

Compliance priority report

Emergency preparedness – small mines

June 2022 – November 2022

Published by the Department of Regional NSW

Title: Compliance priority report

Subtitle: Emergency preparedness – Small Mines

First published: February 2023

Department reference number: RDOC23/1667

| Amendment schedule | | |
|--------------------|---------|-----------------|
| Date | Version | Amendment |
| February 2023 | 1.0 | First published |
| | | |
| | | |

© State of New South Wales through Regional NSW 2023. 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 department website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (January 2023) 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.

Table of Contents

| | |
|---------------------------|---|
| Executive summary | 4 |
| Key findings..... | 4 |
| Recommendations | 5 |
| Further information | 6 |

Executive summary

A crucial part of the NSW Resources Regulator's *Incident Prevention Strategy* involves compliance priority programs for mines and petroleum sites. This involves proactively assessing a topic that is an emerging risk across the industry, that is driven primarily from incident data as well as evolving industry trends. Although these topics may also be contained within the Resources Regulator planned inspection programs, the aim of compliance priority programs is to gather further information and knowledge about how the industry is managing and controlling a specific issue.

This report summarises the assessment findings from the compliance priority program that targeted emergency preparedness and covered 28 quarries between June 2022 and November 2022. Several key elements were assessed as part of this program and included:

- emergency preparation
- emergency planning
- emergency procedures
- training
- notification
- procedural reviews.

Key findings

Twenty-nine statutory notices were issued under section 191 of the *Work Health and Safety Act 2011* and section 23 of the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*. Issues were identified across several sites in relation to emergency preparedness. These include:

- Emergency plans did not consider all legislative requirements in both the Work Health and Safety Regulation and the Work Health and Safety (Mines and Petroleum Sites) Regulation.
- Emergency plans and associated emergency procedure documents did not contain adequate document history or version control leading to confusion over what was the most recent version.
- The review frequency of the emergency plan was not in accordance with requirements in legislation.
- A lack of regular testing of emergency procedures and the subsequent review of their effectiveness
- Inadequate identification of all reasonably foreseeable emergency scenarios, this included scenarios being grouped inappropriately under one overarching scenario such as 'fire' when the emergency response would be different depending upon the nature of the fire (eg bush fire, fire on mobile equipment, fire in office, explosives fire, etc).
- A lack of appropriate consultation with stakeholders including the primary emergency services for the area.
- A lack of training for workers in the site emergency procedures and competency in the use of emergency equipment.
- Emergency equipment was not always in proper working order, regularly inspected or maintained, so that the equipment is in a state of readiness in the event of an emergency.
- Maps showing the location of emergency equipment did not include all the equipment including first aid kits, fire extinguishers, fire hose reels, etc.
- It was unclear who, on a day-by-day basis, was the incident controller, and who had other specific duties should an emergency occur.
- It was unclear what type of incidents need reporting to the Resources Regulator and what require preservation of the incident scene.

- Site specific communication protocols such as the emergency call (eg ‘Emergency, emergency, emergency’) and the need for radio silence were not documented.
- Risk assessments did not distinguish between the different control measures required for each emergency scenario.
- Risk assessments contained control measures that were not included in the emergency plan.
- Emergency plans contained control measures that were not included in the risk assessments.

Recommendations

In accordance with the requirements in both the Work Health and Safety Regulation and the Work Health and Safety (Mines and Petroleum Sites) Regulation, mine operators should ensure that the emergency plan is prepared, implemented, tested and reviewed.

Mine operators:

- Should ensure that emergency plans and associated emergency procedure documents contain adequate document history and version control.
- Must ensure that the testing and review of emergency plan is carried out at intervals of no more than 12 months.
- Should ensure that all reasonably foreseeable emergency scenarios are reviewed and addressed in the emergency plan. Where scenarios require different types of responses then these need to be appropriately detailed.
- Must ensure that consultation for emergency plans and the associated risk assessments include all stakeholders including the primary emergency services for the area and that the records of consultation are retained.
- Must ensure that all emergency equipment is in proper working order, regularly inspected and maintained, so that the emergency equipment is in a state of readiness in the event of an emergency.
- Must ensure maps show the location of all emergency equipment.
- Must ensure all workers understand each day who the incident controller is and who has other specific duties should an emergency occur.
- Must ensure that it is understood what type of incidents need to be reported to the Resources Regulator and which require preservation of the incident scene.
- Should ensure that site specific communication protocols such as the emergency call (eg ‘Emergency, emergency, emergency’) and the need for radio silence is documented and included in training of workers.
- Should ensure that Risk assessments include all appropriate stakeholders.

All workers need to be trained and regularly refreshed on emergency procedures including participation in the testing of emergency procedures. Workers need to be provided with information relevant to any review or testing of the emergency plan. This may help to:

- Assist workers in understanding and retaining knowledge to correctly follow the procedures
- Improve the confidence of workers and assuredness of dealing with different emergency situations
- Assist workers in identifying and using the correct safety resources at the site.
- Provide opportunities for workers to supply feedback to improve the procedures.
- Reinforce that the mine operator identifies all workers as valuable assets in managing emergencies on site.

All control measures to be implemented should be identified in the risk assessment should be clearly documented in the emergency plan.

If a review or test of the plan identifies any additional control measures, or the need to change existing control measures, then the risk assessment and emergency plan should be reviewed and amended accordingly.

Further information

For more information on safety assessment programs, the findings outlined in this report, or other mine safety information, please contact the NSW Resources Regulator:

| CONTACT TYPE | CONTACT DETAILS |
|--------------------|--|
| Email | cau@regional.nsw.gov.au |
| Incident reporting | To report an incident or injury call 1300 814 609 or log in to the Regulator Portal |
| Website | www.resourcesregulator.nsw.gov.au/ |
| Address | NSW Resources Regulator 516 High Street Maitland NSW 2320 |