibited from the operator's side access until the identified fall from height issues are addressed.
Wambo Coal Pty Limited (ACN: 000668057)	North Wambo Underground	The pinning of the Huesker mesh to the roof support shields or strata.
Narrabri Coal Operations Pty Ltd (ACN: 129850139)	Narrabri Colliery	Mining in 201 panel, utilising wide side return ventilation, until all mining officials responsible for the panel are trained and assessed in the wide side return ventilation system including maximum and minimum intake air quantities available at the face and minimum air velocities available at the last open line of cut-throughs.

WHS Statutory notifications

TABLE 3. HIGH RISK ACTIVITY NOTIFICATIONS RECEIVED - OCTOBER 2018

Mine	Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 provision	Type of notification	No.
Cadia East Project	Sch 3 CI 04	Development of new mine entry	1
Dendrobium Colliery	Sch 3 CI 19(1)(b)	First application on any mine roadway	1
Integra Underground	Sch 3 CI 10	Sealing	1
Liddell Coal Operations	Sch 3 CI 27	Emplacement areas	1
Mandalong Mine	Sch 3 CI 15	Formation of non-conforming pillars	1
Mandalong Mine	Sch 3 CI 16(1)(a)	Secondary extraction by long/short/mini-wall mining	1
Metropolitan Colliery	Sch 3 CI 12	Driving underground roadway that is wider than 5.5 metres	1
Narrabri Colliery	Sch 3 CI 18	Mining in outburst control zones	1
North Wambo Underground	Sch 3 CI 10	Sealing	1
PEL0001 Georges Island 1	Sch 3 CI 33	Suspending a well	1
PPL0004 Glenlee 17	Sch 3 CI 31	Well workover	1
PPL0004 Sugarloaf 3	Sch 3 CI 31	Well workover	1
Springvale Mine Underground Operation	Sch 3 CI 16(1)(a)	Secondary extraction by long/short/miniwall mining	1
Ulan Underground Mine	Sch 3 CI 11	Conduct of hot work in a hazardous zone	1
Ulan West Operations	Sch 3 CI 16(1)(a)	Secondary extraction by long/short/miniwall mining	1

In October 2018, the regulator did not receive any applications requesting exemption from compliance with specific provisions of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014. Nil exemptions were granted or refused.

Mining Act

Enforcement actions under the *Mining Act 1992*

The regulator employs a range of enforcement tools for ensuring compliance with the *Mining Act 1992* including official cautions, penalty notices, enforceable undertakings and suspending/cancelling titles. In October 2018, the regulator undertook a total of eight enforcement actions. The figure below presents the details on the type of enforcement actions for the 12 months from November 2017.

FIGURE 5. FINAL ENFORCEMENT ACTIONS - NOVEMBER 2017 TO OCTOBER 2018

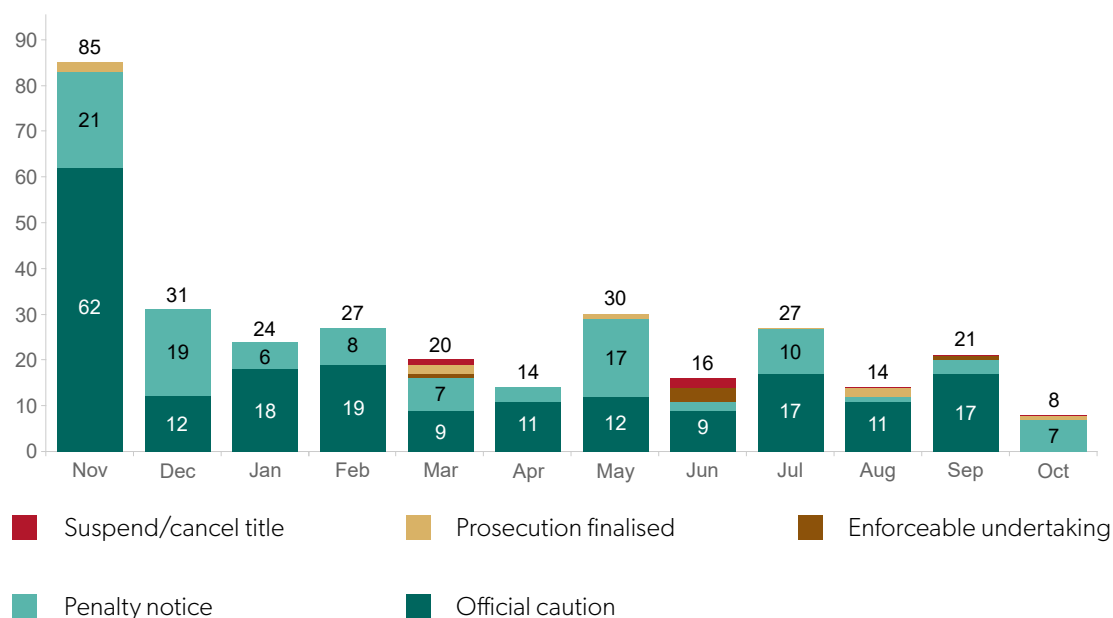


TABLE 4. KEY ENFORCEMENT ACTIONS - OCTOBER 2018

Date	Entity	Authority	Action	Amount	Details/direction
2 Oct 2018	Harb Quarries Pty Ltd	PLL 1208	Penalty Infringement Notice	\$1,000	Fail to pay rent and levy fees s292C Mining Act 1992
2 Oct 2018	Peel Mining Limited	EL8414	Penalty Infringement Notice	\$1,000	Fail to pay rent and levy fees s292C Mining Act 1992
2 Oct 2018	Jonathon Downes	EL8493	Penalty Infringement Notice	\$500	Fail to pay rent and levy fees s292C Mining Act 1992

Date	Entity	Authority	Action	Amount	Details/direction
3 Oct 2018	Macquarie Marble and Lime Pty Ltd	ML1446	Penalty Infringement Notice	\$1,000	Fail to pay rent and levy fees s292C Mining Act 1992
3 Oct 2018	Volcan Australia Corporation Pty Ltd	EL7301	Penalty Infringement Notice	\$1,000	Fail to pay rent and levy fees s292C Mining Act 1992
25 Oct 2018	Tooloom Creek Pty Ltd	ML1237 ML1238 ML1385	Penalty Infringement Notice	\$5,000	Fail to lodge Annual Exploration Report s163C Mining Act 1992
25 Oct 2018	Tritton Resources Pty Ltd	ML1280	Penalty Infringement Notice	\$5,000	Fail to lodge Annual Exploration Report s163C Mining Act 1992

Education and engagement activities

Details about the regulator's industry engagement activities for October 2018 are outlined below.

TABLE 5. WORKSHOPS AND INFORMATION SESSIONS - OCTOBER 2018

Date	Type of activity	Location	Detail
3 Oct 2018	Industry training	Merimbula	Small mines roadshow
4 Oct 2018	Industry training	Queanbeyan	Small mines roadshow
9 Oct 2018	Industry training	Broken Hill	Small mines roadshow
11 Oct 2018	Industry training	Cobar	Small mines roadshow
11 Oct 2018	Industry workshop	Kurri Kurri	Presentation to design verifiers on the requirements and expectations of a person undertaking verification activities in relation to design registration
12 Oct 2018	Information session	Kurri Kurri	Design registration plant designer round table
19 Oct 2018	Information session	Thornton	Mechanical Engineering Manager (Underground) certificate of competency exam feedback session
23 Oct 2018	Exercise	Liverpool Range EOC	Multi-agency simulated exercise involving Werris Creek mine staff. Based on bushfire preparedness for the area, scenario involved fire impacting the mine and related management integration between the ESOs and Mine
24 Oct 2018	Industry workshop	Dubbo	As part of Industry consultation on the Operation Rehabilitation Reforms, Compliance Operations held a workshop in Dubbo. The workshop was well received with approximately 15 Industry representatives attending in person and 49 viewing via Livestream
29 Oct 2018	Examinations	Broken Hill	Underground mine supervisor examinations
30 Oct 2018	Examinations	Parkes	Underground mine supervisor examinations
30 Oct 2018	Industry training	Gosford	Small mines roadshow
31 Oct 2018	Industry training	Maitland	Small mines roadshow

Publications and alerts

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

TABLE 6. MEDIA RELEASES, SAFETY NEWS AND PUBLICATIONS

DATE	TYPE	SUMMARY
2 October 2018	Weekly incident summary	Week ending 26 September 2018
4 October 2018	Mine Safety News	<ul style="list-style-type: none"> • Safe work month • Geological Survey of NSW - Open Days • Safety the focus at the 2018 Mechanical engineering seminar • Small mines health and safety roadshow kicks off
8 October 2018	Media release	Safe Work Month launches with focus on health and safety at small mines
9 October 2018	Mine Safety News	<ul style="list-style-type: none"> • Learning from investigations – Mt Arthur incident • Operational rehabilitation workshop • Small mines health and safety roadshow • World Mental Health Month
12 October 2018	Weekly incident summary	Week ending 3 and 10 October 2018
18 October 2018	Weekly incident summary	Week ending 17 October 2018
18 October 2018	Media release	Regulator responds to death of worker at Mudgee mine
19 October 2018	Mine Safety News	<ul style="list-style-type: none"> • Take a safety moment • Operational rehabilitation workshop • Mechanical Engineering Safety Seminar presentations are now available • Gosford next stop for small mines health and safety roadshow
23 October 2018	Media release	Resources Regulator investigating incident at Hunter Valley mine
25 October 2018	Weekly incident summary	Week ending 24 October 2018
29 October 2018	Media release	Oberon mine prosecuted by the Resources Regulator



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