



**NSW
Resources
Regulator**

Monthly business activity report

DECEMBER 2018



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Disclaimer: The data in this report was extracted from the NSW Resources Regulator's compliance database on 24 February 2019. However, users are reminded that since then, new information may have been received. If you are concerned about the currency of any of the information in the report, please check with the appropriate officer of the NSW Department of Planning and Environment.



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Activities snapshot

Activities at a glance

SUMMARY OF REGULATORY ACTIVITIES - DECEMBER 2018



Key enforcement actions

On the 3 December 2018, Newcrest Mining Ltd was convicted and fined \$450,000 following a prosecution by the NSW Resources Regulator over the death of a worker at the underground Ridgway Mine at Cadia near Orange in 2015.

NSW Quarry Services Pty Ltd was also convicted and fined \$30,000 on 3 December 2018 for failing to report two dangerous roll-over incidents to the NSW Resources Regulator.

On 12 December 2018, the NSW Resources Regulator accepted an enforceable work, health and safety undertaking from the mine operator, Bloomfield Collieries Pty Ltd following the NSW Resources Regulator's investigation into the fatal incident at the operator's Rix's Creek Mine. In conjunction with the NSW Resources Regulator, Bloomfield Collieries is to develop two videos that share safety lessons from the incident and provide information to operators on how to develop programs for protecting the mental health of workers before, during and after a serious workplace incident. Bloomfield Collieries will also donate \$50,000 to the Hunter Medical Research Institute to support research into traumatic brain injury recovery.

On 19 December 2019, the NSW Resources Regulator suspended two adjoining exploration licences associated with Castillo Copper Limited's Cangai Copper and Cobalt Project near Grafton. The alleged contraventions were for failing to implement environmental controls and rehabilitation associated with prospect drilling.

Safety incidents of note

The NSW Resources Regulator's published [weekly incident summary](#) referenced in the publications and alerts section which provides further details of the dangerous and serious incident notifications received in December 2018.

Communication highlights

In December 2018, the NSW Resources Regulator held health and safety roadshows in Wollongong (4 December 2018), Sydney (5 December 2018), Griffith (11 December 2018) and Wagga Wagga (13 December 2018).

On the 13 December 2018, the NSW Resources Regulator released an [Investigation information release](#) regarding a workplace fatality that occurred at the Glendell Open Cut Mine in early 2018. From information obtained during the investigation, the NSW Resources Regulator does not consider the worker's death to be work-related.

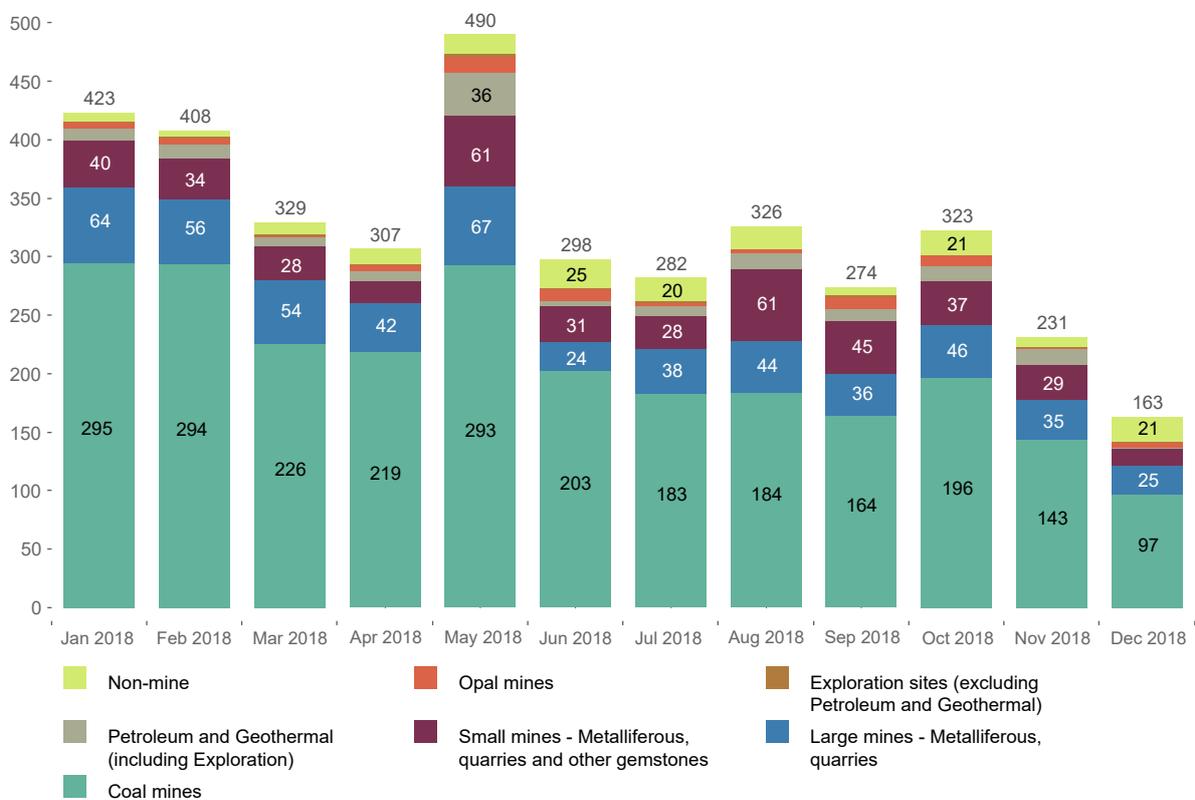
In December 2018, the NSW Resources Regulator issued a [Safety alert](#) following an incident in September 2018 where an opal miner fell down a mine shaft in Lightning Ridge. The miner was working alone and was not able to call for help. Emergency services rescued the miner about 10 hours after the event.

Safety activities

Safety assessments

In December 2018, the NSW Resources Regulator conducted a total of 163 assessment activities across all mining sectors, down 68 on the previous month. Of the 163 assessments, 97 occurred in the coal sector.

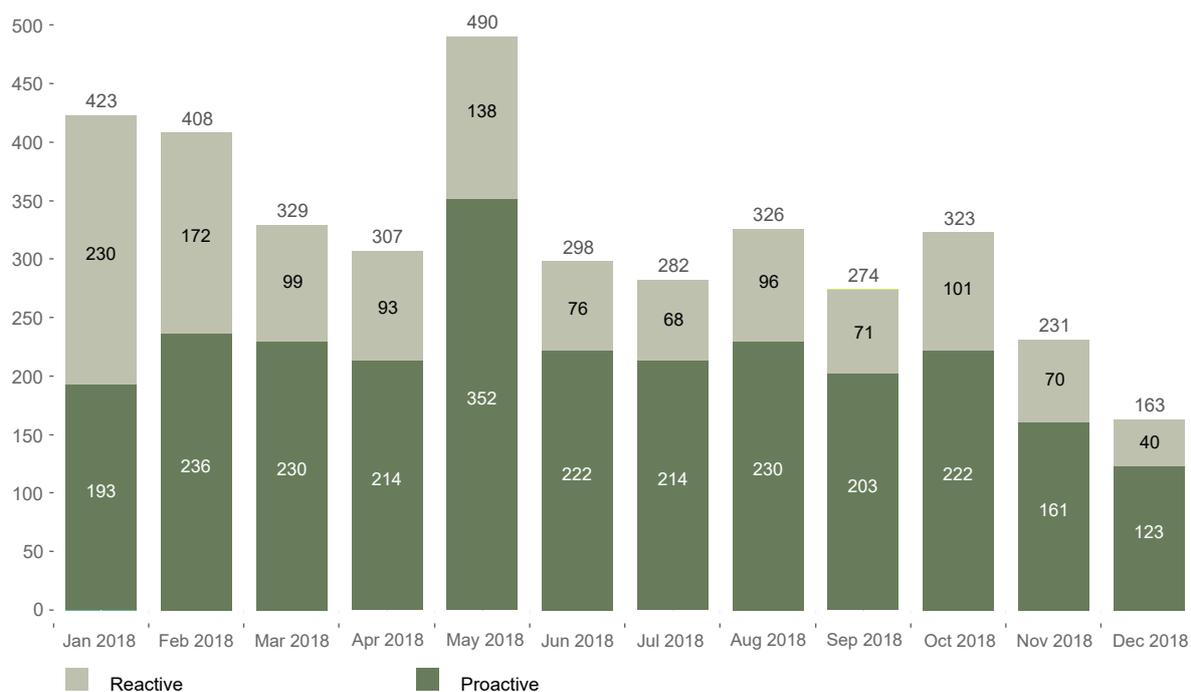
FIGURE 1. ASSESSMENT ACTIVITIES BY SECTOR - JANUARY 2018 TO DECEMBER 2018



Proactive and reactive safety assessments

In December 2018, the NSW Resources Regulator conducted 163 assessments. Of those, 123 (approximately 75%) were proactive in nature, that is unrelated to an incident or complaint. Proactive assessments include both targeted assessments and planned inspections.

FIGURE 2. ASSESSMENT ACTIVITIES BY NATURE - JANUARY 2018 TO DECEMBER 2018



Targeted assessment programs

Under the proactive assessment program, the NSW Resources Regulator conducted four targeted assessments on principal hazards which included site visits (intensive onsite assessments) in December 2018. As a result, 13 safety improvements notices were issued to the mining operators.

TABLE 1. TARGETED ASSESSMENT PROGRAMS - DECEMBER 2018

Hazard	Mine	Date activity	Notice detail
Diesel exhaust emissions	Tahmoor	4-5 December 2018	Five improvement notices issued
Airborne contaminants	Mount Owen	11-12 December 2018	Two improvement notices issued
Fatigue	Integra UG	18-19 December 2018	No improvement notices issued
Fire or explosion	Tritton	18-19 December 2018	Six improvement notices issued
Total			13

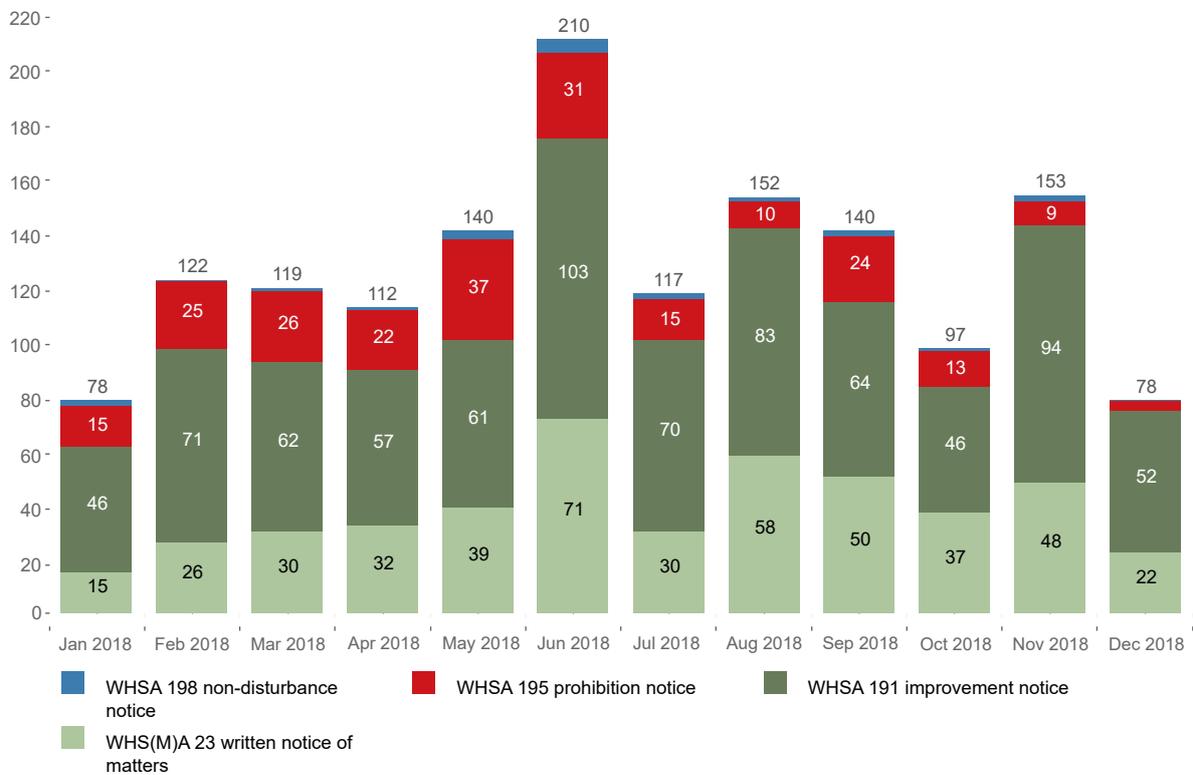
Safety notices

Safety notices issued

In December 2018, the NSW Resources Regulator issued 78 notices, down 75 compared to the previous month.

For more information about notices, our Compliance and enforcement approach is available on our [website](#).

FIGURE 3. NOTICES ISSUED BY NOTICE TYPE - JANUARY 2018 TO DECEMBER 2018



Prohibition notices issued

In December 2018, the NSW Resources Regulator issued four safety related prohibition notices.

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

Issued to PCBU	Mine	Prohibited activity
Andre Bressan	MC49616 Wee Waa	Entering the mine is prohibited as it has unsupported underground roof areas. The lack of suitable roof support (primary and secondary support) can result roof failure and collapse.
Endeavour Coal Pty Ltd	Appin Colliery	Operating the LW 902 including all shields.
HV Operations Pty Ltd	Hunter Valley Operations	Using the graders to clean-out loader buckets.
Peak Gold Mines Pty Limited	Peak Gold Mine	Operating the OMEGA 28 tonne forklift.
Total		4

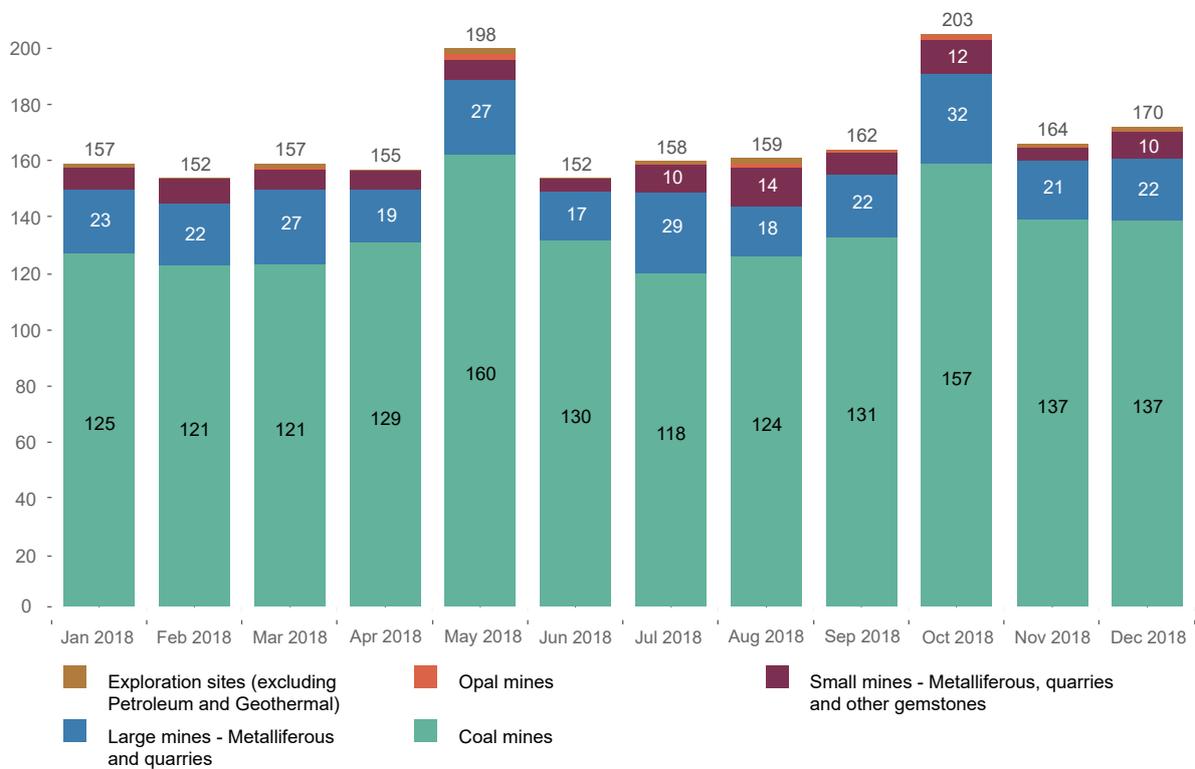
* PCBU – Person Conducting a Business or Undertaking

Safety notifications

Safety incident notifications

In December 2018, 170 incidents were notified to the NSW Resources Regulator, up six compared to the previous month.

FIGURE 4. SAFETY INCIDENT NOTIFICATIONS BY SECTOR - JANUARY 2018 TO DECEMBER 2018



Safety statutory notifications

In December 2018, the NSW Resources Regulator received 11 high risk activity notifications under the Work, Health and Safety (Mines and Petroleum Sites) Regulation 2014.

TABLE 3. SAFETY HIGH RISK ACTIVITY NOTIFICATIONS RECEIVED UNDER THE WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) REGULATION 2014 - DECEMBER 2018

Mine	Legislation	Type of notification	No.
Appin Colliery	Schedule 3 Clause 8	Single entry development of a roadway or drift for more than 250 metres without an intersection.	2
Appin Colliery	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	2
Clarence Colliery	Schedule 3 Clause 15	Formation of non-conforming pillars in 908 and 910 panels, 900 area.	1
Cowal Gold Mine	Schedule 3 Clause 4	New mine entry.	1
Integra Underground	Schedule 3 Clause 4	New mine entry.	1
Mandalong Mine	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
Mandalong Mine	Schedule 3 Clause 15	The formation of a pillar other than a conforming pillar.	1
North Wambo Underground	Schedule 3 Clause 10	Sealing the South Bates Wambo workings.	1
Ulan Underground Mine	Schedule 3 Clause 10	Sealing LWW04.	1
Total			11

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

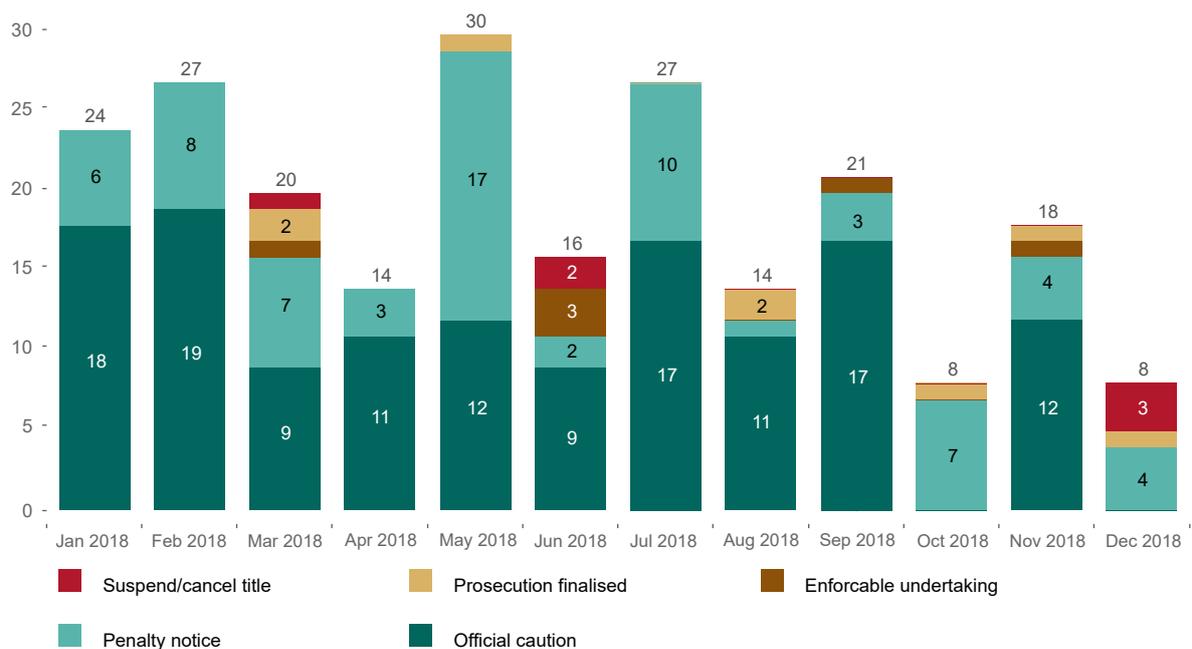
Mining related compliance activities

Key enforcement actions under the *Mining Act 1992*

The NSW Resources Regulator employs a range of enforcement tools for ensuring mining operations comply with the *Mining Act 1992*. These include official cautions, penalty notices, enforceable undertaking and suspending/cancelling titles.

In December 2018, the NSW Resources Regulator finalised eight enforcement actions, this is down ten on the previous month.

FIGURE 5. ENFORCEMENT ACTIONS UNDER THE *MINING ACT 1992* - JANUARY 2018 TO DECEMBER 2018



In December 2018, the NSW Resources Regulator issued four penalty infringement notices, two suspensions of exploration activities and one prohibition notice under the *Mining Act 1992*. The reasons for their issue is detailed below.

TABLE 4. KEY ENFORCEMENT ACTIONS - DECEMBER 2018

Date	Entity	Authority	Action	Amount	Details/Direction
3 Dec 18	Tritton Resources Pty Ltd	ELA 5716	Penalty Notice	\$2,500	Section 378C of the <i>Mining Act 1992</i> Recklessly providing false and misleading information
19 Dec 18	Total Minerals Pty Ltd ACN 169 328 090	EL8625 Cangai Copper Mine near Grafton	Suspension exploration activities Section 240AA decision to suspend EL8625	N/A	Failed to implement environmental controls associated with prospect drilling Offence under section 378D(1) of the <i>Mining Act 1992</i> , contravened a condition of authorisation
19 Dec 18	Total Iron Pty Ltd ACN 167 004 104	EL8635 Cangai Copper Mine near Grafton	Suspension exploration activities Section 240AA decision to suspend EL8635	N/A	Failed to implement environmental controls associated with prospect drilling Offence under section 378D(1) of the <i>Mining Act 1992</i> , contravened a condition of authorisation
20 Dec 18	Mudgee Stone Company Pty Ltd	N/A	Section 240A prohibition notice	N/A	A prohibition notice was issued to Mudgee Stone to prohibit activities at the company's Oberon White Granite Quarry for activities that would normally require a mining authorisation
21 Dec 18	Aus Gold Mining Group Pty Ltd	ML1322	Penalty Notice	\$2,500	Section 378D of the <i>Mining Act 1992</i> Contravention of condition 3 of authority.
21 Dec 18	Aus Gold Mining Group Pty Ltd	ML1322	Penalty Notice	\$2,500	Section 378D of the <i>Mining Act 1992</i> Contravention of condition 5 of authority
21 Dec 18	Aus Gold Mining Group Pty Ltd	ML1322	Penalty Notice	\$2,500	Section 378D of the <i>Mining Act 1992</i> Contravention of general condition of authority
Total					7

Education and engagement activities

In December 2018, the NSW Resources Regulator conducted eight compliance and industry training workshops and roadshows across the state. Details are outlined below.

TABLE 5. WORKSHOPS AND INFORMATION SESSIONS - DECEMBER 2018

Date	Type of activity	Location	Details
04 Dec 2018	Industry training	Wollongong	Small mines roadshow
05 Dec 2018	Industry Health and Safety Representative (Illawarra) presentation	Illawarra	The NSW Resources Regulator, Emergency Planning and Response Capability team delivered a presentation at the Industry safety & health representatives conference on mine emergency planning, and considerations for site health and safety representatives.
05 Dec 2018	Industry training	Sydney	Small mines roadshow.
06 Dec 2018	Order 34 Coal Services Workshop	Pokolbin	Presentation on practising certificates and maintenance of competence.
06 Dec 2018	Wollongong Safety and Health Representatives Training day	Wollongong	Presentation by NSW Resources Regulator, Inspector of Mines (Electrical) with a focus on electrical industry performance in last 12 months, risk control measures, planned inspection activities and findings during previous 12 months.
06 Dec 2018	Training Day	Wollongong	NSW Resources Regulator, Inspector of Mines (Electrical) presented at Southern Site Safety & Health Representative training day.
11 Dec 2018	Industry training	Griffith	Small mines roadshow.
13 Dec 2018	Industry training	Wagga Wagga	Small mines roadshow.
Total			8

Publications and alerts

For December 2018, the NSW Resources Regulator published 12 media releases, news articles and safety alerts on our website. For more information about what we publish, our [public comment policy](#) is available on our website.

TABLE 6. MEDIA RELEASES, SAFETY NEWS AND PUBLICATIONS - DECEMBER 2018

Date	Type	Summary
3 December 2018	Media Release	Heavy fine for Newcrest Limited over Cadia Mining death
3 December 2018	Media Release	NSW Quarry Services convicted and fined \$30,000 for breaching WHS laws
3 December 2018	Mine Safety News	Resources Regulator's online portal is now live
5 December 2018	Media Release	New Mine Safety Advisory Council Chair
7 December 2018	Weekly Incident Summary	Week ending 5 December 2018
13 December 2018	Mine Safety News	<ul style="list-style-type: none"> • Death of worker at open cut mine • Holiday season arrangements • 2019 Certificates of competence and examination calendar • Prosecution summaries • SafeWork NSW video Safety Alert
14 December 2018	Weekly Incident Summary	Week ending 12 December 2018
20 December 2018	Mine Safety News	<ul style="list-style-type: none"> • Holiday season arrangements • Causal investigation report – Tahmoor Colliery • Investigation Information Release – Fall from elevated work platform • Code of practice – Electrical engineering control plan • Safety Alerts SA18-13 & SA18-14 • Mine Safety Levy report • Monthly business activity report • Quarterly safety report
20 December 2018	Media Release	Criminal proceedings underway against far western stone quarries
21 December 2018	Mine Safety News	<ul style="list-style-type: none"> • Investigation Information Release IIR18-15 • Safety Alert SA18-16 • Safety Alert SA18-15 • Safety Bulletin SA18-19
21 December 2018	Weekly Incident Summary	Week ending 19 December 2018
21 December 2018	Media Release	Resources Regulator suspends exploration licences
Total		12

