



**NSW
Resources
Regulator**

MONTHLY BUSINESS ACTIVITIES REPORT

April 2021



Document control

Published by NSW Resources Regulator

Title: Monthly business activities report – April 2021

First published: April 2021 (data current at 6 April 2021)

Authorised by: Executive Director NSW Resources Regulator

CM9 reference: DOC21/431673-1

AMENDMENT SCHEDULE

Date	Version	Amendment

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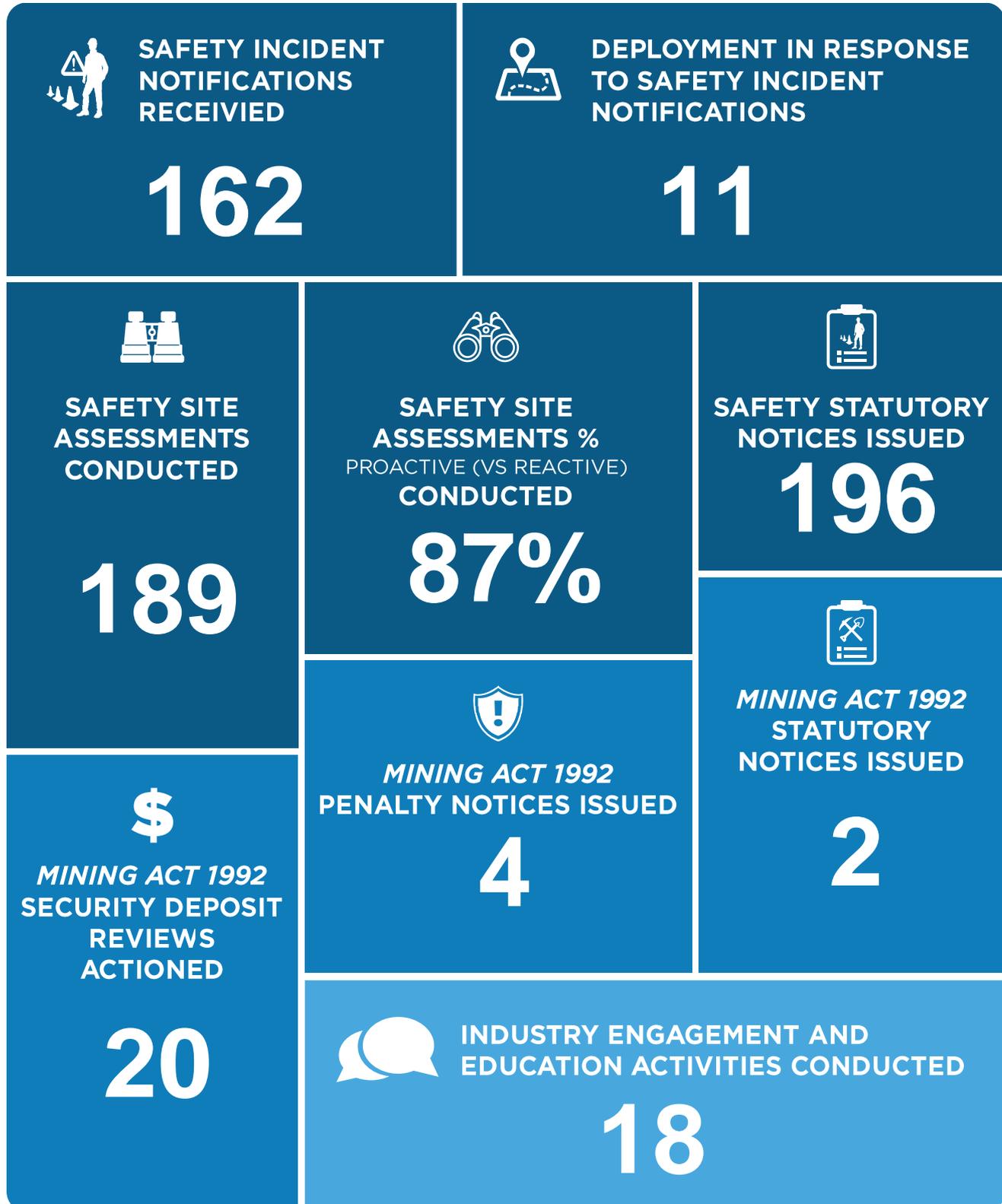
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Activities at a glance

Summary of our regulatory activities in April 2021



Key activities

The NSW Resources Regulator published the following in response to four safety incidents of note.

- An [investigation release](#) relating to a worker who was injured by ejected components during an excavator bucket change-out at a quarry.
- A [safety alert](#) relating to a worker who sustained critical injuries after driving off the edge of a stope and falling 20 meters.
- A [safety bulletin](#) providing advice to industry in response to the increase in the number of reported explosives flyrock incidents involving damaged to equipment, infrastructure and exposed workers.
- A [safety bulletin](#) proving advice to industry resulting from two incidents where an explosion-protected diesel engine system (ExDES) failed to shut down upon initiation. The engines in both cases continued to run after the engine off switch was activated.

We also published a report on the [Review of serious injury and illness notifications](#) which identified a significant long-term downward trend in the serious injury frequency rate since 2006.

Stakeholder [comment](#) was also sought on proposed amendments to the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Two penalty notices totalling \$5,000 were issued to the titleholder of Exploration Licence EL 8967 for mining without an authorisation.

For more activities refer to [Mine Safety News](#) and [Mine Rehabilitation News](#).

Work Health and Safety activities

Safety incident notifications

DETAILS OF SAFETY INCIDENTS WHERE INSPECTORS WERE DEPLOYED

DATE NOTIFIED	REPORTING SECTOR	PRINCIPAL MINING HAZARD	INCIDENT
2 Apr	Coal mines	Surface vehicle interaction - Roads and Vehicle other operating areas	A service truck rounded a right-hand corner and began to descend a ramp when it lost control and rolled over. The operator was uninjured.
8 Apr	Large mines – Metalliferous and Quarries	Fire and Explosion - Underground	A jumbo operator was in the process of scaling down a development face when an uninitiated explosive(s) exploded. Another worker who was standing towards the rear of the jumbo was struck by flyrock, resulted in lacerations to their legs and arms. The scene was not preserved.
8 Apr	Small mines Metalliferous , Quarries and Other Gemstones	Explosives	A person was standing a couple of metres inside the blast exclusion zone when a shot has been fired. Some flyrock landed close to the person, but there were no injuries.
15 Apr	Coal mines	Loss of containment / control of pressurised fluid	Workers were installing a new water line in the CHPP. During commissioning the water line and filling with water, the end cap was removed to allow air to release from the system. A worker was removing the end cap when the cap shot off under pressure and travelled approximately 25 metres before hitting nearby infrastructure. The work was being conducted from an EWP about five metres from the ground at the time. Nobody was injured.
17 Apr	Coal mines	Fire and Explosion - Underground	Frictional ignition at the face when a miner intersected ironstone lens and ignited methane gas.
21 Apr	Coal mines	Loss of containment / control of pressurised fluid	While attempting to unblock a ballast borehole, a surface drill rig operator and assistant were peppered on the legs with ballast that ejected from the borehole. The operator was transported to hospital by helicopter and the assistant was driven to hospital.
23 Apr	Exploration sites (excluding	Surface vehicle interaction - Roads and Vehicle other operating areas	A drilling support vehicle was in the process of mobilising to a drill site when it stalled, while ascending an incline dirt access track, causing an uncontrolled movement

DATE NOTIFIED	REPORTING SECTOR	PRINCIPAL MINING HAZARD	INCIDENT
	Petroleum and Geothermal)		backwards down the slope stopping in a small creek. The operator was transported to hospital with suspected back and/or neck injury.
24 Apr	Coal mines	N/A	While moving a pipe trailer onto a roadway, a pipe moved rapidly striking one of operators in the chest, resulting in a punctured lung injury. The injured operator was transported by ambulance to hospital for treatment.
27 Apr	Coal mines	Loss of control of lifted load or load lifting equipment	While using a crane to lift parts (four-tonne) out of an excavator a two-tonne sling was used. The sling broke allowing the parts to fall to the ground. There were no injuries.
28 Apr	Coal mines	Fire and Explosion - Surface	A fire occurred on an excavator. It appeared to have started on the rear engine and the fire suppression system was deployed automatically. The operator reported seeing flames via the onboard camera feed and then exited the excavator unharmed.
29 Apr	Coal mines	N/A	A worker operating a roof bolting drill rig received extensive hand crush injuries when their fingers were caught between the feed carriage end plate and the carriage retainers.
TOTAL			11

Safety assessments

Safety site targeted assessment program

DETAILS OF TARGETED SAFETY SITE ASSESSMENTS

HAZARD	SECTOR	MINE
Air quality or dust or other airborne contaminants	Coal - Surface	Bulga Surface Operations Mt Arthur South (Thiess Pty Ltd)
Entanglement	Coal - Underground	Appin Colliery
	Coal – Surface	Moolarben Coal Operations - Coal Handling and Preparation Plant
Explosives	Coal - Surface	Bengalla Mine
Fire or explosion	Metalliferous - Underground	Peak Gold Mine
	Coal - Underground	Chain Valley Colliery
Ground or strata failure	Coal - Surface	Maules Creek Mine
TOTAL		8

Safety compliance activities

Prohibition notices issued

In April 2021, 19 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
United Collieries Pty Ltd	United Wambo Joint Venture	Recovery of Bell B50D service struck plant unit ST671 subsequent to rollover.
Wollongong Coal Limited	Russell Vale Colliery	Operation of belt conveyors at Russell Vale site.
Wollongong Coal Limited	Russell Vale Colliery	Access to persons to the belt road (B heading) from the point inbye of the surface entry where the steel set roof supports end to three cut-through.

ISSUED TO PCBU*	MINE LOCATION	PROHIBITED ACTIVITY
Milbrae Quarries Pty Ltd	Cootamundra Quarry	The storage, transport and use of explosives or explosive pre-cursors is prohibited at the Cootamundra Quarry until the required actions listed in Part E - Directions have been completed.
Perilya Broken Hill Limited	Southern Operations	No advancement of the development faces in the 19 sub SBL 116 until the ground support, ventilation and radio communication has been rectified to comply with the relevant legislation and the mines operating procedures.
RORY MOORE	MC56689	The hoist must not be used to raise or lower person(s).
RORY MOORE	MC56689	Use of the generator supplying electricity to various areas of the mine until direction (below) has been carried out.
Dendrobium Coal Pty Ltd	Dendrobium Colliery	Using the continuous miner in Corrimal Mains panel for production.
Holcim (Australia) Pty Ltd	Holcim - Albion Park Quarry	The use of Tatra Bin Trucks for production purposes.
AP Delaney & Co Pty Ltd	Rockwood No. 3	<ol style="list-style-type: none"> 1. No access to the back deck of the Samsung 210C, Samsung SE 350LC, Doosan DX340LC-HD, Kato HD-1880 Excavators. 2. The Samsung 210C, Samsung SE 350LC, Doosan DX340LC-HD, Kato HD-1880 Excavators are not to be operated on stockpiles above ground level.
Moolarben Coal Operations Pty Ltd	Moolarben Coal Operations - Underground	Further drilling into the blocked ballast drop hole.
ARGENT (KEMPFIELD) PTY LTD	EL 8213 Pine Ridge	Operation of Marooka Vehicles Plant Numbers SDR04 and SST04. This excludes any operations required for the recovery of SST04 and for the purposes of investigation into this incident.
Tahmoor Coal Pty Ltd	Tahmoor Colliery	The transportation or use of Pipelion pipes underground.
Tahmoor Coal Pty Ltd	Tahmoor Colliery	Mining in MG West 3 development Panel.
Perilya Broken Hill Limited	North Mine	Use of the escapeways between the 7 level and 10 level until the access into these areas has been made

ISSUED TO PCBU*	MINE LOCATION	PROHIBITED ACTIVITY
		safe and without risk to the health and safety of workers.
Wambo Coal Pty Limited	North Wambo Underground	The operation of LW21 Conveyor.
HEAVY HAULAGE AUSTRALIA (NSW) PTY LTD	Mangoola Coal Mine	Two individuals are prohibited from conducting rigging activities or crane operations.
Perilya Broken Hill Limited	North Mine	Use of Nejaim steel contractor's Caterpillar 5 tonne excavator model number CR305.
Ulan West Operations Pty Ltd	Ulan West Operations	Use of the Roof Bolting Drill Rigs on the MB650 located in Main Gate 7.
TOTAL		19

Safety mining authorisation activities

In April 2021, we granted two applications and refused two applications requesting exemption from specific provisions of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

EXEMPTION APPLICATIONS GRANTED AND REFUSED

MINE	REGULATION PROVISIONS EXEMPTED*	STATUS
Glendell Open Cut	WHS (MPS) Reg clause 127(1)(a)-(c) Provision of mine survey plan	Granted
Mt Owen Complex Thiess Mining Operations Area	WHS (MPS) Reg clause 127(1)(a)-(c) Provision of mine survey plan	Granted
Russell Vale Colliery	WHS (MPS) Reg clause 78(4) Use of plant in hazardous zone (explosion-protection required)	Refused
United Wambo Joint Venture	WHS (MPS) Reg clause 127(1)(a)-(c) Provision of mine survey plan	Refused
TOTAL		4

High risk activities notifications

HIGH RISK ACTIVITY NOTIFICATIONS RECEIVED

MINE	LEGISLATION*	TYPE OF NOTIFICATION	NO.
Tomingley 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
PPL0004 Menangle Park 11	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well	1
PPL0004 Mt Taurus 8	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well	1
Clarence Colliery	WHS(MPS) Reg Sch 3 cl 16(1)(b)	Pillar extraction	1
Mandalong Mine	WHS(MPS) Reg Sch 3 cl 16(1)(a)	Secondary extraction by longwall mining, shortwall mining or miniwall mining	1
PPL0001 Elizabeth Macarthur 24	WHS(MPS) Reg Sch 3 cl 32	Decommissioning a well	1
Clarence Colliery	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar	1
Appin Colliery	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar	1
Narrabri Colliery	WHS(MPS) Reg Sch 3 cl 11	The conduct of hot work in a hazardous zone	1
Ashton Coal Mine (Underground)	WHS(MPS) Reg Sch 3 cl 10	Sealing (other than emergency sealing), but only if notice has not been given as part of a notice for secondary extraction	1
Appin Colliery	WHS(MPS) Reg Sch 3 cl 15	The formation of a pillar other than a conforming pillar	1
TOTAL			11

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

Mining Act 1992 regulatory activities

Compliance activities

Statutory notices issued

NOTICES OF DIRECTIONS ISSUED DETAILS

ISSUED TO	LOCATION	SUMMARY S.240 OF THE MINING ACT 1992 DIRECTION
SIOUVILLE PTY LTD	EL 7390 (1992)	<p>1. In accordance with the commitments of the approved Surface Disturbance Notice (SDN) (Department Reference: INW14/37485/DOI) and the Exploration Code of Practice: Rehabilitation, rehabilitate all disturbance at the following location(s): -32.046284 141.58655, -32.046257 141.58676.</p> <p>2. Prepare and lodge an ESF2 Rehabilitation completion and/or review of rehabilitation cost estimate and/or notification of mine or petroleum site closure application form which adequately evidences completion of rehabilitation in relation to the requirements of NTCE0008022_1.</p>
SIBELCO AUSTRALIA LIMITED	Swan Bay Mine	<p>Rehabilitate the land that is affected by activities under ML 5938 (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, fibreglass fragments generated by damaged culverts, 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 within the final landform.</p> <p>Remove the timber currently stockpiled on ML 5938 (1906) and dispose of the material in accordance with relevant EPA Waste Disposal Requirements.</p> <p>Following the removal of the timber stockpile, a contamination assessment is to be performed to ensure there is no residual contamination that may restrict and/or limit the final land use.</p> <p>Submit electronic quarterly progress reports detailing the works completed in response to the directions above to the Regulator.</p>
TOTAL		2

Key enforcement actions

MINING ACT 1992 KEY ENFORCEMENT ACTIONS

DATE	ENTITY	AUTHORITY	ACTION	AMOUNT	ALLEGATION/FINDING
20 Apr	Titleholder (individual)	EL 8967	Penalty notice	\$2,500	Mining without authorisation in breach of s. 5 of the <i>Mining Act 1992</i>
20 Apr	Titleholder (individual)	EL 8967	Penalty notice	\$2,500	Mining without authorisation in breach of s. 5 of the <i>Mining Act 1992</i>
TOTAL					2

Industry engagement activities

Committees and other industry body involvement

In April 2021, we participated in the following committees and working groups.

COMMITTEES AND OTHER INDUSTRY BODY INVOLVEMENT

COMMITTEE/BODY	DATE	DETAIL
Association of Mining and Exploration Companies	20 Apr	Operational Rehabilitation Reforms Guideline documents consultation session
Australian Standards EL-023-02 – Electrical Equipment in Mines and Quarries – Plant and Equipment	21 Apr	Working group for review of Australian Standards AS/NZS 3007 and 4871. This project is removing areas of overlap between the two standards and looking at whether the two can be combined. Committee drafts are presently being reviewed prior to be provided to Standards Australia editors.
Australian Standards EL-023 – Electrical Equipment in Mines and Quarries – Special working group	22 Apr	Australian Standards working group for review of document formatting to allow for alternative options that achieve required outcomes
Australian Standards EL-023-02 – Electrical Equipment in Mines and	30 Apr	Working group for review of Australian Standards AS/NZS 3007 and 4871. This project is removing areas of overlap between the two standards and looking at whether the two can be combined. Committee drafts are

COMMITTEE/BODY	DATE	DETAIL
Quarries – Plant and Equipment		presently being reviewed prior to be provided to Standards Australia editors.
Biodiversity Conservation Division	21 Apr	Meeting to discuss key issues regarding mining leases and exploration licence
Board of Surveying and Spatial Information (BOSSI)	22 Apr	Board member representing the Deputy Premier at regular BOSSI meeting
Coal mining industry reference committee	21 Apr	Attendance as representative of Resources Regulator and Mining and Petroleum Competence Board
Hunter Industry Electrical Safety Network	15 Apr	Discussion on electrical incidents that occurred in the last month for all sectors of industry
Meeting with Better Regulation Division	27 Apr	Quarterly meeting with Better Regulation to discuss mutual policy issues regarding WHS
NSW Minerals Council Rehabilitation & Mine Closure Working Group	20 Apr	Presentation delivered to provide an overview on each guideline developed as part of the rehabilitation reforms project
TOTAL		10

External education and engagement activities

WORKSHOPS AND INFORMATION SESSIONS

TYPE OF ACTIVITY	DATE	LOCATION	ATTENDEES	DETAILS
Awareness presentation	26, 28, 30 Apr	Mt Pleasant Mine	220	Trial of Targeted Awareness presentation on vehicle interactions to crews across 3 days
Engagement	21 Apr	Video conference	7	Discussion on revision of MDG 3608 with Industry stakeholder
			20	Public consultation on guidelines of progressive rehabilitation of mines
Industry Presentation	21 Apr	Muswellbrook	2	Muswellbrook Coal alternative land use concept plan workshop
	28 Apr	Video Conference	8	Update to Cement Concrete and Aggregates Australia on the activities past and future on the mine safety inspectorate in regard to metalliferous and extractive mining
Presentation	21 Apr	Video conference - Sydney University	22	Related to assignment/assessment for the design of post-mining land use for mines in the Hunter Valley.
Quarterly meeting	20 Apr	Muswellbrook	2	Quarterly meeting with Muswellbrook Shire Council
Workshop	20 Apr	Lightning Ridge	30	Opal mine safety workshop
TOTAL			311	8

Publication and alerts

MEDIA RELEASES, SAFETY BULLETINS AND PUBLICATIONS

TYPE	SUMMARY
Discussion paper	Amendments to WHS (MPS) Laws
Event guide	MESS 2021 – Information for applicants
Fact Sheets	Fee schedule for payment - applications for practising certificates Practising certificate system Quarry Managers' Practising Certificates three tier approach
Flyer	Progress with practising certificates
Form Updates	Applying for a practising certificate Application form - Quarry manager practising certificate with conditions for tier 2 quarries Renew a practicing certificate
Guides	Frequently Asked Questions - practising certificates and maintenance of competence Maintenance of competence for practising certificates Quarry Manager practising certificate with conditions for tier-2 quarries Sample Maintenance of competence logbook Statutory functions guide
Guidance Material	Resources Regulator overview
Investigation Information Releases	IIR21-05 Dangerous incident at a hard rock quarry
Media release	Regulator seeks comment on proposed amendments to WHS laws Regulator starts prosecution proceedings in relation to a serious injury at Appin Colliery
News item	Call for expressions of interest - certificate of competence examiner Developments with practising certificates New MAI online forms available on Regulator portal New report: Review of serious injury and illness incident notifications Quarry manager practising certificate - tier 2 implementation

TYPE	SUMMARY
Newsletter	Mine Safety News – 1 April 2021 Mine Safety News – 16 April 2021 Mine Safety News – 29 April 2021 Special edition: Mine Rehabilitation News Weekly summary week ending 26 March 2021 Weekly summary week ending 2 April 2021 Weekly summary week ending 9 April 2021 Weekly Summary week ending 23 April 2021 Weekly summary week ending 16 April 2021
Public consultation	WHS (MPS) Laws amendments: Have your say - public consultation
Report	Safety performance report: Review of serious injury and illness incident notifications 2019 - 2020
Safety Alert	SA21-04 Worker sustains critical injuries after driving loader over stope edge
Safety Bulletins	SB21-03 Diesel shutdown systems SB21-02 Flyrock from blasting activities
Videos	Recording of Mechanical briefing session Recording of Electrical briefing session
Webpage additions and updates	<p>Mining Competencies</p> <ul style="list-style-type: none"> • Application for a practising certificate • Briefing sessions and exams • Examiners for certificate of competence • Maintenance of competence • Practising certificates • Practicing certificate requirements for Quarry Managers • Regulator events recommended claims for maintenance of competence