



**NSW
Resources
Regulator**

MONTHLY BUSINESS ACTIVITIES REPORT

March 2022



Document control

Published by NSW Resources Regulator

Title: Monthly business activities report – March 2022

First published: April 2022

Authorised by: Executive Director NSW Resources Regulator

CM9 reference: RDOC22/31992

AMENDMENT SCHEDULE

Date	Version	Amendment
------	---------	-----------

© State of New South Wales through Regional NSW 2022. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute Regional NSW as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

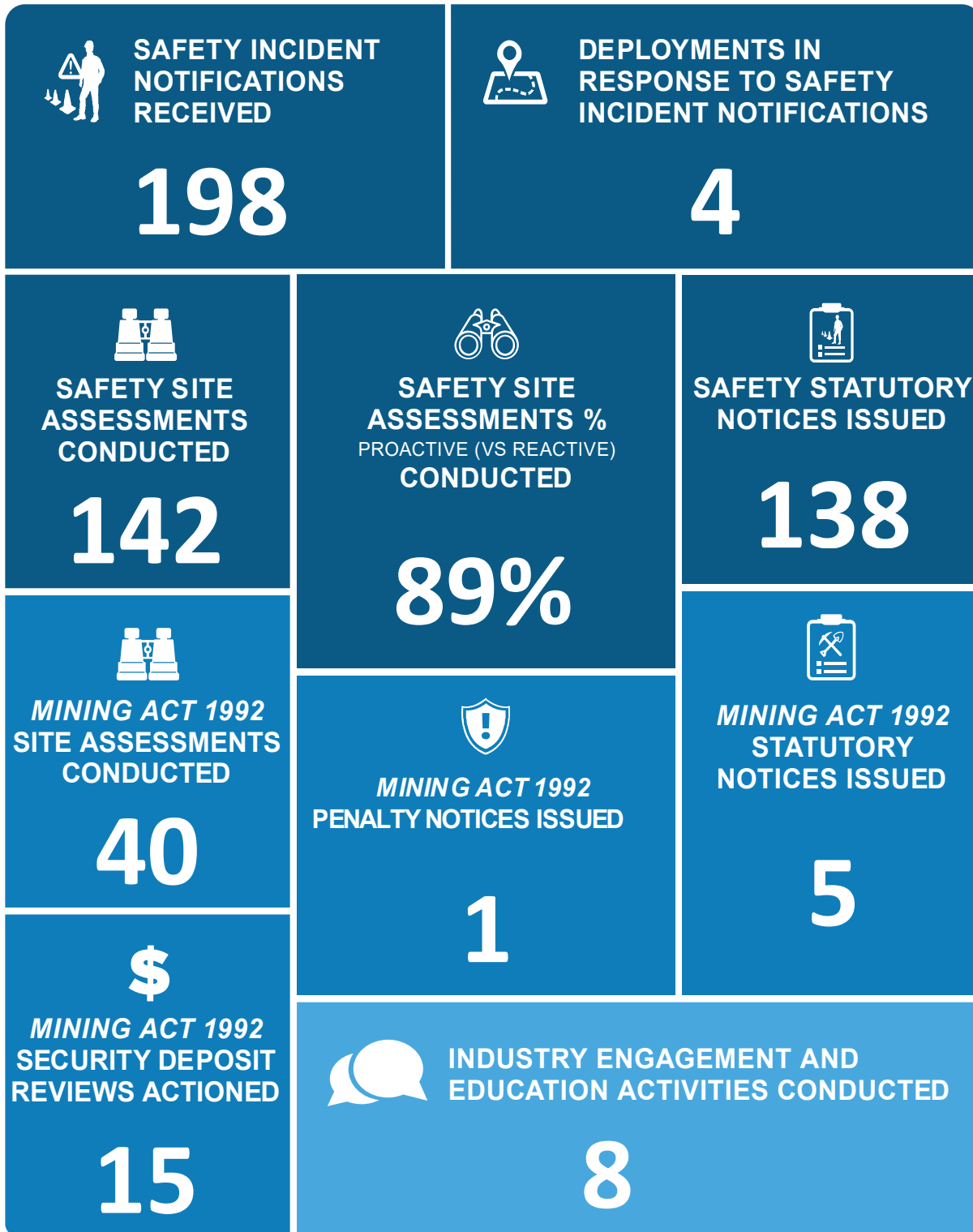
Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (April 2022) and may not be accurate, current or complete. The State of New South Wales (including Regional NSW), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Contents

Activities at a glance	4
Key Activities	5
Work Health and Safety activities.....	6
Incident notifications	6
Safety assessments	8
Compliance activities	10
Mining competencies activities.....	12
Mining authorisation activities.....	12
<i>Mining Act 1992</i> regulatory activities.....	15
Mining Act assessments	15
Mining Act compliance activities	16
Mining Act requests for service	18
Compliance concerns and non-compliances.....	20
Safety non-compliance breaches	20
Mining Act non-compliance breaches	21
Key enforcement actions	22
Industry engagement activities.....	23
Committees and other industry body involvement	23
External education and engagement activities.....	23
Publication and alerts	24

Activities at a glance

Summary of our regulatory activities in March 2022



Key Activities

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

- issuing safety [bulletins](#) on hand injuries and the impact of severe weather on stope stability
- issuing a \$2,500 penalty notice to Whitehaven Coal Mining Limited for contravention of a condition of authorisation (s378D of the *Mining Act 1992*)
- publishing [Mine rehabilitation portal guideline](#) and revised [rehabilitation cost estimation tool](#)
- publishing consolidated reports for [fire and explosion \(electrical\)](#) and [spontaneous combustion](#) at underground coal mines, and [ground or strata failure](#) at underground metalliferous mines
- publishing compliance priorities [outcomes](#) for positive communication at metalliferous mines and Tier 1 quarries
- holding small mines roadshows at Dareton, Dubbo and Orange.

Other publications included:

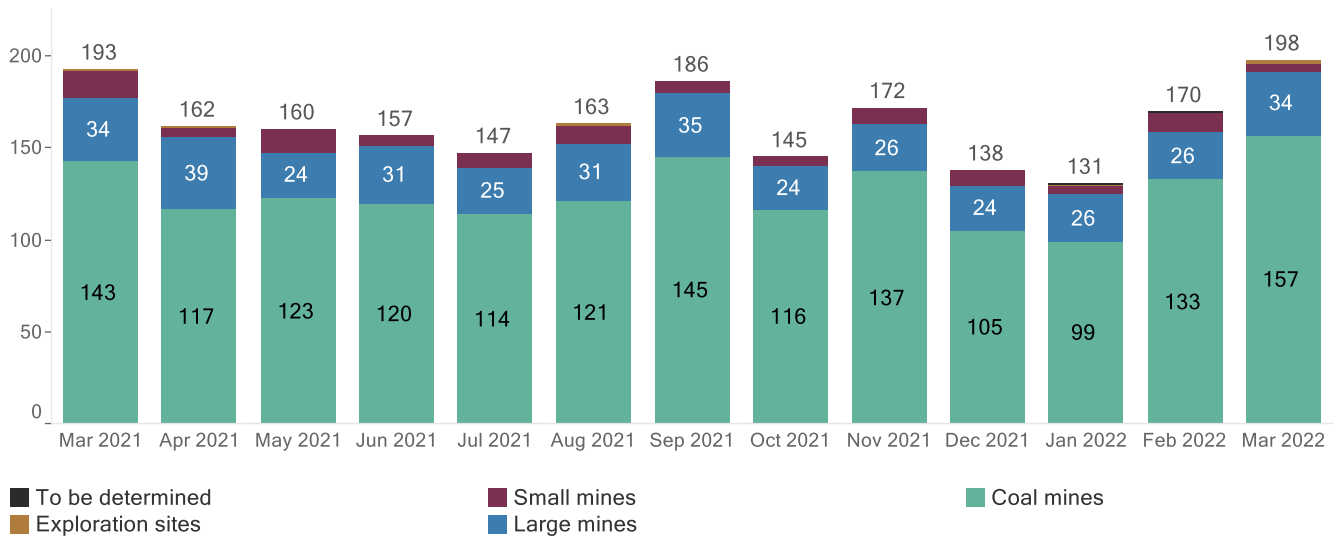
- quarterly safety [report](#) for October to December 2021
- fires on mobile plant [report](#) for July to September 2021
- four weekly incident [summaries](#) detailing 15 dangerous incidents

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



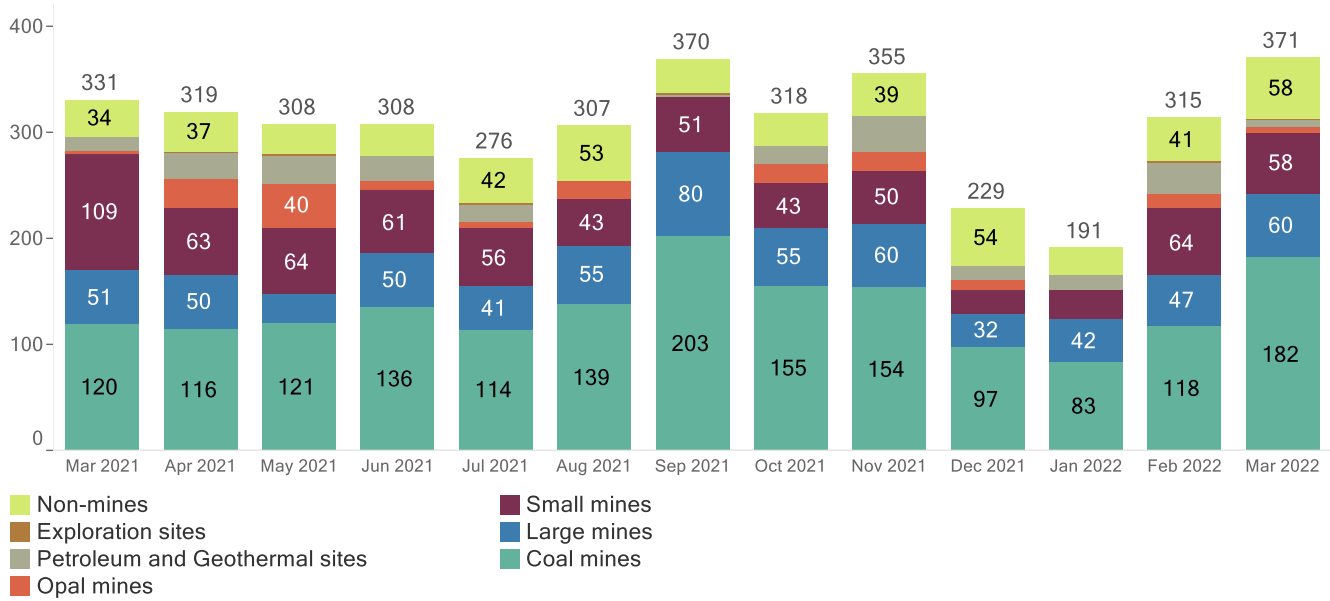
DETAILS OF SAFETY INCIDENTS WHERE INSPECTORS WERE DEPLOYED

DATE NOTIFIED	REPORTING SECTOR	PRINCIPAL MINING HAZARD	INCIDENT
8 Mar	Coal mines	Mechanical engineering control plan	An electrician was working on a sump pump that was believed to be isolated when it unintentionally started.
14 Mar	Coal mines	Mechanical engineering control plan	Workers were removing a valve from a depressurised poly pump line when a suspected blockage gave way causing material to strike one of the workers.
29 Mar	Coal mines	Fire or explosion	Operator became aware of a fire in the rear of the cable handler they were operating and evacuated to safety.
31 Mar	Coal mines	Ground or strata failure	A dump section has failed with a dump truck dropping backwards into dump area.
TOTAL			4

Safety assessments

Safety assessments conducted

SAFETY ASSESSMENTS CONDUCTED BY SECTOR*

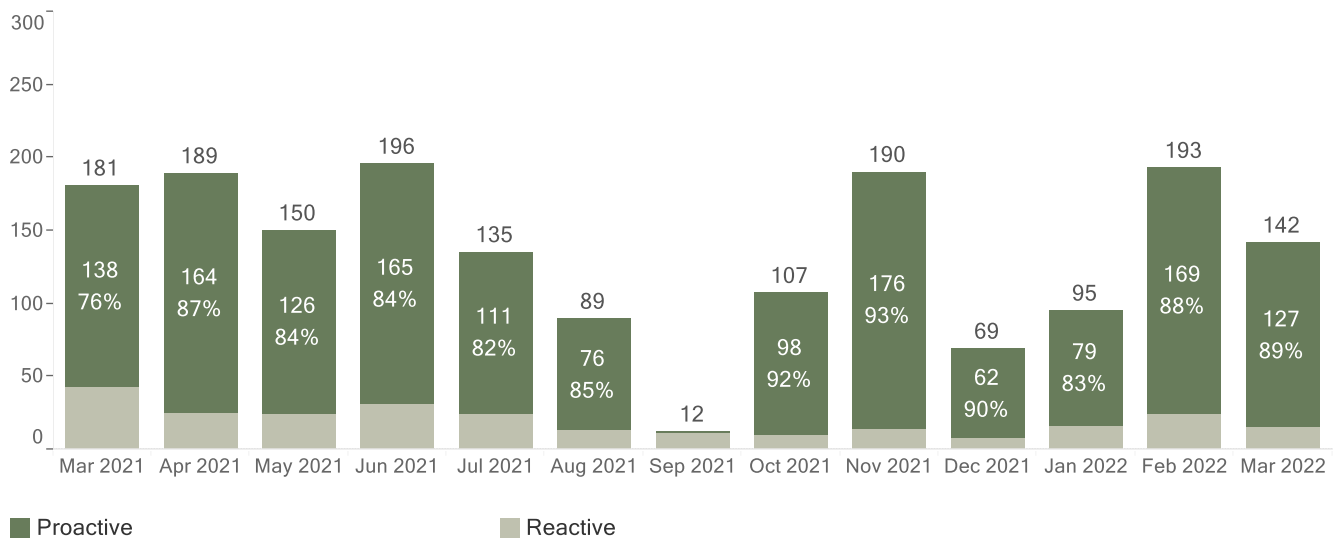


*The decrease in site assessments and increase in desktop assessments is due to COVID-19

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.

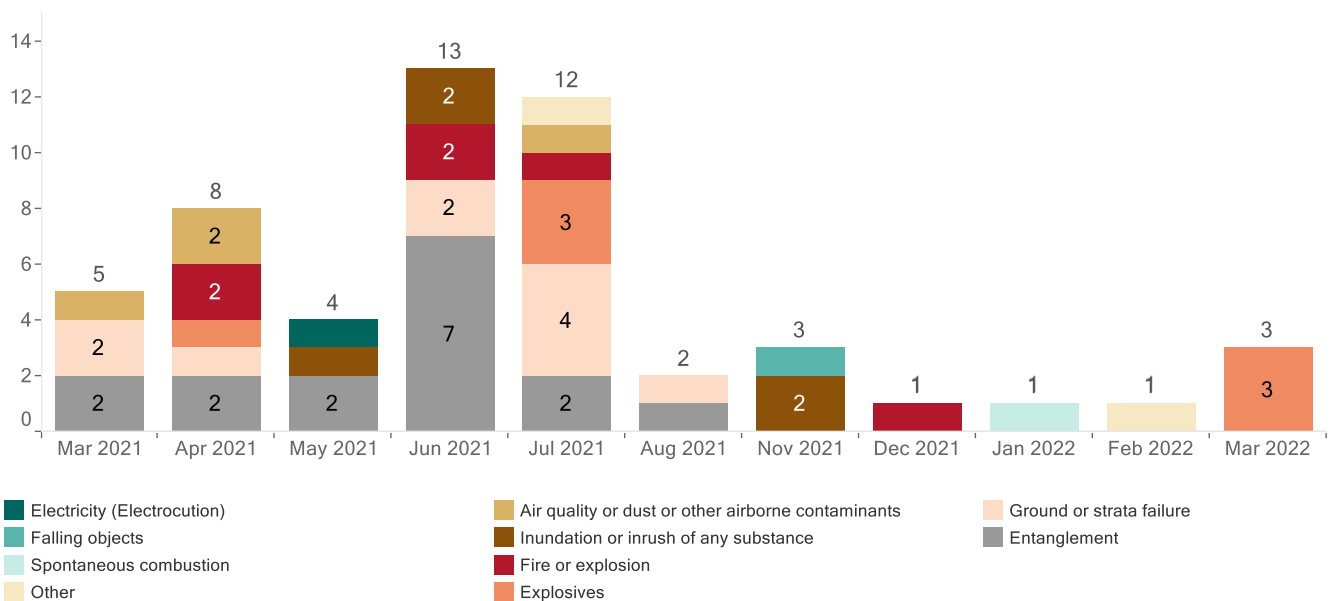
SAFETY SITE ASSESSMENTS CONDUCTED BY CATEGORY AND NATURE*



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

Safety targeted assessment program

TARGETED SAFETY ASSESSMENTS CONDUCTED*



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

DETAILS OF TARGETED SAFETY SITE ASSESSMENTS

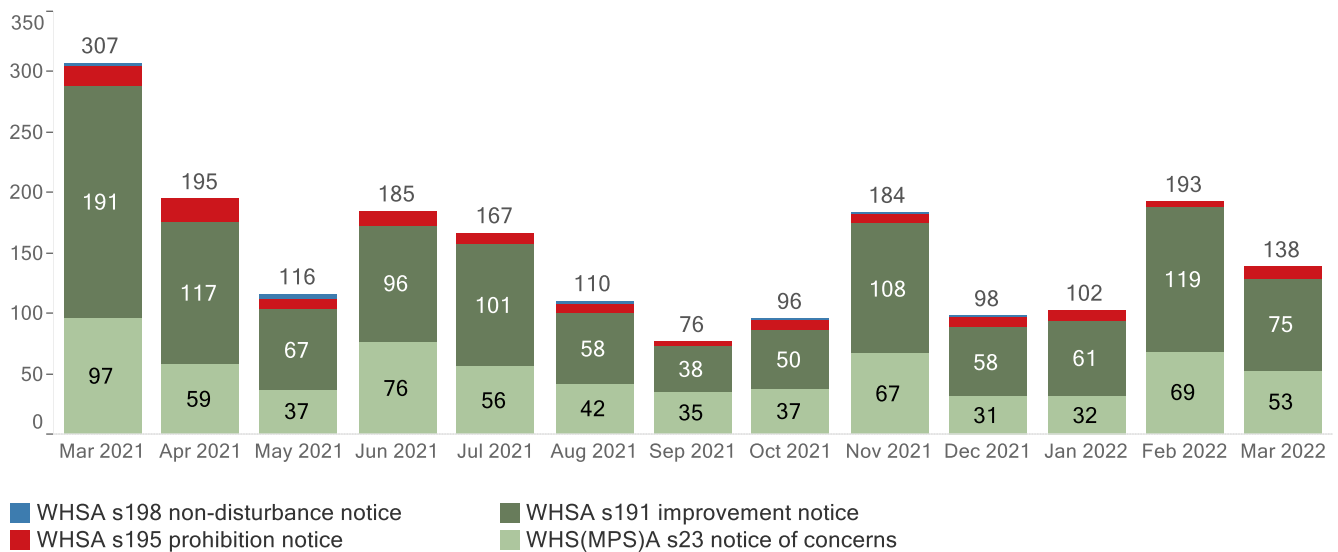
SECTOR	HAZARD / CONTROL PLAN	NO.
Large mines	Explosives Control Plan	3
Grand Total		3

Compliance activities

Notices issued

In March 2022, we issued 138 statutory notices under the *Work Health and Safety Act 2011*, comprising 75 improvement notices, 53 notice of concerns and 10 prohibition notices.

SAFETY NOTICES ISSUED BY NOTICE TYPE



Prohibition notices issued

In March 2022, 10 prohibition notices were issued under section 195 of the *Work Health and Safety Act 2011*.

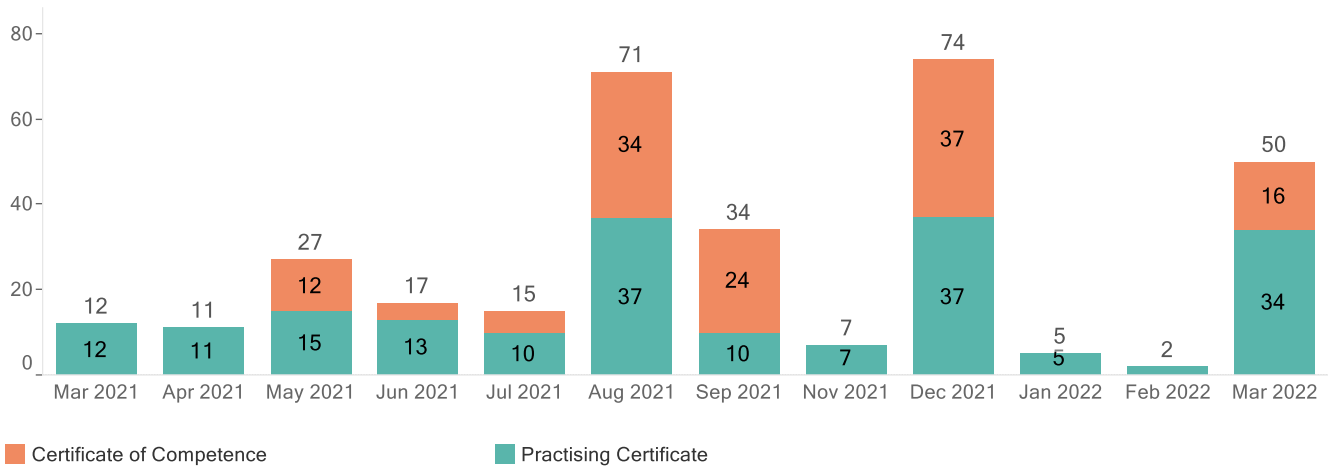
PROHIBITION NOTICES ISSUED

ISSUED TO PCBU*	MINE LOCATION	PROHIBITED ACTIVITY
Agra Resource Management Pty Limited	Agra Resource Management - Illawong Sand Pit	No person to proceed beyond the door or use ladder or platform of the identified dump truck (operators' side).
Aurelia Metals Limited	Hera Mine	Access to spillage area unless for measurement and testing.
Benedict Industries Pty Ltd	Benedict Sands Sandy Point	No person to proceed beyond the door of the identified dump truck (operators' side).
Bloomfield Collieries Pty Ltd	Rixs Creek Mine	Dumping of material in specified areas
Broken Hill Operations Pty Ltd	Rasp Mine	Blasting of any type of explosives at the mine site.
GC Schmidt (Plant) Pty Ltd	Schmidt Quarries Pty Ltd - Nimmitabel	Specified fuse switches are not be operated.
HV Coking Coal Pty Limited	Integra Underground	Pressurisation of the drift dewatering line via operation of air pumps or application of water pressure via the water flush valve.
Individual	MC58121	Persons riding materials hoist to access and egress the underground workings.
Narrabri Coal Operations Pty Ltd	Narrabri Colliery	Dry drilling on the specified face where the prescribed conditions have not been met.
Perilya Broken Hill Limited	North Mine	Specified light vehicle not to be operated unless for rectifying defects.
TOTAL		10

*Person conducting business or undertaking

Mining competencies activities

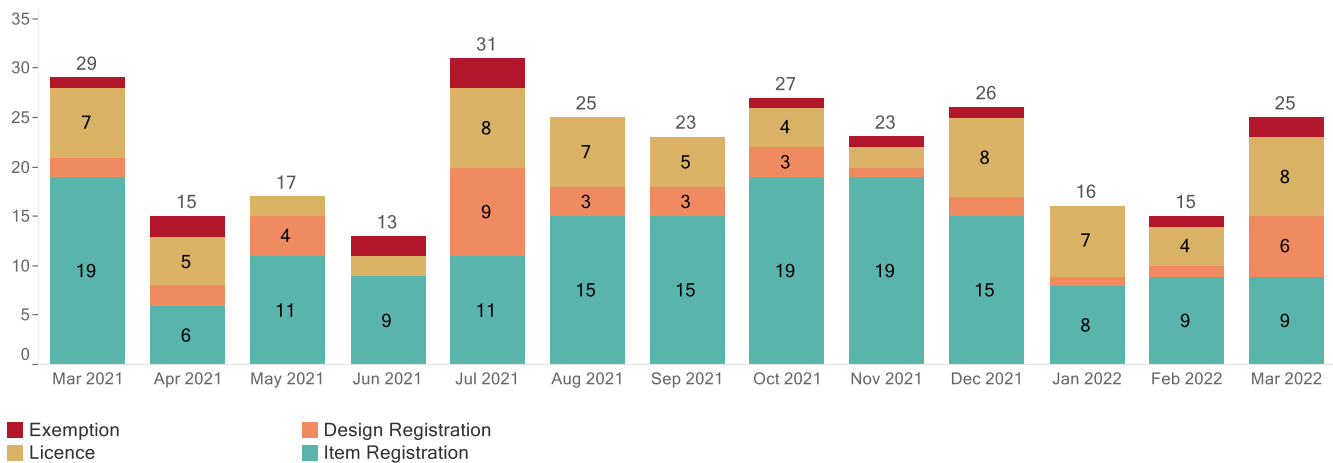
COMPETENCE AND PRACTISING CERTIFICATES GRANTED



Mining authorisation activities

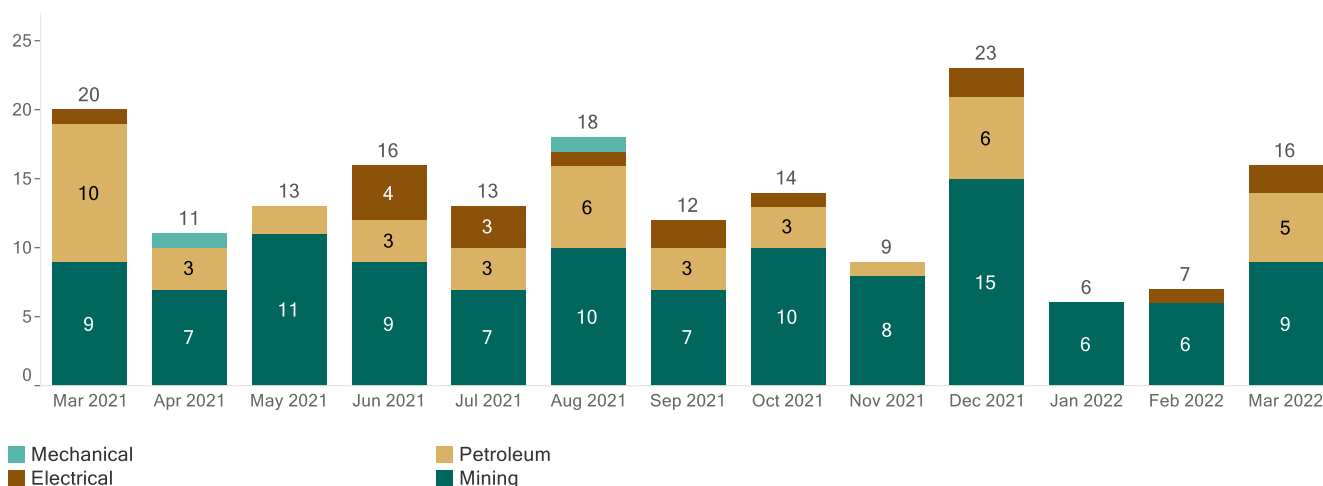
Safety mining authorisations include licence applications to carry out prescribed high-level activities, plant item registrations, design registrations and exemptions.

EXEMPTIONS, LICENCE, DESIGN & ITEM REGISTRATIONS GRANTED



High-risk activities notifications

HIGH-RISK ACTIVITY NOTIFICATIONS RECEIVED BY ENGINEERING DISCIPLINE



HIGH-RISK ACTIVITY NOTIFICATIONS RECEIVED

MINE	LEGISLATION*	TYPE OF NOTIFICATION	NO.
Appin Colliery	WHS(MPS) Reg Sch 3 cl 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining.	1
Ashton Coal Mine (Coal Processing Plant)	WHS(MPS) Reg Sch 3 cl 27	The establishment, operation, alteration or decommissioning of an emplacement area.	1
Bulga Surface Operations	WHS(MPS) Reg Sch 3 cl 27	The establishment, operation, alteration or decommissioning of an emplacement area.	1
Cowal 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).	1
Dendrobium Colliery	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar.	1
Hillgrove Mines	WHS(MPS) Reg Sch 3 cl 35	The establishment, operation, alteration or decommissioning of a tailings storage facility.	1
Mandalong Mine	WHS(MPS) Reg Sch 3 cl 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining.	1

MINE	LEGISLATION*	TYPE OF NOTIFICATION	NO.
Mandalong Mine	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar.	1
North East Mine (Avoca Tank Access Decline)	WHS(MPS) Reg Sch 3 cl 4	Development of a new mine entry (including by sinking a shaft or drift or raise boring).	1
PPL0004 Elizabeth Macarthur 11	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well.	1
PPL0004 Elizabeth Macarthur 7	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well.	1
PPL0004 Menangle Park 22	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well.	1
PPL0004 Menangle Park 23	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well.	1
PPL0004 Spring Farm 5	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well.	1
Tritton Copper Mine	WHS(MPS) Reg Sch 3 cl 4	Development of a new mine entry (including by sinking a shaft or drift or raise boring).	1
Ulan Underground Mine	WHS(MPS) Reg Sch 3 cl 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining.	1
TOTAL			16

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

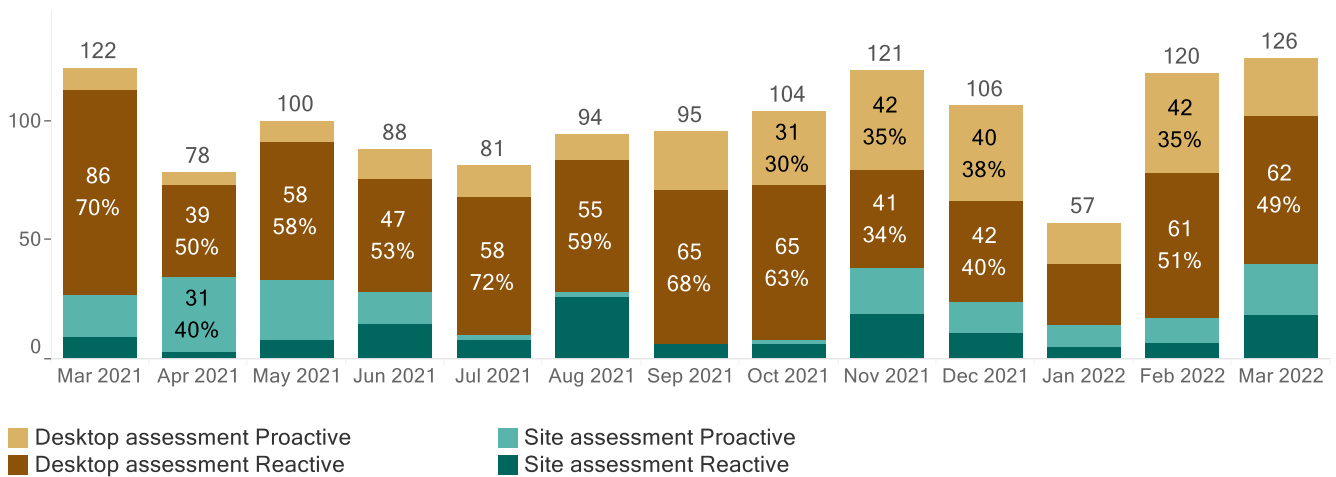
Mining Act 1992 regulatory activities

Mining Act assessments

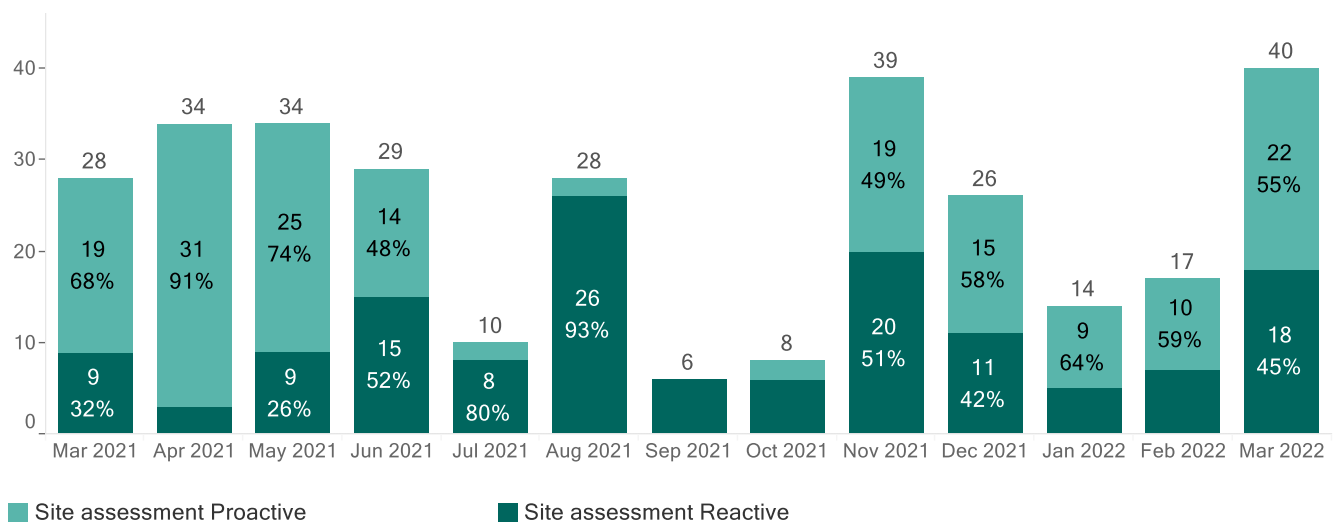
Proactive and reactive assessments

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 CONDUCTED BY CATEGORY AND NATURE



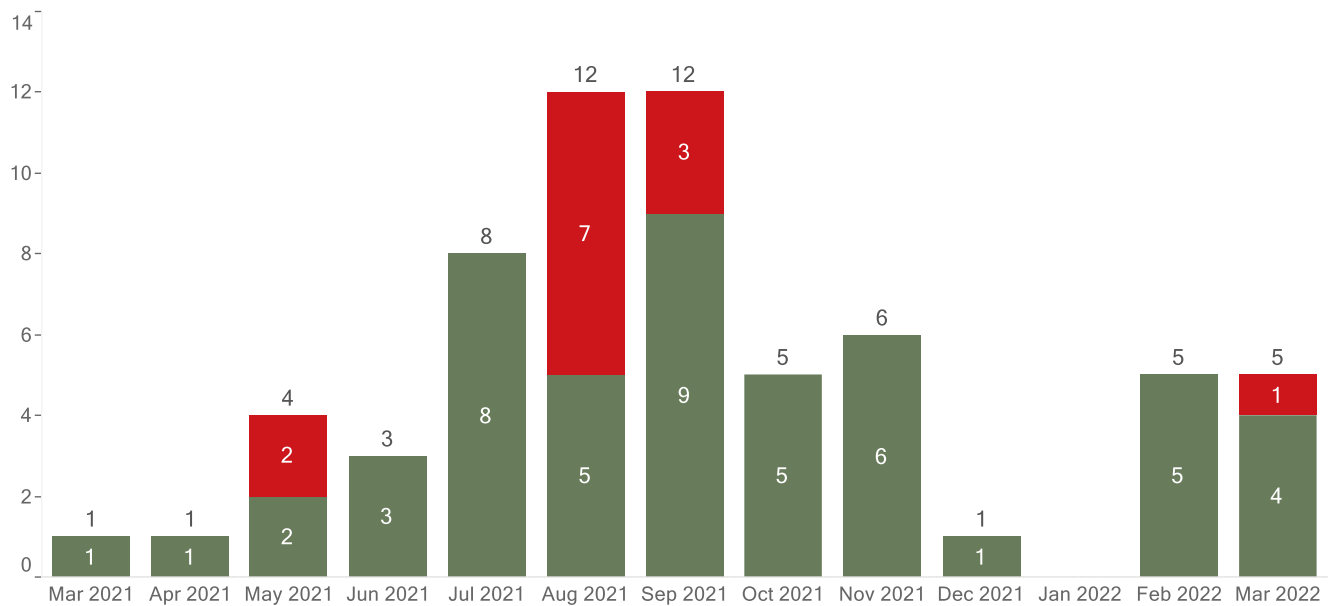
MINING ACT SITE ASSESSMENTS CONDUCTED BY NATURE



Mining Act compliance activities

Statutory notices issued

MINING ACT STATUTORY NOTICES ISSUED



■ MA s240A prohibition notice
■ MA s240 notice of directions

NOTICES OF DIRECTIONS ISSUED DETAILS

ISSUED TO	LOCATION	SUMMARY S.240 OF THE MINING ACT 1992 DIRECTION
Anotero Pty Limited	Hunter Valley Operations	<p>Rehabilitate the area referred to as the ‘Western Out-of-Pit Emplacement’ and the adjoining lands (as relevant) impacted, or that have the potential to be impacted by erosion and poor surface water management.</p> <p>Submit a progress report detailing the works completed in response to Direction 1 above – date for compliance 8 July 2022.</p> <p>Submit a progress report detailing the works completed in response to Direction 1 above – date for compliance 13 January 2023.</p> <p>Submit a progress report detailing the works completed in response to Direction 1 above – date for compliance 7 July 2023.</p>

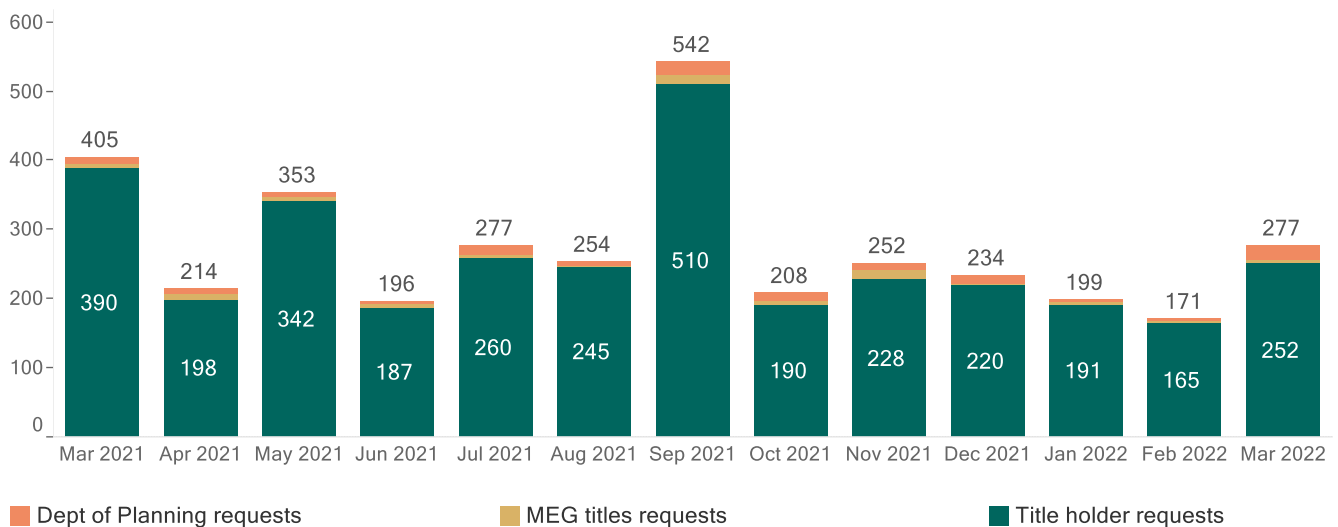
ISSUED TO	LOCATION	SUMMARY S.240 OF THE <i>MINING ACT 1992</i> DIRECTION
		<p>Submit a Final Rehabilitation Report detailing works completed in response to Direction 1 above – date for compliance 6 October 2023.</p>
<p>Coal & Allied Operations Pty Ltd</p>	<p>Hunter Valley Operations</p>	<p>Same directions as above.</p>
<p>Sibelco Australia Limited</p>	<p>Swan Bay Mine</p>	<p>Rehabilitate the land that is affected by activities under ML 59388 (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.</p> <p>Remove all wastes including but not limited to corrugated sheeting, fiberglass fragments, obsolete fencing and star pickets, polypipe and associated general wastes and dispose of at a licensed receiving facility.</p> <p>Assess current fencing within ML 5938 (1906) against the requirements with the final landform.</p> <p>Remove the timber currently stockpiled o ML 5938 (1906) and dispose of the material in accordance with relevant EPA Waste Disposal Requirements.</p> <p>Prepare and submit a Rehabilitation Report that provides a detailed review of the progress of rehabilitation against the requirements of Directions 1-7 above.</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></p>
<p>Cadia Holdings Pty Limited</p>	<p>Cadia Valley Operations</p>	<p>Nominate for the approval of the Resources Regulator a suitably qualified and independent person to undertake an assessment of the establishment of vegetative cover carried out within Authorisations ML 1405 (1992) and ML 1472 (1992)</p>

ISSUED TO	LOCATION	SUMMARY S.240 OF THE <i>MINING ACT 1992</i> DIRECTION
		on the North West Rock Dump (NWRD) and South Waste Rock Dump (SWRD). Submit a final report prepared by the suitably qualified expert engaged under Direction 1.
TOTAL		4

Mining Act requests for service

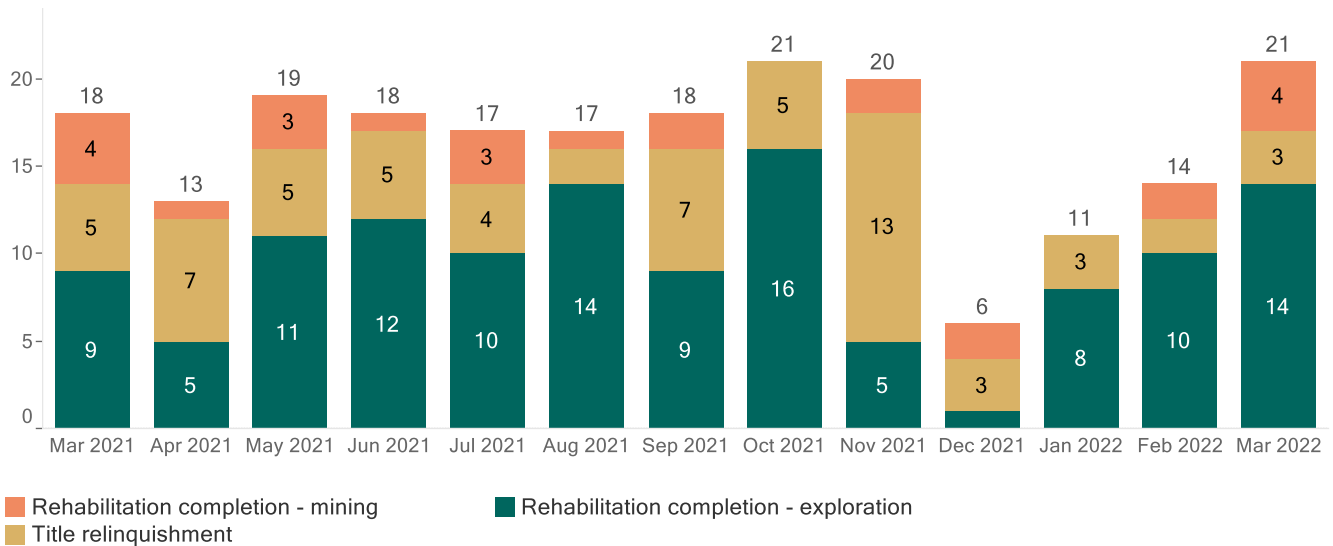
Requests for service includes requests from title holders, other branches within Mining, Exploration and Geoscience concerning the administration of mining authorisations and requests from either the NSW Department of Planning and Environment or a local consent authority relating to development assessment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

MINING ACT REQUESTS FOR SERVICE ACTIONED



Mining Act rehabilitation completion

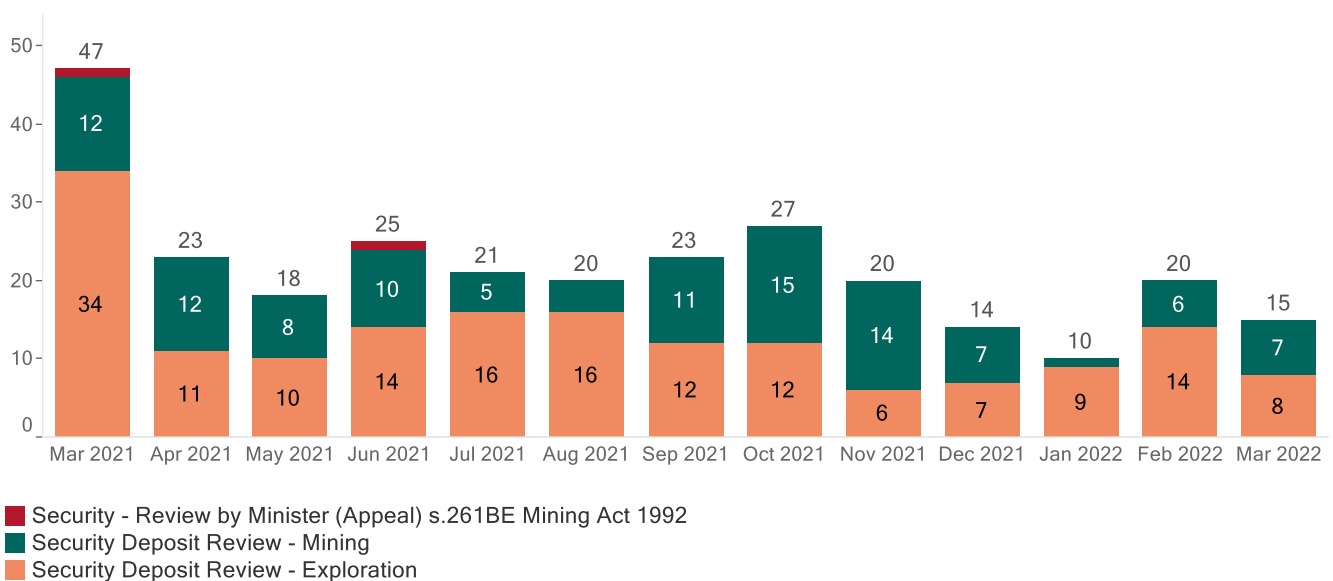
MINING ACT REHABILITATION COMPLETION ACTIONED



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 the area within Mining, Exploration and Geoscience responsible for title administration who vary the condition of the title and seek the additional funds - or in the case of satisfactory rehabilitation, returns some or all of the security deposit.

REHABILITATION SECURITY DEPOSIT REVIEWS ASSESSED

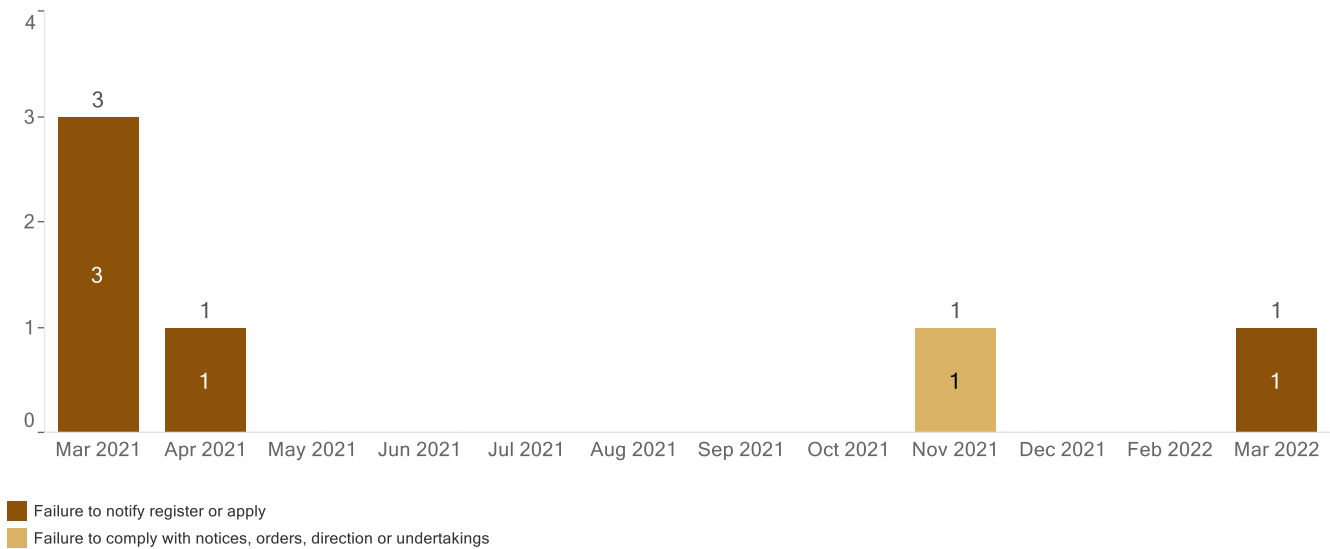


Compliance concerns and non-compliances

Safety non-compliance breaches

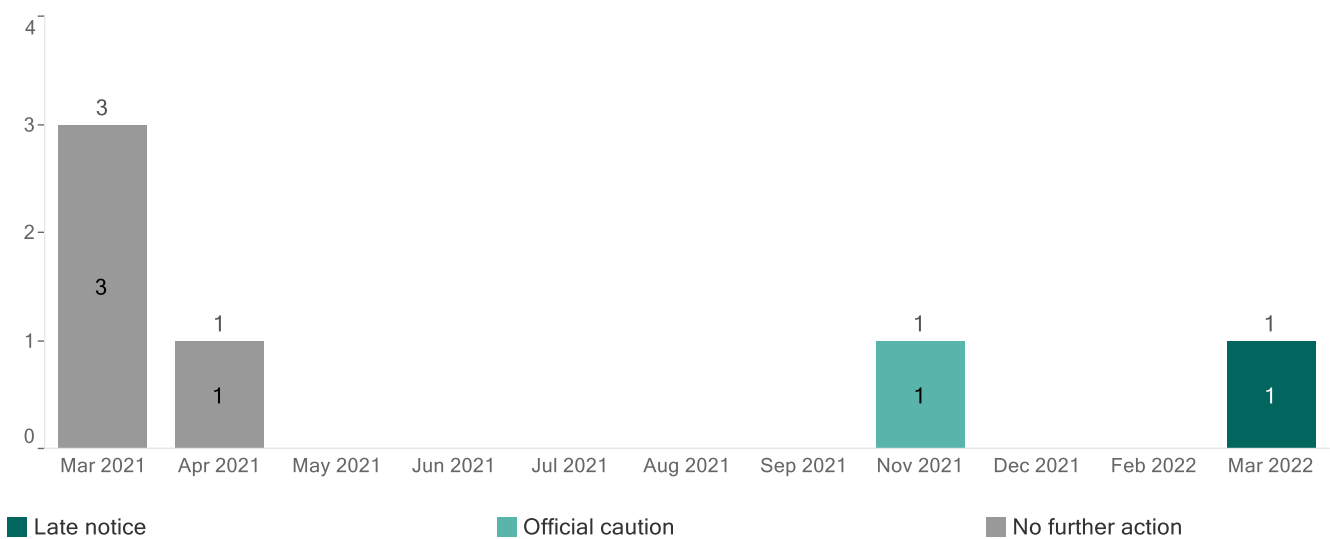
Non-compliance breaches sustained by category

SAFETY NON-COMPLIANCE BREACHES SUSTAINED BY CATEGORY



Non-compliance breaches sustained by regulatory response

SAFETY NON-COMPLIANCE BREACHES SUSTAINED BY REGULATORY RESPONSE

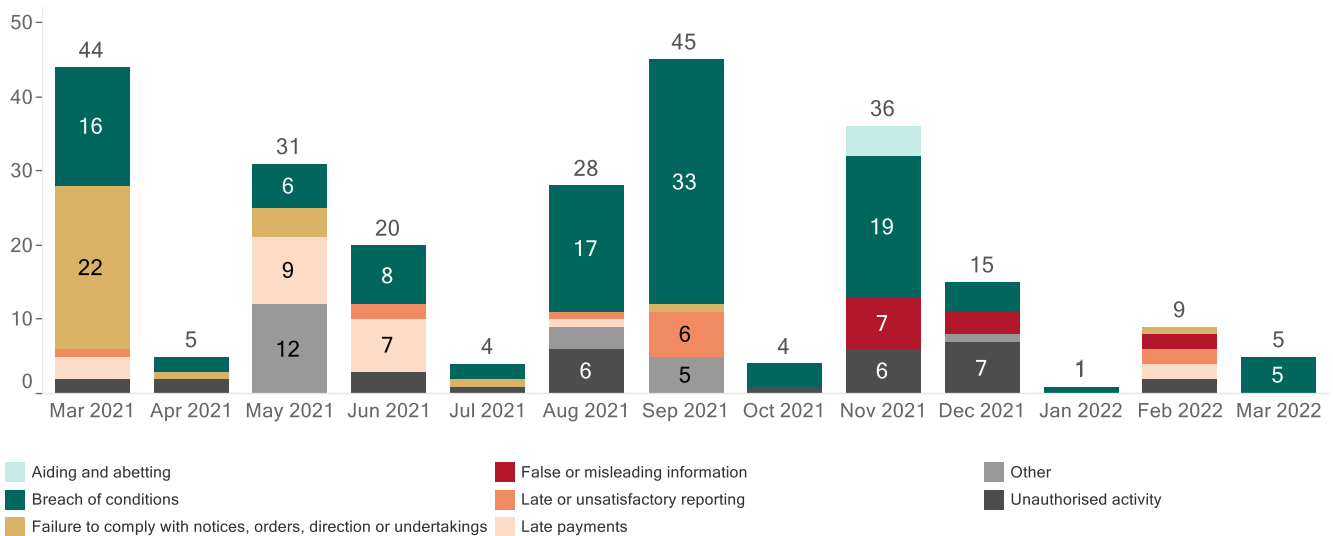


Mining Act non-compliance breaches

Non-compliance breaches sustained by category

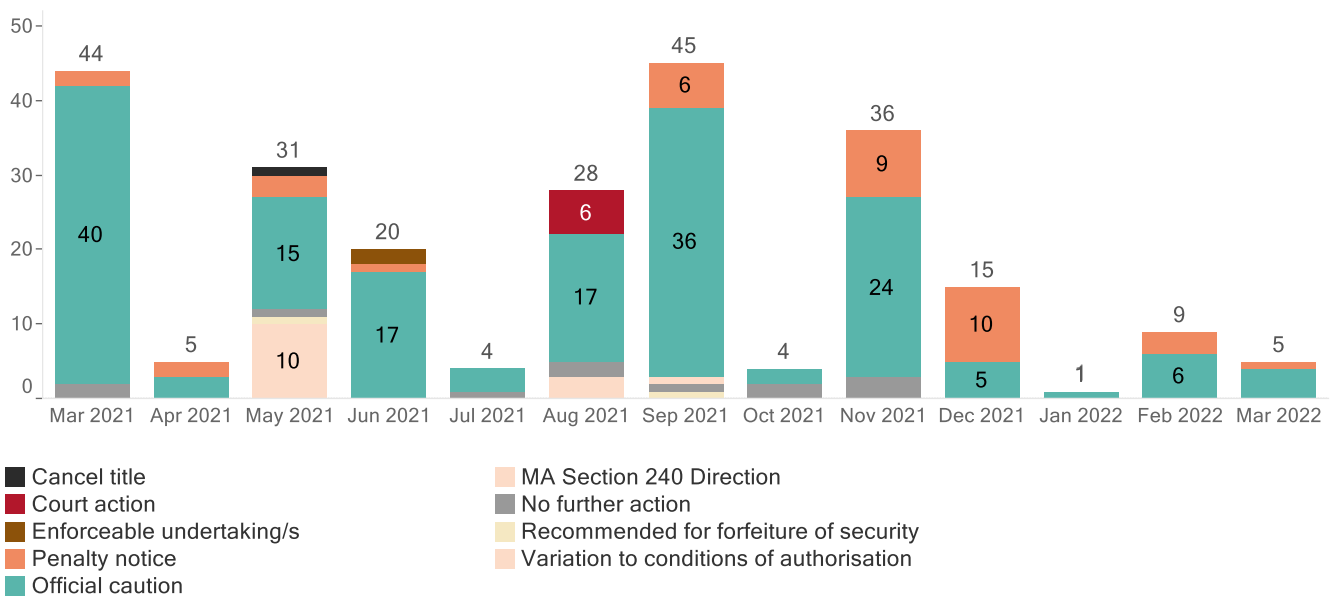
Compliance categories shown in the figure below is non-exhaustive.

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
16 Mar	Whitehaven Coal Mining Limited	CL 316 (1973)	Penalty	\$2,500	Contravention of s.378D of the <i>Mining Act 1992</i> for failing to comply with Condition 3 of CL316.
22 Mar	Individual	MC59956	Prohibition	N/A	Contravention of section 5 of the <i>Mining Act 1992</i> for conducting prospecting and or mining operations without authorisation to do so.
TOTAL					2

Industry engagement activities

Committees and other industry body involvement

COMMITTEES AND OTHER INDUSTRY BODY INVOLVEMENT

COMMITTEE/BODY	DETAIL
Earth Moving Equipment Safety Round Table – Equipment Fires	Monthly meeting
Standards Association – review of Australian Standards for Cranes, Hoists and Winches (Mobile Elevating Work Platforms)	Meeting
Lithgow Local Emergency Management Committee	Quarterly meeting
Standards Association – review of Australian Standards for Lifting Tackle	Meeting
TOTAL	4

External education and engagement activities

WORKSHOPS AND INFORMATION SESSIONS

TYPE OF ACTIVITY	LOCATION	DETAIL
Information session	Orange	Small Mines Roadshow
Information session	Dubbo	Small Mines Roadshow
Information session	Dareton	Small Mines Roadshow
Training session	Lightning Ridge	Opal Safety Awareness Course
TOTAL		4

Publication and alerts

MEDIA RELEASES, SAFETY BULLETINS AND PUBLICATIONS

TYPE	NUMBER
Guidance material	3
Media release / News item	3
Mine safety news	3
Reports	8
Safety bulletin	2
Weekly summary	4
Grand Total	23