



NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A MINE

The Holder(s) of the mine known as EPC's 855, 1139 and 1669 (Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR	
DATE OF APPOINTMENT:	12th February 2018
NAME OF COMPANY:	Foxleigh Management Pty Ltd
ABN:	27 089 726 492
BUSINESS ADDRESS:	Level 12, 300 Queen Street, Brisbane QLD 4000 Australia
POSTAL ADDRESS:	PO Box 2165, Brisbane QLD 4000
COMPANY CONTACT DETAILS:	Phone: 07 4884 8203 Fax: sch4p4(6) Personal information
NAME OF THE OPERATOR'S REPRESENTATIVE* (* the person to whom correspondence from the Mines Inspectorate will be addressed)	Email: sch4p4(6) Personal information@middlemountsouth.com Tod Mathews
POSITION WITHIN THE COMPANY:	General Manager / Senior Site Executive
CONTACT DETAILS OF THE REPRESENTATIVE:	Phone: 07 4884 8203 Mobile: sch4p4(6) Personal information Email: sch4p4(6) Personal information@middlemountsouth.com Fax: sch4p4(6) Personal information
DETAILS OF THE MINE	
DESCRIPTION: <i>Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates)</i>	EPC's 855, 1139 and 1669 (but excluding ML's 70171, 70309, 30310, 70429, 70430, 70431, 70470)
MINE IDENTIFICATION NUMBER:	MI00254
MINE ADDRESS:	Foxleigh Coal Mine, Middlemount Road, Middlemount QLD 4746
MINE POSTAL ADDRESS:	PO Box 21 Middlemount, QLD 4746
CONTACT DETAILS:	Mobile: sch4p4(6) Personal information Phone: 07 4884 8203 Email: sch4p4(6) Personal information@middlemountsouth.com Fax: sch4p4(6) Personal information

As a representative of the Holder(s), I sch4p4(6) Personal information (Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
- that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
 - provide to the Operator any information required or permitted to be given under the MQSHA in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
 - use an electronic signature on the Mine Record Entry.

Signed sch4p4(6) Personal information Date: 13/02/2018
(Representative of the Holder) dd / mm / yyyy

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

South Region PO Box 1475 Coorparoo Q 4151 P (07) 3330 4272 Fax (07) 3405 5345 sthmines@dnrm.qld.gov.au	Central Region PO Box 3679 Red Hill Q 4701 P (07) 4936 0184 Fax (07) 4936 4805 rockyminesinsp@dnrm.qld.gov.au	Central Region PO Box 1801 Mackay Q 4740 P (07) 4999 8512 Fax (07) 4999 8519 minesmackay@dnrm.qld.gov.au	North Region PO Box 1752 MC Townsville Q 4810 P (07) 4447 9248 Fax (07) 4447 9280 tsvmines@dnrm.qld.gov.au	North Region PO Box 334 Mount Isa Q 4825 P (07) 4747 2158 Fax (07) 4743 7165 isamines@dnrm.qld.gov.au
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Relevant Excerpts from MQSHA

MQSHA, s. 9 Meaning of mine

(1) A **mine** is any of the following places—

- (a) a place where operations are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
- (b) a place where operations are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
- (c) a place where operations are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
- (d) a place that was a mine while works are done to secure it after its abandonment;
- (e) a place where tourism, education or research related to mining happens that is declared under a regulation to be a mine;
- (f) a quarry.

(2) A **mine** includes buildings for administration, accommodation and associated facilities at a place mentioned in subsection (1) or adjoining, adjacent to, or contiguous with, the place.

MQSHA, Schedule 2 – Definitions - Holder means the holder under the Mineral Resources Act 1989 of a prospecting permit, exploration permit, mineral development licence, mining lease or mining claim.

(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

MQSHA, s. 37 Obligations of holders

(1) This section applies if the holder and the operator are or are to be different persons.

(2) The holder must—

- (a) for a mine that is required, under this division, to have a safety and health management system—
 - (i) inform a person proposing to enter into a contract with the holder to act as operator, by notice, of all relevant information available to the holder that may help the proposed operator to ensure the site senior executive for the mine develops and implements a safety and health management system for the mine; and
 - (ii) include in the contract with the operator an obligation on the operator to establish a safety and health management system for the mine; or
- (b) for a mine that is not required, under this division, to have a safety and health management system—inform a person proposing to enter into a contract with the holder to act as operator, by notice, of all relevant information available to the holder about known, or potential, hazards at the mine.

Maximum penalty—100 penalty units.

(3) A contract under subsection (2)(a)(ii) must be in writing.

MQSHA, s. 46 Notices by holder

(1) If a holder appoints an operator, the holder must, for each mine or part of a mine for which the operator is appointed, give an inspector for the region in which the mine is situated written notice of—

- (a) the name and address of the operator; and
- (b) the name of, and a description of the land (including its boundary) comprising, the mine or part of the mine.

Maximum penalty—40 penalty units.

(2) Notice must be given within 14 days of the appointment.

(3) The holder must not change the operator for a mine without first giving an inspector for the region in which the mine is situated written notice.

Maximum penalty for subsection (3)—40 penalty units.

MQSHA, s. 48 Appointment of operator

(1) The holder for a mine may appoint a person as the operator for the mine or a separate part of a mine.

(2) An appointment of a person as operator for a part of a mine that is not a separate part of a mine is ineffective.

MQSHA, s. 21 Meaning of operator

(1) An **operator** for a mine is—

- (a) for a mine where there is a holder—
 - (i) the holder; or
 - (ii) if another person has been appointed as the operator under section 48 and the appointment is notified to an inspector for the region under section 46, the other person; or
- (b) for a mine mentioned in section 9(1)(d) or (f), where there is not a holder, the person in control of the mine; or
- (c) for a mine mentioned in section 9(1)(e), the person in control of the mine.

(2) If—

- (a) another person mentioned in subsection (1)(a)(ii) is appointed as the operator for a separate part of a mine; and
- (b) the appointment is notified to an inspector for the region under section 46; the person's responsibilities and safety and health obligations under this Act as operator for a mine are limited to the separate part of the mine.

- (3) If—
- (a) 1 or more persons are appointed as operators for separate parts of a mine; and
 - (b) the appointments are notified to an inspector for the region under section 46; the holder's responsibilities and safety and health obligations under this Act as an operator for the mine are limited to the part of the mine to which the appointments do not apply.
- (4) For this section, a part of a mine is taken to be a **separate part of a mine** only if—
- (a) the part is geographically separated from the rest of the mine; and
 - (b) there is no physical overlapping of operations between the part and the operations in another part of the mine; and
 - (c) the part is managed as a separate operation; and
 - (d) the part is substantially self-contained.
- (5) A person may be appointed operator for more than 1 mine or separate part of a mine.

MOSHA, s. 38 Obligations of operators

- (1) An operator for a mine has the following obligations—
- (a) to ensure the risk to workers while at the operator's mine is at an acceptable level, including, for example, by—
 - (i) providing a safe place of work and safe plant; and
 - (ii) maintaining plant in a safe state;
 - (b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts operations;
 - (c) to appoint a site senior executive for the mine;
 - (d) to ensure the site senior executive for the mine—
 - (i) develops and implements a safety and health management system for the mine; and
 - (ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;
 - (e) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from operations is at an acceptable level;
 - (f) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.
- (2) Without limiting subsection (1), an operator has an obligation not to operate a mine without a safety and health management system for the mine.

MOSHA, s. 47 Notices by operator

- (1) The operator for a mine must give an inspector for the region in which the mine is situated—
- (a) if there is not a holder for the mine, notice of—
 - (i) the operator's name and address; and
 - (ii) the name of, and a description of the land (including its boundary) comprising, the mine or part of the mine; and
 - (b) a facility description for the mine—
 - (i) if the mine is an existing mine—at least 2 months before a significant change to the operations of the mine unless, after the change, less than the number of persons prescribed under a regulation are to be employed at the mine; or
 - (ii) if the mine is not an existing mine but it is intended that operations are to start and more than the number of persons prescribed under a regulation are to be employed at the mine—at least 2 months before operations start.

Maximum penalty—40 penalty units.

(2) For subsection (1)(b), the facility description must include enough information to decide the risk management measures that will be necessary for an effective safety and health management system.

(3) Before operations start, the operator must give an inspector for the region in which the mine is situated notice of the day operations are to start.

Maximum penalty—40 penalty units.

(4) Also, the operator must, within 7 days after the appointment, give an inspector for the region in which the mine is situated notice of the following appointments including the name and address of the person appointed—

- (a) the appointment of a site senior executive;
- (b) an appointment under section 52.

Maximum penalty—40 penalty units.

(5) When land is added to or omitted from a mine, the operator must, within 1 month after the addition or omission, give to an inspector for the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.

Maximum penalty—40 penalty units.



NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A MINE

The Holder(s) of the mine known as Foxleigh Coal Mine (Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR		
DATE OF APPOINTMENT:	12th February 2018	
NAME OF COMPANY:	Foxleigh Management Pty Ltd	
ABN:	27 089 726 492	
BUSINESS ADDRESS:	Level 12, 300 Queen Street, Brisbane QLD 4000 Australia	
POSTAL ADDRESS:	PO Box 2165, Brisbane QLD 4000	
COMPANY CONTACT DETAILS:	Phone: 07 4884 8203	Fax:
	Email: sch4p4(6) Personal information@middlesouth.com	
NAME OF THE OPERATOR'S REPRESENTATIVE* <i>(* the person to whom correspondence from the Mines Inspectorate will be addressed)</i>	Tod Mathews	
POSITION WITHIN THE COMPANY:	General Manager / Senior Site Representative	
CONTACT DETAILS OF THE REPRESENTATIVE:	Phone: 07 4884 8203	Mobile: sch4p4(6) Personal information
	Email: sch4p4(6) Personal information@middlesouth.com Fax:	
DETAILS OF THE MINE		
DESCRIPTION: <i>Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates)</i>	ML's 70171, 70309, 70310, 70429, 70430, 70431, 70470	
MINE IDENTIFICATION NUMBER:	MI00254	
MINE ADDRESS:	Foxleigh Coal Mine, Middlemount Road, Middlemount QLD 4746	
MINE POSTAL ADDRESS:	PO Box 21 Middlemount, QLD 4746	
CONTACT DETAILS:	Mobile: sch4p4(6) Personal information	Phone: 07 4884 8203
	Email: sch4p4(6) Personal information@middlesouth.com Fax:	

As a representative of the Holder(s), I sch4p4(6) Personal information (Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
- that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
 - provide to the Operator any information required or permitted to be given under the MQSHA in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
 - use an electronic signature on the Mine Record Entry.

Signed: sch4p4(6) Personal information

(Representative of the Holder)

Date: 13/02/2018
dd / mm / yyyy

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

South Region PO Box 1475 Coorparoo Q 4151 P (07) 3330 4272 Fax (07) 3405 5345 sfmines@dnrm.qld.gov.au	Central Region PO Box 3679 Red Hill Q 4701 P (07) 4936 0184 Fax (07) 4936 4805 rockyminesinsp@dnrm.qld.gov.au	Central Region PO Box 1801 Mackay Q 4740 P (07) 4999 8512 Fax (07) 4999 8519 minesmackay@dnrm.qld.gov.au	North Region PO Box 1752 MC Townsville Q 4810 P (07) 4447 9248 Fax (07) 4447 9280 tsvmines@dnrm.qld.gov.au	North Region PO Box 334 Mount Isa Q 4825 P (07) 4747 2158 Fax (07) 4743 7165 isamines@dnrm.qld.gov.au
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Relevant Excerpts from MQSHA

MQSHA, s. 9 Meaning of mine

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- (a) a place where operations are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
- (b) a place where operations are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
- (c) a place where operations are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
- (d) a place that was a mine while works are done to secure it after its abandonment;
- (e) a place where tourism, education or research related to mining happens that is declared under a regulation to be a mine;
- (f) a quarry.

(2) A **mine** includes buildings for administration, accommodation and associated facilities at a place mentioned in subsection (1) or adjoining, adjacent to, or contiguous with, the place.

MQSHA, Schedule 2 – Definitions - Holder means the holder under the Mineral Resources Act 1989 of a prospecting permit, exploration permit, mineral development licence, mining lease or mining claim.

(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

MQSHA, s. 37 Obligations of holders

(1) This section applies if the holder and the operator are or are to be different persons.

(2) The holder must—

- (a) for a mine that is required, under this division, to have a safety and health management system—
 - (i) inform a person proposing to enter into a contract with the holder to act as operator, by notice, of all relevant information available to the holder that may help the proposed operator to ensure the site senior executive for the mine develops and implements a safety and health management system for the mine; and
 - (ii) include in the contract with the operator an obligation on the operator to establish a safety and health management system for the mine; or
- (b) for a mine that is not required, under this division, to have a safety and health management system—inform a person proposing to enter into a contract with the holder to act as operator, by notice, of all relevant information available to the holder about known, or potential, hazards at the mine.

Maximum penalty—100 penalty units.

(3) A contract under subsection (2)(a)(ii) must be in writing.

MQSHA, s. 46 Notices by holder

(1) If a holder appoints an operator, the holder must, for each mine or part of a mine for which the operator is appointed, give an inspector for the region in which the mine is situated written notice of—

- (a) the name and address of the operator; and
- (b) the name of, and a description of the land (including its boundary) comprising, the mine or part of the mine.

Maximum penalty—40 penalty units.

(2) Notice must be given within 14 days of the appointment.

(3) The holder must not change the operator for a mine without first giving an inspector for the region in which the mine is situated written notice.

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MQSHA, s. 21 Meaning of operator

(1) An **operator** for a mine is—

- (a) for a mine where there is a holder—
 - (i) the holder; or
 - (ii) if another person has been appointed as the operator under section 48 and the appointment is notified to an inspector for the region under section 46, the other person; or
- (b) for a mine mentioned in section 9(1)(d) or (f), where there is not a holder, the person in control of the mine; or
- (c) for a mine mentioned in section 9(1)(e), the person in control of the mine.

(2) If—

- (a) another person mentioned in subsection (1)(a)(ii) is appointed as the operator for a separate part of a mine; and
- (b) the appointment is notified to an inspector for the region under section 46; the person's responsibilities and safety and health obligations under this Act as operator for a mine are limited to the separate part of the mine.

- (3) If—
- (a) 1 or more persons are appointed as operators for separate parts of a mine; and
 - (b) the appointments are notified to an inspector for the region under section 46; the holder's responsibilities and safety and health obligations under this Act as an operator for the mine are limited to the part of the mine to which the appointments do not apply.
- (4) For this section, a part of a mine is taken to be a **separate part of a mine** only if—
- (a) the part is geographically separated from the rest of the mine; and
 - (b) there is no physical overlapping of operations between the part and the operations in another part of the mine; and
 - (c) the part is managed as a separate operation; and
 - (d) the part is substantially self-contained.
- (5) A person may be appointed operator for more than 1 mine or separate part of a mine.

MOSHA, s. 38 Obligations of operators

- (1) An operator for a mine has the following obligations—
- (a) to ensure the risk to workers while at the operator's mine is at an acceptable level, including, for example, by—
 - (i) providing a safe place of work and safe plant; and
 - (ii) maintaining plant in a safe state;
 - (b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts operations;
 - (c) to appoint a site senior executive for the mine;
 - (d) to ensure the site senior executive for the mine—
 - (i) develops and implements a safety and health management system for the mine; and
 - (ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;
 - (e) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from operations is at an acceptable level;
 - (f) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.
- (2) Without limiting subsection (1), an operator has an obligation not to operate a mine without a safety and health management system for the mine.

MOSHA, s. 47 Notices by operator

- (1) The operator for a mine must give an inspector for the region in which the mine is situated—
- (a) if there is not a holder for the mine, notice of—
 - (i) the operator's name and address; and
 - (ii) the name of, and a description of the land (including its boundary) comprising, the mine or part of the mine; and
 - (b) a facility description for the mine—
 - (i) if the mine is an existing mine—at least 2 months before a significant change to the operations of the mine unless, after the change, less than the number of persons prescribed under a regulation are to be employed at the mine; or
 - (ii) if the mine is not an existing mine but it is intended that operations are to start and more than the number of persons prescribed under a regulation are to be employed at the mine—at least 2 months before operations start.

Maximum penalty—40 penalty units.

(2) For subsection (1)(b), the facility description must include enough information to decide the risk management measures that will be necessary for an effective safety and health management system.

(3) Before operations start, the operator must give an inspector for the region in which the mine is situated notice of the day operations are to start.

Maximum penalty—40 penalty units.

(4) Also, the operator must, within 7 days after the appointment, give an inspector for the region in which the mine is situated notice of the following appointments including the name and address of the person appointed—

- (a) the appointment of a site senior executive;
- (b) an appointment under section 52.

Maximum penalty—40 penalty units.

(5) When land is added to or omitted from a mine, the operator must, within 1 month after the addition or omission, give to an inspector for the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.

Maximum penalty—40 penalty units.



NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A COAL MINE

The Holder(s) of the mine known as EPC's 855, 1139 and 1669.....
(Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR		
DATE OF APPOINTMENT:	05 September 2017	
NAME OF COMPANY:	Foxleigh Management Pty Ltd	
ABN:	27 089 726 492	
BUSINESS ADDRESS:	Lvl 12, 300 Queen St, Brisbane QLD 4000 Australia	
POSTAL ADDRESS:	PO Box 2165 Brisbane QLD 4000	
COMPANY CONTACT DETAILS:	Phone: 02 8314 5512	Fax:
	Email: <u>sch4p4(6) Personal information</u> @middlemountsouth.com	
NAME OF THE OPERATOR'S REPRESENTATIVE* <i>(* the person to whom correspondence from the Mines Inspectorate will be addressed)</i>	Peter Briggs	
POSITION WITHIN THE COMPANY:	Director	
CONTACT DETAILS OF THE REPRESENTATIVE:	Phone: <u>sch4p4(6) Personal information</u>	Mobile: <u>sch4p4(6) Personal information</u>
	Email: <u>sch4p4(6) Personal information</u> @middlemountsouth.com	
DETAILS OF THE MINE		
DESCRIPTION: <i>Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates)</i>	EPC's 855, 1139 and 1669 (but excluding ML's 70171, 70309, 70310, 70429, 70430, 70431, 70470)	
MINE IDENTIFICATION NUMBER:		
MINE ADDRESS:	Foxleigh Coal Mine, Middlemount Road, Middlemount QLD 4746	
MINE POSTAL ADDRESS:	PO Box 21, Middlemount QLD 4746	
CONTACT DETAILS:	Mobile: <u>sch4p4(6) Personal information</u>	Phone: <u>sch4p4(6) Personal information</u>
	Email: <u>sch4p4(6) Personal information</u> @middlemountsouth.com	

As a representative of the Holder(s), sch4p4(6) Personal information.....
(Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
- that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
 - provide to the Operator any information required or permitted to be given under the *MQSHA* in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
 - use an electronic signature on the Mine Record Entry.

Signed: sch4p4(6) Personal information Date: 05/09/2017
(Representative of the Holder) dd / mm / yyyy

Press to Save

Press to Print

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

South Region PO Box 1475 Coorparoo Q 4151 P (07) 3330 4272 Fax (07) 3405 5345 sthmines@dnrm.qld.gov.au	Central Region PO Box 3679 Red Hill Q 4701 P (07) 4936 0184 Fax (07) 4936 4805 rockyminesinsp@dnrm.qld.gov.au	Central Region PO Box 1801 Mackay Q 4740 P (07) 4999 8512 Fax (07) 4999 8519 minesmackay@dnrm.qld.gov.au	North Region PO Box 1752 MC Townsville Q 4810 P (07) 4447 9248 Fax (07) 4447 9280 tsvmines@dnrm.qld.gov.au	North Region PO Box 334 Mount Isa Q 4825 P (07) 4747 2158 Fax (07) 4743 7165 isamines@dnrm.qld.gov.au
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Relevant Excerpts from CMSHA

CMSHA, s. 9 Meaning of coal mine

- (1) A coal mine is any of the following places—
- (a) a place where on-site activities are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
 - (b) a place where on-site activities are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
 - (c) a place where on-site activities are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
 - (d) a place that was a coal mine while works are done to secure it after its abandonment;
 - (e) a place where tourism, education or research related to coal mining happens that is declared under a regulation to be a coal mine.
- (2) A coal mine includes buildings for administration, accommodation and associated facilities within the boundaries of land the subject of the mining tenure for the mine or on land adjoining, adjacent to, or contiguous with the boundaries of the land the subject of the mining tenure.
- (3) Despite subsection (1)(d), a place that was a coal mine is not a coal mine after its abandonment merely because work is being done at the place by or for the State—
- (a) to ensure public safety; or
 - (b) to rehabilitate it; or
 - (c) to secure it..

CMSHA, Schedule 3 – Definitions - Holder means for a coal mine, means the holder under the Mineral Resources Act 1989 of an exploration permit, mineral development licence or mining lease for the coal mine.

(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

CMSHA, s. 40 Obligations of holders

- (1) This section applies if the holder and the coal mine operator for a coal mine are or are to be different persons.
- (2) The holder must—
- (a) inform a person proposing to enter into a contract with the holder to act as coal mine operator, by notice, of all relevant information available to the holder that may help the proposed coal mine operator—
 - (i) to ensure the site senior executive for the coal mine develops and implements a safety and health management system for the mine; and
 - (ii) to prepare and implement principal hazard management plans for the mine; and
 - (b) include in the contract appointing the coal mine operator an obligation on the operator—
 - (i) to establish a safety and health management system for the mine; and
 - (ii) other than for exploration activities under an exploration permit or mineral development licence—to be a party to a mines rescue agreement.

CMSHA, s. 46 Notices by holder

- (1) Before coal mining operations start at a coal mine or a separate part of a surface mine, the holder for the mine must give the inspector located in the region in which the mine is situated notice of—
- (a) the name and address of the coal mine operator for the mine or part; and
 - (b) the name of, and a description of the land (including its boundary) comprising, the mine or part; and
 - (c) the date on which operations are to start at the mine or part.
- (2) Subsection (1)(b) and (c) do not apply to exploration activities under an exploration permit or mineral development licence.
- (3) The holder must not change the following for a coal mine without first giving the inspector located in the region in which the mine is situated notice—
- (a) the coal mine operator;
 - (b) the name of the mine.

CMSHA, s. 53 Appointment of coal mine operator

- (1) The holder for a coal mine may, by written contract, appoint a person as the coal mine operator for the mine or, if mine is or includes a separate part of a surface mine, the separate part.
- (2) An appointment of a person as coal mine operator for a part of a coal mine that is not a separate part of a surface mine is ineffective.

CMSHA, s. 21 Meaning of coal mine operator

(1) A coal mine operator for a coal mine is—

(a) the holder; or

(b) if another person has been appointed as the coal mine operator under section 53 and the appointment is notified to the chief inspector under section 49, the other person.

(2) If—

(a) another person mentioned in subsection (1)(b) is appointed as the coal mine operator for a separate part of a surface mine; and

(b) the appointment is notified to the chief inspector under section 49;

the person's responsibilities and safety and health obligations under this Act as a coal mine operator for a coal mine are limited to the separate part of the surface mine.

(3) If—

(a) 1 or more persons are appointed as coal mine operators for separate parts of a surface mine; and

(b) the appointments are notified to the chief inspector under section 49; the holder's responsibilities and safety and health obligations under this Act as a coal mine operator for the coal mine are limited to the part of the mine to which the appointments do not apply.

(4) For this section, a part of a surface mine is taken to be a separate part of a surface mine only if—

(a) the part is geographically separated from the rest of the mine; and

(b) there is no physical overlapping of coal mining operations between the part and the operations in another part of the mine; and

(c) the coal mine operator for the part is in control of—

(i) the coal mining operations carried out in the part of the mine; and

(ii) the resources associated with the operations.

(5) A person may be appointed coal mine operator for more than 1 mine or separate part of a surface mine.

CMSHA, s.41 Obligations of coal mine operators

(1) A coal mine operator for a coal mine has the following obligations—

(a) to ensure the risk to coal mine workers while at the operator's mine is at an acceptable level, including, for example, by providing and maintaining a place of work and plant in a safe state;

(b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts coal mining operations;

(c) not to carry out an activity at the coal mine that creates a risk to a person on an adjacent or overlapping petroleum authority if the risk is higher than an acceptable level of risk under the Petroleum and Gas (Production and Safety) Act 2004;

(d) to appoint a site senior executive for the mine;

(e) to ensure the site senior executive for the mine—

(i) develops and implements a safety and health management system for the mine; and

(ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;

(f) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from coal mining operations is at an acceptable level;

(g) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.

(2) Without limiting subsection (1), the coal mine operator has an obligation not to operate the coal mine without a safety and health management system for the mine.

(3) In this section—

adjacent or overlapping petroleum authority means any of the following under an Act as follows if, under that Act, its area is adjacent to, or overlaps with, the land the subject of the mining tenure under which the coal mine is operated—

(a) a 1923 Act petroleum tenure under the Petroleum Act 1923;

(b) a petroleum tenure under the Petroleum and Gas (Production and Safety) Act 2004.

CMSHA, s. 50 Notices by coal mine operator

(1) Before coal mining operations start at a coal mine, the coal mine operator must give the inspector for the region in which the coal mine is situated notice of the name and address of the site senior executive for the mine.

(2) Also, the coal mine operator must, within 7 days after the appointment, give the inspector for the region notice of the following appointments including the name and address of the person appointed—

(a) the appointment of a new site senior executive;

(b) an appointment under section 57.

(3) When land is added to or omitted from a coal mine, the coal mine operator must, within 1 month after the addition or omission, give to the inspector located in the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.



NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A COAL MINE

The Holder(s) of the mine known as Foxleigh Coal Mine (Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR	
DATE OF APPOINTMENT:	29th August 2016 at 10:00am
NAME OF COMPANY:	Foxleigh Management Pty Ltd
ABN:	27 089 726 492
BUSINESS ADDRESS:	Level 21, Central Plaza 1 345 Queen St, Brisbane QLD 4000
POSTAL ADDRESS:	PO Box 2165 Brisbane QLD 4000
COMPANY CONTACT DETAILS:	Phone: 07 3012 6057 Fax: sch4p4(6) Personal information
NAME OF THE OPERATOR'S REPRESENTATIVE* <i>(* the person to whom correspondence from the Mines Inspectorate will be addressed)</i>	Email: sch4p4(6) Personal information @middlemountsouth.com Scott Graham
POSITION WITHIN THE COMPANY:	Chief Operating Officer
CONTACT DETAILS OF THE REPRESENTATIVE:	Phone: 07 3012 6057 Mobile: sch4p4(6) Personal information Email: sch4p4(6) Personal information @middlemountsouth.com Fax: sch4p4(6) Personal information

DETAILS OF THE MINE	
DESCRIPTION: <i>Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates)</i>	ML's 70171, 70309, 70310, 70429, 70430, 70431, 70470
MINE IDENTIFICATION NUMBER:	M00254
MINE ADDRESS:	Foxleigh Coal Mine, Middlemount Road, Middlemount QLD 4746
MINE POSTAL ADDRESS:	PO Box 21, Middlemount QLD 4746
CONTACT DETAILS:	Mobile: sch4p4(6) Personal information Phone: sch4p4(6) Personal information Email: sch4p4(6) Personal information @middlemountsouth.com Fax: sch4p4(6) Personal information

As a representative of the Holder(s), I sch4p4(6) Personal information (Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
- that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
 - provide to the Operator any information required or permitted to be given under the MQSHA in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
 - use an electronic signature on the Mine Record Entry.

Signed sch4p4(6) Personal information
(Representative of the Holder)

Date: 31/08/2016
dd / mm / yyyy

Press to Save
Press to Print

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

South Region PO Box 1475 Coorparoo Q 4151 P (07) 3330 4272 Fax (07) 3405 5346 sthmines@dnrm.qld.gov.au	Central Region PO Box 3679 Red Hill Q 4701 P (07) 4936 0184 Fax (07) 4938 4331 rockyminesinsp@dnrm.qld.gov.au	Central Region PO Box 1801 Mackay Q 4740 P (07) 4999 8512 Fax (07) 4999 8519 minesma@dnrm.qld.gov.au	North Region PO Box 1752 MC Townsville Q 4810 P (07) 4447 9248 Fax (07) 47607400 tsvmines@dnrm.qld.gov.au	North Region PO Box 334 Mount Isa Q 4825 P (07) 4743 2158 Fax (07) 4743 7165 isamines@dnrm.qld.gov.au
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Relevant Excerpts from CMSHA 1999

CMSHA, s. 9 Meaning of coal mine

(1) A coal mine is any of the following places—

- (a) a place where on-site activities are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
- (b) a place where on-site activities are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
- (c) a place where on-site activities are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
- (d) a place that was a coal mine while works are done to secure it after its abandonment;
- (e) a place where tourism, education or research related to coal mining happens that is declared under a regulation to be a coal mine.

(2) A coal mine includes buildings for administration, accommodation and associated facilities within the boundaries of land the subject of the mining tenure for the mine or on land adjoining, adjacent to, or contiguous with the boundaries of the land the subject of the mining tenure.

(3) Despite subsection (1)(d), a place that was a coal mine is not a coal mine after its abandonment merely because work is being done at the place by or for the State—

- (a) to ensure public safety; or
- (b) to rehabilitate it; or
- (c) to secure it..

CMSHA, Schedule 3 – Definitions - Holder means for a coal mine, means the holder under the Mineral Resources Act 1989 of an exploration permit, mineral development licence or mining lease for the coal mine.

(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

CMSHA, s. 40 Obligations of holders

(1) This section applies if the holder and the coal mine operator for a coal mine are or are to be different persons.

(2) The holder must—

- (a) inform a person proposing to enter into a contract with the holder to act as coal mine operator, by notice, of all relevant information available to the holder that may help the proposed coal mine operator—
 - (i) to ensure the site senior executive for the coal mine develops and implements a safety and health management system for the mine; and
 - (ii) to prepare and implement principal hazard management plans for the mine; and
- (b) include in the contract appointing the coal mine operator an obligation on the operator—
 - (i) to establish a safety and health management system for the mine; and
 - (ii) other than for exploration activities under an exploration permit or mineral development licence—to be a party to a mines rescue agreement.

CMSHA, s. 46 Notices by holder

(1) Before coal mining operations start at a coal mine or a separate part of a surface mine, the holder for the mine must give the inspector located in the region in which the mine is situated notice of—

- (a) the name and address of the coal mine operator for the mine or part; and
- (b) the name of, and a description of the land (including its boundary) comprising, the mine or part; and
- (c) the date on which operations are to start at the mine or part.

(2) Subsection (1)(b) and (c) do not apply to exploration activities under an exploration permit or mineral development licence.

(3) The holder must not change the following for a coal mine without first giving the inspector located in the region in which the mine is situated notice—

- (a) the coal mine operator;
- (b) the name of the mine.

CMSHA, s. 53 Appointment of coal mine operator

(1) The holder for a coal mine may, by written contract, appoint a person as the coal mine operator for the mine or, if mine is or includes a separate part of a surface mine, the separate part.

(2) An appointment of a person as coal mine operator for a part of a coal mine that is not a separate part of a surface mine is ineffective.

CMSHA, s. 21 Meaning of coal mine operator

(1) A coal mine operator for a coal mine is—

- (a) the holder; or
- (b) if another person has been appointed as the coal mine operator under section 53 and the appointment is notified to the chief inspector under section 49, the other person.

(2) If—

- (a) another person mentioned in subsection (1)(b) is appointed as the coal mine operator for a separate part of a surface mine; and
- (b) the appointment is notified to the chief inspector under section 49; the person's responsibilities and safety and health obligations under this Act as a coal mine operator for a coal mine are limited to the separate part of the surface mine.

(3) If—

- (a) 1 or more persons are appointed as coal mine operators for separate parts of a surface mine; and
- (b) the appointments are notified to the chief inspector under section 49; the holder's responsibilities and safety and health obligations under this Act as a coal mine operator for the coal mine are limited to the part of the mine to which the appointments do not apply.

(4) For this section, a part of a surface mine is taken to be a separate part of a surface mine only if—

- (a) the part is geographically separated from the rest of the mine; and
- (b) there is no physical overlapping of coal mining operations between the part and the operations in another part of the mine; and
- (c) the coal mine operator for the part is in control of—
 - (i) the coal mining operations carried out in the part of the mine; and
 - (ii) the resources associated with the operations.

(5) A person may be appointed coal mine operator for more than 1 mine or separate part of a surface mine.

CMSHA, s.41 Obligations of coal mine operators

(1) A coal mine operator for a coal mine has the following obligations—

- (a) to ensure the risk to coal mine workers while at the operator's mine is at an acceptable level, including, for example, by providing and maintaining a place of work and plant in a safe state;
- (b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts coal mining operations;
- (c) not to carry out an activity at the coal mine that creates a risk to a person on an adjacent or overlapping petroleum authority if the risk is higher than an acceptable level of risk under the Petroleum and Gas (Production and Safety) Act 2004;
- (d) to appoint a site senior executive for the mine;
- (e) to ensure the site senior executive for the mine—
 - (i) develops and implements a safety and health management system for the mine; and
 - (ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;
- (f) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from coal mining operations is at an acceptable level;
- (g) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.

(2) Without limiting subsection (1), the coal mine operator has an obligation not to operate the coal mine without a safety and health management system for the mine.

(3) In this section—

adjacent or overlapping petroleum authority means any of the following under an Act as follows if, under that Act, its area is adjacent to, or overlaps with, the land the subject of the mining tenure under which the coal mine is operated—

- (a) a 1923 Act petroleum tenure under the Petroleum Act 1923;
- (b) a petroleum tenure under the Petroleum and Gas (Production and Safety) Act 2004.

CMSHA, s. 50 Notices by coal mine operator

(1) Before coal mining operations start at a coal mine, the coal mine operator must give the inspector for the region in which the coal mine is situated notice of the name and address of the site senior executive for the mine.

(2) Also, the coal mine operator must, within 7 days after the appointment, give the inspector for the region notice of the following appointments including the name and address of the person appointed—

- (a) the appointment of a new site senior executive;
- (b) an appointment under section 57.

(3) When land is added to or omitted from a coal mine, the coal mine operator must, within 1 month after the addition or omission, give to the inspector located in the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.



NOTIFICATION OF APPOINTMENT OF A COMPANY AS AN OPERATOR FOR A COAL MINE

The Holder(s) of the mine known as Foxleigh Coal Mine (Mine Name)

gives notice of the appointment of an Operator for the above named mine:

DETAILS OF THE OPERATOR		
DATE OF APPOINTMENT:	05 September 2017	
NAME OF COMPANY:	Foxleigh Management Pty Ltd	
ABN:	27 089 726 492	
BUSINESS ADDRESS:	Level 12, 300 Queen St, Brisbane QLD 4000	
POSTAL ADDRESS:	PO Box 2165 Brisbane QLD 4000	
COMPANY CONTACT DETAILS:	Phone: 02 8314 5512	Fax:
	Email: sch4p4(6) Personal information @middlemountsouth.com	
NAME OF THE OPERATOR'S REPRESENTATIVE* <i>(* the person to whom correspondence from the Mines Inspectorate will be addressed)</i>	Peter Briggs	
POSITION WITHIN THE COMPANY:	Director	
CONTACT DETAILS OF THE REPRESENTATIVE:	Phone: 02 8314 5512	Mobile: sch4p4(6) Personal information
	Email: sch4p4(6) Personal information @middlemountsouth.com	

DETAILS OF THE MINE		
DESCRIPTION: <i>Provide a description of the land comprising the mine eg the mining tenements (or parts thereof); and the mine's boundary, preferably by attaching a plan or aerial photo showing the boundary (including relevant co-ordinates)</i>	ML's 70171, 70309, 70310, 70429, 70430, 70431, 70470	
MINE IDENTIFICATION NUMBER:	M00254	
MINE ADDRESS:	Foxleigh Coal Mine, Middlemount Road, Middlemount QLD 4746	
MINE POSTAL ADDRESS:	PO Box 21, Middlemount QLD 4746	
CONTACT DETAILS:	Mobile: sch4p4(6) Personal information	Phone: sch4p4(6) Personal information
	Email: sch4p4(6) Personal information @middlemountsouth.com	

As a representative of the Holder(s) sch4p4(6) Personal information (Name of person making this notification)

confirm that the above named Company has been made aware:

- that the Company has been appointed as Operator for the nominated mine, and
- that unless the Mines Inspectorate is otherwise notified by the Operator the Mines Inspectorate may:
 - o provide to the Operator any information required or permitted to be given under the *MQSHA* in an electronic format by email to the email address given in this form or otherwise notified to the Inspectorate in writing.
 - o use an electronic signature on the Mine Record Entry.

Signed: sch4p4(6) Personal information Date: 05/09/2017
(Representative of the Holder) dd / mm / yyyy

Press to Save
Press to Print

Note: Retain original in the Mine Record, give a copy to the Operator and forward a copy to the Regional or District Inspector of Mines at the address closest to the location of the mine.

South Region PO Box 1475 Coorparoo Q 4151 P (07) 3330 4272 Fax (07) 3405 5345 sthmines@dnrm.qld.gov.au	Central Region PO Box 3679 Red Hill Q 4701 P (07) 4936 0184 Fax (07) 4936 4805 rockyminesinsp@dnrm.qld.gov.au	Central Region PO Box 1801 Mackay Q 4740 P (07) 4999 8512 Fax (07) 4999 8519 minesmackay@dnrm.qld.gov.au	North Region PO Box 1752 MC Townsville Q 4810 P (07) 4447 9248 Fax (07) 4447 9280 tsvmines@dnrm.qld.gov.au	North Region PO Box 334 Mount Isa Q 4825 P (07) 4747 2158 Fax (07) 4743 7165 isamines@dnrm.qld.gov.au
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Relevant Excerpts from CMSHA

CMSHA, s. 9 Meaning of coal mine

(1) A coal mine is any of the following places—

- (a) a place where on-site activities are carried on, continuously or from time to time, within the boundaries of land the subject of a mining tenure;
- (b) a place where on-site activities are carried on, continuously or from time to time, on land adjoining, adjacent to, or contiguous with, the boundaries of land the subject of a mining tenure and within which is a place mentioned in paragraph (a);
- (c) a place where on-site activities are carried on, continuously or from time to time, unlawfully because land at the place is not the subject of a mining tenure;
- (d) a place that was a coal mine while works are done to secure it after its abandonment;
- (e) a place where tourism, education or research related to coal mining happens that is declared under a regulation to be a coal mine.

(2) A coal mine includes buildings for administration, accommodation and associated facilities within the boundaries of land the subject of the mining tenure for the mine or on land adjoining, adjacent to, or contiguous with the boundaries of the land the subject of the mining tenure.

(3) Despite subsection (1)(d), a place that was a coal mine is not a coal mine after its abandonment merely because work is being done at the place by or for the State—

- (a) to ensure public safety; or
- (b) to rehabilitate it; or
- (c) to secure it.

CMSHA, Schedule 3 – Definitions - Holder means for a coal mine, means the holder under the Mineral Resources Act 1989 of an exploration permit, mineral development licence or mining lease for the coal mine.

(Mineral Resources Act 1989 (MRA), Schedule 2 – Definitions - Holder, for a prospecting permit, exploration permit, mining claim, mineral development licence or mining lease, means the person in whose name the permit, claim, licence or lease is recorded)

CMSHA, s. 40 Obligations of holders

(1) This section applies if the holder and the coal mine operator for a coal mine are or are to be different persons.

(2) The holder must—

- (a) inform a person proposing to enter into a contract with the holder to act as coal mine operator, by notice, of all relevant information available to the holder that may help the proposed coal mine operator—
 - (i) to ensure the site senior executive for the coal mine develops and implements a safety and health management system for the mine; and
 - (ii) to prepare and implement principal hazard management plans for the mine; and
- (b) include in the contract appointing the coal mine operator an obligation on the operator—
 - (i) to establish a safety and health management system for the mine; and
 - (ii) other than for exploration activities under an exploration permit or mineral development licence—to be a party to a mines rescue agreement.

CMSHA, s. 46 Notices by holder

(1) Before coal mining operations start at a coal mine or a separate part of a surface mine, the holder for the mine must give the inspector located in the region in which the mine is situated notice of—

- (a) the name and address of the coal mine operator for the mine or part; and
- (b) the name of, and a description of the land (including its boundary) comprising, the mine or part; and
- (c) the date on which operations are to start at the mine or part.

(2) Subsection (1)(b) and (c) do not apply to exploration activities under an exploration permit or mineral development licence.

(3) The holder must not change the following for a coal mine without first giving the inspector located in the region in which the mine is situated notice—

- (a) the coal mine operator;
- (b) the name of the mine.

CMSHA, s. 53 Appointment of coal mine operator

(1) The holder for a coal mine may, by written contract, appoint a person as the coal mine operator for the mine or, if mine is or includes a separate part of a surface mine, the separate part.

(2) An appointment of a person as coal mine operator for a part of a coal mine that is not a separate part of a surface mine is ineffective.

CMSHA, s. 21 Meaning of coal mine operator

(1) A coal mine operator for a coal mine is—

(a) the holder; or

(b) if another person has been appointed as the coal mine operator under section 53 and the appointment is notified to the chief inspector under section 49, the other person.

(2) If—

(a) another person mentioned in subsection (1)(b) is appointed as the coal mine operator for a separate part of a surface mine; and

(b) the appointment is notified to the chief inspector under section 49;

the person's responsibilities and safety and health obligations under this Act as a coal mine operator for a coal mine are limited to the separate part of the surface mine.

(3) If—

(a) 1 or more persons are appointed as coal mine operators for separate parts of a surface mine; and

(b) the appointments are notified to the chief inspector under section 49; the holder's responsibilities and safety and health obligations under this Act as a coal mine operator for the coal mine are limited to the part of the mine to which the appointments do not apply.

(4) For this section, a part of a surface mine is taken to be a separate part of a surface mine only if—

(a) the part is geographically separated from the rest of the mine; and

(b) there is no physical overlapping of coal mining operations between the part and the operations in another part of the mine; and

(c) the coal mine operator for the part is in control of—

(i) the coal mining operations carried out in the part of the mine; and

(ii) the resources associated with the operations.

(5) A person may be appointed coal mine operator for more than 1 mine or separate part of a surface mine.

CMSHA, s.41 Obligations of coal mine operators

(1) A coal mine operator for a coal mine has the following obligations—

(a) to ensure the risk to coal mine workers while at the operator's mine is at an acceptable level, including, for example, by providing and maintaining a place of work and plant in a safe state;

(b) to ensure the operator's own safety and health and the safety and health of others is not affected by the way the operator conducts coal mining operations;

(c) not to carry out an activity at the coal mine that creates a risk to a person on an adjacent or overlapping petroleum authority if the risk is higher than an acceptable level of risk under the Petroleum and Gas (Production and Safety) Act 2004;

(d) to appoint a site senior executive for the mine;

(e) to ensure the site senior executive for the mine—

(i) develops and implements a safety and health management system for the mine; and

(ii) develops, implements and maintains a management structure for the mine that helps ensure the safety and health of persons at the mine;

(f) to audit and review the effectiveness and implementation of the safety and health management system to ensure the risk to persons from coal mining operations is at an acceptable level;

(g) to provide adequate resources to ensure the effectiveness and implementation of the safety and health management system.

(2) Without limiting subsection (1), the coal mine operator has an obligation not to operate the coal mine without a safety and health management system for the mine.

(3) In this section—

adjacent or overlapping petroleum authority means any of the following under an Act as follows if, under that Act, its area is adjacent to, or overlaps with, the land the subject of the mining tenure under which the coal mine is operated—

(a) a 1923 Act petroleum tenure under the Petroleum Act 1923;

(b) a petroleum tenure under the Petroleum and Gas (Production and Safety) Act 2004.

CMSHA, s. 50 Notices by coal mine operator

(1) Before coal mining operations start at a coal mine, the coal mine operator must give the inspector for the region in which the coal mine is situated notice of the name and address of the site senior executive for the mine.

(2) Also, the coal mine operator must, within 7 days after the appointment, give the inspector for the region notice of the following appointments including the name and address of the person appointed—

(a) the appointment of a new site senior executive;

(b) an appointment under section 57.

(3) When land is added to or omitted from a coal mine, the coal mine operator must, within 1 month after the addition or omission, give to the inspector located in the region in which the mine is situated written particulars of the land (including its boundary) added or omitted.