

INQUIRY INTO COAL MINING INDUSTRY SAFETY

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5 October 2022

Committee Secretary
Transport and Resources Committee
Parliament House
George Street
Brisbane QLD 4000
Email: trc@parliament.qld.gov.au

Dear Committee Secretary

Subject: Inquiry into Coal Mining Industry Safety

Kestrel Coal Resources is one of the world's largest underground producers of steel-making coal, with Kestrel Mine celebrating its 30th year of operation this year. We aspire to build a company of great people and high-performing teams, and who, by working together, exceed expectations every day.

To address the inquiry terms of reference, our response is broken into three sections which we believe are equally important aspects of creating a safe coal mining industry. These are 1) culture, 2) safety management, and 3) high reliability organisations.

1. CULTURE

1.1 People and Culture Experience Strategy

In more recent years, Kestrel embarked on a cultural transformation journey to improve the safety of our people, build strong relationships within our community and lead improvement through change.

At the core, our cultural strategy takes three lenses that guide our decision making - ensuring safety is our number one priority, that our values are front and centre and that everything is aligned to our Kestrel strategy and plan.

SAFETY - Safety is inherent in everything we do

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All of our people are committed to safety for themselves and their workmates. It shows up in everything that we do every day. Safety is and will continue to be a part of every tactic, initiative, or program that is rolled out at Kestrel.

VALUES - *Our values are lenses for excellent decision-making*

Our values guide us in making culture-led decisions in our day-to-day roles. In the same way that safety is a part of every initiative, our values are front and centre in designing our tactics and programs at Kestrel.

STRATEGY & PLAN - *We have a plan, we follow it together – to get the job done.*

The cultural strategy is in support of Kestrel's overall business strategy and plan. It is important to continually ensure our steps align with our business plan.

1.2 Leadership at Kestrel - UNLEASHED

A leadership program designed by Kestrel, for our people. A leaders' real job is to bring out the best in people, which is why Kestrel invested in an internal leadership program. It is not an "off-the-shelf" program, it was built by Kestrel, to target leadership themes and skills that we know will develop better leaders – and better people. It comprises nine (9) modules, run over a 12-month period.

UNLEASHED included over 220 participants, from our CEO to future frontline supervisors of all different skill sets, experience, from operational to corporate finance departments.

The program covers:

- Module 1: Unleashing One Kestrel
- Module 2: Nurturing Your Potential
- Module 3: Leading Your Team
- Module 4: Expectations and Accountabilities
- Module 5: Approaching Planning and Priorities
- **Module 6: Safety, Everyday**
- Module 7: How to Motivate and Influence
- Module 8: Engaging Communication
- Module 9: Driving Improvement

More about Module 6: Safety, Everyday

UNLEASHED Module 6 explores how participants can best create a safer workplace and build trust through psychological safety; support their team through fitness for work; foster an environment where more people feel confident to speak up about safety; and lead and influence these things at work.

By the end of Safety, Everyday, Kestrel leaders understand how psychological safety affects safe performance and how to lead and influence this in the work environment. The importance of understanding factors that can affect fitness for work, such as medical health; mental health; thermal stress; alcohol and other drugs; nutrition; and fatigue. Importantly, why people make mistakes, and how to best respond when they do.

Safety, Everyday at Kestrel encourages assignment of clear and engaging work, monitoring progress and reviewing performance. Together, we strive to set the standard for best practice when it comes to systems, processes, procedures and clear expectations.

The learning topics for safety management at Kestrel have a strong focus on accountability and include:

- Understanding that when we design our systems and processes right, safe production is the expected outcome
- The difference between an error, and a violation
- Managing safety in dynamic and variable work conditions
- Knowing how to design and assign work, and manage safety in the moment
- Building a fair safety culture where people understand how errors and violations will be addressed
- How we process information and the impacts on safety
- Creating a safe workplace through empathy, curiosity, and feedback
- Have values-based conversations and build trust
- Drive continuous safety improvement through creating empathetic and trusting work environments

We believe safety leadership involves building trust and motivating everyone to interpret and connect Kestrel's safety culture as their own.

1.3 Healthy Lifestyle

As part of our journey to deliver psychological safety onsite at Kestrel we have embarked on a healthy people journey. We know that a high performing workforce is driven by people that are healthy physically and mentally. We know that a healthy and balanced lifestyle are important to prevent chronic illness, manage existing conditions, improve mental health and well-functioning relationships. We also know that the mining environment, particularly shift work, can be physically and mentally demanding.

Kestrel provided education and awareness to facilitate a program that measured progress with the intention of improving overall health for everyone. Kestrel purchased an InBody scanner to measure different metrics such as body fat and skeletal muscle and offered various categories depending on the individual's goal. As we know, health is different for everyone, so our focus was to create healthy habits to foster sustainable lifestyle changes.

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1.4 Incentive Structure

In the recently negotiated Operator and Trades Enterprise Agreement (2022) Kestrel has removed the safety component of the bonus scheme, as per the Board of Inquiry Recommendations. The bonus is now based on development metres, longwall metres and saleable tonnes.

Total Recordable Injury Frequency Rate (TRIFR) is a safety metric in 2022 for staff and executives. This will be reviewed for 2023 and a discussion has already commenced with the Board of Kestrel Coal Resources.

2. SAFETY MANAGEMENT

2.1 Incident Investigation

We have a robust reporting system, that ensures all hazards and incidents are effectively assessed and addressed. There are several levels of investigation, which start from a basic report, through to a detailed investigation, dependant on what happened and the potential consequences.

We have two levels of incident investigation training at site – one aimed towards equipping our frontline leaders with the necessary skills to gather data and complete incident investigations in line with our site processes, and a more in-depth process that completes a higher level of investigation which is undertaken mostly by operational leaders and middle management.

Our site level training includes information on the following:

- How to identify incidents and determine the level of investigations required – ie. is it something that can be reported and rectified immediately, or is it an event that may need higher level intervention or escalation, such as a high potential incident (HPI as defined in the legislation) or may prevent an immediate risk to the safety and health of others.
- Our incident investigation tools, and how and when to apply them to the investigation – how to obtain witness statements, what information is required by persons involved and witnesses to complete a quality investigation, the PEEPO process (people, environment, equipment, procedures, organisation) and what influence these factors have on the cause or outcome of the event, preparing a sequence of events to help understand the loss of control, and determining root cause(s) in order to develop an action plan to prevent a reoccurrence.

All leaders at Kestrel undergo this training as part of being appointed as a supervisor, and it is embedded into the “Kestrel Supervisor Pre-requisite Training”. Every incident at site, big or small, goes through the appropriate level of investigation with all the necessary information being collected immediately following the incident. This training ensures our Supervisors are aware of the incidents that need to be reported as HPI’s and how they are to be managed. There are currently 347 persons onsite with this level of training. Alongside this, every 5 years any person in a supervisory role is required to undergo RTO lead industry training in incident investigation (RIIOHS301 – Conduct Health and Safety Investigations).

ICAM (Incident Cause Analysis Method) is a holistic systemic safety investigation analysis method used to identify the root cause and contributing factors of incidents. ICAM looks beyond the conventional ‘personal model’ and aims to uncover probable causes and dormant latent conditions in the system or organisation, rather than focusing solely on active failures and unsafe acts. It is a thorough analysis technique that captures all facets of the PEEPO process, and categorises them into four classifications via an in-depth timeline and 5 WHY’s process:

- Absent and failed defences – what defences were available but weren’t in place or failed. This could be anything from personal risk management to engineering controls such as guarding, PPE or first response.
- Team and individual factors – actions from persons involved that directly contributed to the incident. Actions that were taken by people that caused a loss of control or actions that could have prevented the incident.
- Environmental factors – immediate environmental conditions that contributed to the incident – noise, weather conditions, lighting, ventilation, work area conditions.
- Organisational factors – this is the final step, or the final “why” of all of the above factors. It aims to provide insight into the deficiencies in the management systems and processes. Some examples of considerations are: are our procedures current and applicable, are they available to enable our people to work safely? How do we manage change? Can we communicate better? Do we provide a culture where people feel safe to speak up about latent hazards, without fear of reprisal? Have we learnt, and implemented effective actions from similar incidents that have occurred in the past?

This method ensures that for each contributing factor, there is a specific action to address the cause and prevent reoccurrence. ICAM investigations are completed for all high potential incidents, and other safety incidents where there may have been significant safety risk (even if the actual consequence was low). Kestrel currently has 31 people competent in ICAM investigations, and ranges from coordinator to manager level. Kestrel completes an average of 70 ICAM investigations in a year, which also includes a follow-up review 90 days after the incident by a member of the Senior Leadership Team to ensure that all actions identified during the investigation have been implemented and are in place and effective.

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2.1 Sharing of incident learnings

All incidents occurring in the previous 24-72 hours are discussed at each start of shift meeting attended by all crews, as well as initial learnings and actions in response. For higher risk incidents (actual or potential), or those that have an important safety message, a site wide safety “red alert” is communicated via email and start of shift. Once the investigation is completed, a follow-up safety “incident learnings” is distributed sitewide to communicate root cause(s), actions in response and further learnings that can be applied. Where hazards are identified that pose an immediate threat or where a safety message can be shared, an “amber alert” is distributed.

On a monthly basis the safety team attends to all crew pre-starts to provide an overview of safety performance and incidents, as well as industry safety alerts from the previous month. This gives the workforce an opportunity to ask questions, gain a deeper understanding of learnings and actions, and provides a forum to raise concerns or provide feedback about the investigations.

Kestrel also has a site safety and health committee, comprising upper management, the safety team and members of the workforce from various departments. The meeting provides a forum where crew representatives can bring forward concerns or initiatives to improve safety or receive feedback to take back to their work groups. Safety performance and incidents are discussed, as well as industry safety alerts where further action may be required.

Every quarter (as a minimum), Kestrel’s Executive Leadership Team (ELT) participate in visible and active leadership inspections across various operational areas of the mine.

2.2 Safety Intervention TARP

Our safety intervention TARP was developed in November 2020 as a way to identify a spike in serious incidents (high potential incidents and recordable injuries) in a short timeframe, and intervene with a proactive risk management solution to prevent further occurrence. Since it’s implementation, the safety intervention TARP has been enacted 6 times (May/June/September 2021, Feb/May/September 2022). The TARP initiates a specific action plan for superintendents up to management which includes an increase in planned safety interactions, deep dives into incident data to identify trends and evaluate the effectiveness of actions and active participation in higher level investigations.

At the frontline, all supervisors are to engage their immediate crew in a planned “hazard hunt” prior to commencing work. The objective of this is to undertake a thorough work area inspection to identify hazards and either rectify them immediately or bring forward an action plan so that they can be addressed. In the last 2 years, over 100 separate hazards hunts have been completed, which have identified 999 hazards (with most of these being actioned on the spot). There have also been 369 subsequent actions or job requests assigned where further action or improvement is identified. Hazards identified range from housekeeping standards and system failures (incorrect

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documentation/procedure availability) to engineering (defective guarding/barricading) and availability of correct materials and tools for the job.

Refer to annexure 1 for the Kestrel Safety Intervention TARP.

2.3 Critical Controls

Critical control verifications are completed via INX (incident reporting database) by operational leaders who either supervise or are responsible for their implementation. These are then reviewed by the risk owner. The monitoring activities verify that the control is enacted within itself, but also verifies that the management systems that support the control are enabling it to perform as it is intended. Kestrel currently has 38 identified critical controls from our identified critical risks. Critical risks are reviewed each year as part of our site wide broad brush risk assessment, and as such the critical controls are reviewed to ensure they align.

Anytime there is a potential hazard or reported incident relating to a critical control on site, a review process for that particular critical control is triggered. Critical Control Verifications are ever-evolving due to this process and provide ongoing opportunity for improvement in our safety systems.

2.4 Labour Hire or Contractor vs Direct Hire

At Kestrel, we value and respect everyone's contribution, no matter the department, hierarchy, or employment arrangement. We currently have approximately 50% of our workforce directly employed by Kestrel, with the remaining 50% being employed by a number of contracting companies or labour hire organisations.

We have reviewed our injury data by employment arrangement (direct hire vs contractor or labour hire) since January 2020 to current, which showed a 50/50% split of all injuries. This data shows us that contractors and labour hire personnel are not overrepresented in our injuries compared to their total hours worked onsite. We are seeing injuries for our contractor and labour hire personnel reported in similar frequency to our employees.

Refer to annexure 2 for a breakdown by injury type by employment arrangement.

3. High Reliability Organisation

At Kestrel, coal production rates have no correlation to safety risk management. A good HRO business, with good systems and processes, can be highly productive and inherently safe. We have seen this demonstrated in a number of industries across the world. We have reviewed our incident data and cannot find a linkage between high production and increased incidents.

Refer to annexure 3 for a graph that shows ROM tonnes produced per month against HPI's reported for the month.

Kestrel has embraced the HRO concept and are actively adopting the principles. We have volunteered to be part of an initial industry audit to understand the current state of maturity as an HRO. Notably, Kestrel was mentioned for its Pit Stop methodology as a leading example of these principles. We have also engaged a HRO expert from the University of Queensland to commence development of the Kestrel HRO road-map with our Executives and Senior Leadership team. Becoming a HRO is much bigger than systems and process, and therefore we anticipate this journey will take Kestrel several years. We also believe this process needs to be fully supported by a regulator that operates with similar principles.

Please don't hesitate to contact me on [REDACTED] for further information about this submission.

Yours sincerely,

[REDACTED]

Shane Hansen

Chief Executive Officer

[REDACTED]

Annexure 1: Safety Intervention TARP

TP-SH-0074

Kestrel SHMS Procedure - Trigger Action Response Plan (TARP)



Safety Intervention

Status: Approved and Authorised by Senior Site Executive

Revision: 1 (20.07.2022)

Business Owner: Health, Safety and Training Manager

MoC Reference: <if applicable>

Revision History

Rev	Date	Reason for issue	Originator	Checked	Approved
1	20/07/2022	Approved for Use	Renee Acton		Phillip Nobes
1	13/07/2022	Issued for review and update Trigger Level 3 – updated tasks for Undermanagers, Managers Trigger Level 2 – updated tasks for HST Manager Trigger Level 1 – updated tasks for Undermanagers and HST Manager Normal Conditions – updated tasks for HST Manager Updated Safety Culture Behaviours to include Undermanagers		Renee Acton Phillip Nobes	
0	16/11/2020	Issued for approval and use	Renee Acton	Bernard Lambley	Daniel Proffitt
C	11/11/2020	Issue for review		Bernard Lambley Daniel Proffitt	
B	22/10/2020	Issued for updated as per rejection comments from Engineering Manager		Renee Acton	
A	20/10/2020	Issued for review – new document to formalise actions for Safety Interventions at Kestrel Coal Mine		Renee Acton Michael Zannes Samuel Thomasson Bernard Lambley Daniel Proffitt	

TRIGGER ACTION RESPONSE PLAN: Safety Intervention

	NORMAL CONDITIONS	LEVEL 1 TRIGGER	LEVEL 2 TRIGGER	LEVEL 3 TRIGGER
	<ul style="list-style-type: none"> No TRI's recorded for the month No HPI's recorded for the month 	<ul style="list-style-type: none"> At least 1 TRI recorded for the month At least 1 HPI recorded for the month. 	<ul style="list-style-type: none"> 3 TRI's recorded in a month 3 HPI's recorded in a month period 	<ul style="list-style-type: none"> 5 TRI's recorded in a month 5 or more HPI's recorded in a month Repeat KSI (Kestrel Significant Incident) recorded in past 12months Major Incident – actual consequence of high/critical or MRO is high/critical
Supervisor/s	<ul style="list-style-type: none"> Continue operations as normal Focusing on and encouraging safe work practices Positive feedback to the work force Review and sign-off JHA's completed by your crew members. Verify that crews are actively identifying hazards. 	<ul style="list-style-type: none"> Participate in an ICAM investigation for any TRI's or HPI's in area of accountability. Formally report investigation findings in SLT meetings for their area of accountability Discuss the TRI's with crews and reinforce the need for vigilance 	<ul style="list-style-type: none"> As per level 1 Participate with the crew - Undertake a planned work area inspection by crew supervisor and team to discuss, identify and rectify potential safety hazards 	<ul style="list-style-type: none"> As per level 2
Superintendent/s	<ul style="list-style-type: none"> Continue operations as normal Focusing on and enforcing safe work practices Positive feedback to the work force 	<ul style="list-style-type: none"> Lead an ICAM investigation for any TRI's or HPI's in area of accountability. Formally report investigation findings in SLT meetings for their area of accountability Give feedback to the work force on causes and preventative actions. 	<ul style="list-style-type: none"> As per level 1 Conduct an investigation into incident trends in conjunction with site safety manager/team Establish and present an intervention strategy / action plan to the SLT for review and sign off to reverse any negative trends. 	<ul style="list-style-type: none"> Gather the relevant information for the investigation / causal analysis Participate in an ICAM investigation
Undermanager's	<ul style="list-style-type: none"> Continue operations as normal Focusing on and enforcing safe work practices Positive feedback to the work force 	<ul style="list-style-type: none"> Increase number of Safety Interactions as a means of increasing visibility in work areas Discuss the TRI's with the Crew and Supervisors and reinforce the need for vigilance 	<ul style="list-style-type: none"> Undertake a review of all hazard and incident reports by process area to identify missed control effectiveness opportunities. Assist Superintendents and Supervisors to develop an intervention strategy / action plan to control incident trends 	<ul style="list-style-type: none"> All Undermanager's to attend meeting with Operations Manager/Production Manager & Superintendents to discuss plan generated from SLT meeting. CHPP Superintendents to meet with CHPP Manager to discuss plan generated from SLT meeting.
Managers	<ul style="list-style-type: none"> Continue operations as normal Focusing on and enforcing safe work practices Positive feedback to the work force 	<ul style="list-style-type: none"> Decide course of action and if required assign Manager/s or Superintendent/s to implement the investigation action plan Sign off on the investigation action plan Report investigation action plan to the SSE. 	<ul style="list-style-type: none"> As per level 1 Decide course of action and if required assign Manager/s or Superintendent/s to implement the intervention strategy / action plan Make resources available to implement the intervention strategy / action plan Sign off on the intervention strategy / action plan Report intervention strategy / action plan to the SSE. 	<ul style="list-style-type: none"> As per level 2 Assign personnel to be available for an ICAM lead investigation. Participate in an ICAM investigation Invite a representative from another department to participate in the investigation or causal analysis. Department Manager to complete a detailed review of incidents that have occurred in their areas. Provide feedback to SLT on this. Communicate outcomes of investigation to the work force Participate in SLT meeting to review the severity of incidents and determine a relevant action plan.
HST Manager	<ul style="list-style-type: none"> Continue operations as normal Focusing and encouraging safe work practices Positive feedback to the work force Present a weekly report to the SLT on the last 30 days safety trends including graphs of moving averages for TRIFR and HPI's Complete analysis on activities undertaken throughout the month to determine what was completed. Provide feedback to SLT 	<ul style="list-style-type: none"> Assist in the facilitation of investigation for any TRI's or HPI's Assist Superintendent/s in establishing recommendations / action plans following Investigations. Present a weekly report to the SLT on the last 30 days safety trends Personally review all HPIs with personnel involved. 	<ul style="list-style-type: none"> As per level 1 Develop / present a report to the SLT of incidents in categories of mechanisms and nature for causal analysis. Assist Superintendent/s in establishing an intervention strategy / action plan to control incident trends. Conduct an investigation into incident trends in conjunction with superintendents Establish and present an intervention strategy / action plan to the SLT for review Communicate outcomes to the work force 	<ul style="list-style-type: none"> As per level 2 Review incident investigations Participate in Monthly ELT meeting to explain current safety performance and how this performance is to be corrected.

TRIGGER ACTION RESPONSE PLAN: Safety Intervention

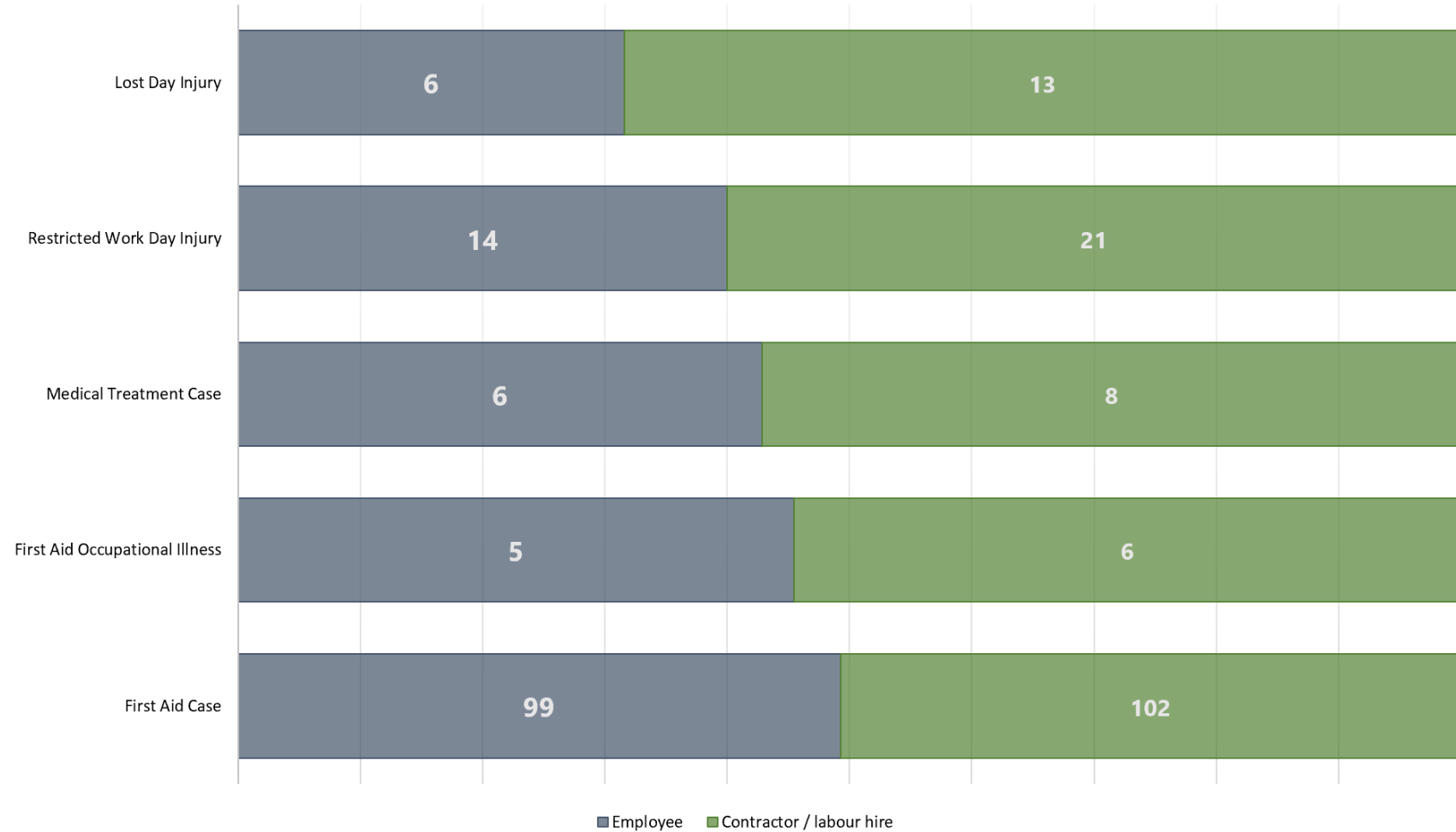
	NORMAL CONDITIONS	LEVEL 1 TRIGGER	LEVEL 2 TRIGGER	LEVEL 3 TRIGGER
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GM / SSE	<ul style="list-style-type: none"> Audit process and coach as necessary 	<ul style="list-style-type: none"> Personally contact every person who suffers a TRI within 24 hrs of the injury occurring. Personally review all HPIs with personnel involved. Provide support and direction as required 	<ul style="list-style-type: none"> As per level 1 Give direction and guidance towards the causal analysis and the intervention strategy / action plan 	<ul style="list-style-type: none"> As per level 2 Participate in Monthly ELT meeting to explain current safety performance and how this performance is to be corrected.
CEO				The CEO to visit site within 48hrs of a Major Injury Event .

SAFETY CULTURE BEHAVIOURS

#	EVERYONE	SUPERVISORS	UNDERMANAGERS / COORDINATORS	MANAGERS & SUPERINTENDENTS	OPERATIONS MANAGER & GENERAL MANAGER
1	Know and comply with standards, procedures and rules which apply to me in my job. Encourage others to do the same	Plan and prioritise work effectively to enable targets and deadlines to be met safely – Safe Coal	Ensure work plans do not provide a conflict or trade-off in the achievement of safe outcomes	Give consistent and clear directions which seek to ensure expectations do not provide a conflict or trade-off in the achievement of safe outcomes	Ensure site plans (Life of Mine, Business etc.) do not provide a conflict or trade-off in the achievement of safe outcomes
2	Conduct a personal risk assessment for every task I undertake	Communicate with the team so that they are informed and understand conditions, hazards, risks, impacts, and activities relevant to their work.	Ensure work plans do not create a breach of Critical Risk Protocols and statutory requirements	Challenge people and their supervisors when I observe at-risk behaviour	Regularly talk with work crews to verify work is being conducted in accordance with approved and risk assessed work plans, site standards and procedures
3	Stop the job if I feel it may cause an incident - consult my supervisor and correct the at-risk behaviour before continuing with the job.	Challenge people when I observe at-risk behaviour	Challenge people and their supervisor when I observe at-risk behaviour	Verify work is being conducted in accordance with approved and risk assessed work plans, site standards and procedures	Ensure Managers are aware of the Controls for Critical Risk and that those Controls are in place
4	Challenge people when I observe at-risk behaviour	Make the hard decisions and take responsibility for the decisions I make	Verify work is being conducted in accordance with approved and risk assessed work plans, site standards and procedures	Actively seek assurance the Controls in the Fatal Hazard Protocols are in place	Drive high-risk incident investigations, seek root causes, and implement changes
5	Report incidents, near-misses, and unsafe conditions	Demonstrate the use of hazard and risk management systems and procedures. Mentor and support work teams to comply.	Actively seek assurance the Controls in the Critical Risks are in place	Lead high-risk incident investigations, seek root causes, and implement changes	Regularly talk face-to-face with Managers about performance and concerns
6	Constantly be aware of hazards, and other unsafe acts	Act promptly on any safety issues and concerns	Regularly talk face-to-face with people about performance and concerns	Regularly talk face-to-face with people about performance and concerns	Listen to concerns, and provide prompt, honest feedback to all
7	Ask questions if I am not sure. Be willing to speak up	Be regularly visible at the worksite to check compliance, and discuss issues with my team	Listen to concerns, and provide prompt, honest feedback to the workforce	Listen to concerns, and provide prompt, honest feedback to the workforce	Develop and communicate clear and measurable expectations of work performance – hold people accountable for poor performance
8	Assist others when faced with challenges on the job	Encourage work teams to raise issues, listen, and provide feedback to team's suggestions, concerns, and ideas	Verify compliance with processes regarding risk assessments for organisation and technical changes	Verify compliance with processes regarding risk assessments for organisation and technical changes	Allocate sufficient training, time, and priority for initiatives
9	Contribute to team discussions, meetings, and incident investigations	Actively participate in incident investigations, seek root causes, and implement changes		Develop and communicate clear and measurable expectations of work performance – hold people accountable for poor performance	Make the hard decisions and take responsibility for the decisions I make
10	Follow the directions as provided by Supervisors	Provide timely and constructive feedback on-the-job		Allocate sufficient training, time and priority for initiatives	
11	Take responsibility for my actions or inactions and the actions or inactions of others (don't turn a blind eye)			Make the hard decisions and take responsibility for the decisions I make	
12	Present myself in a fit for work state, with a positive attitude				
13	Be willing to learn				

Annexure 2: Injury type by employment arrangement

INJURIES (2020-2022)

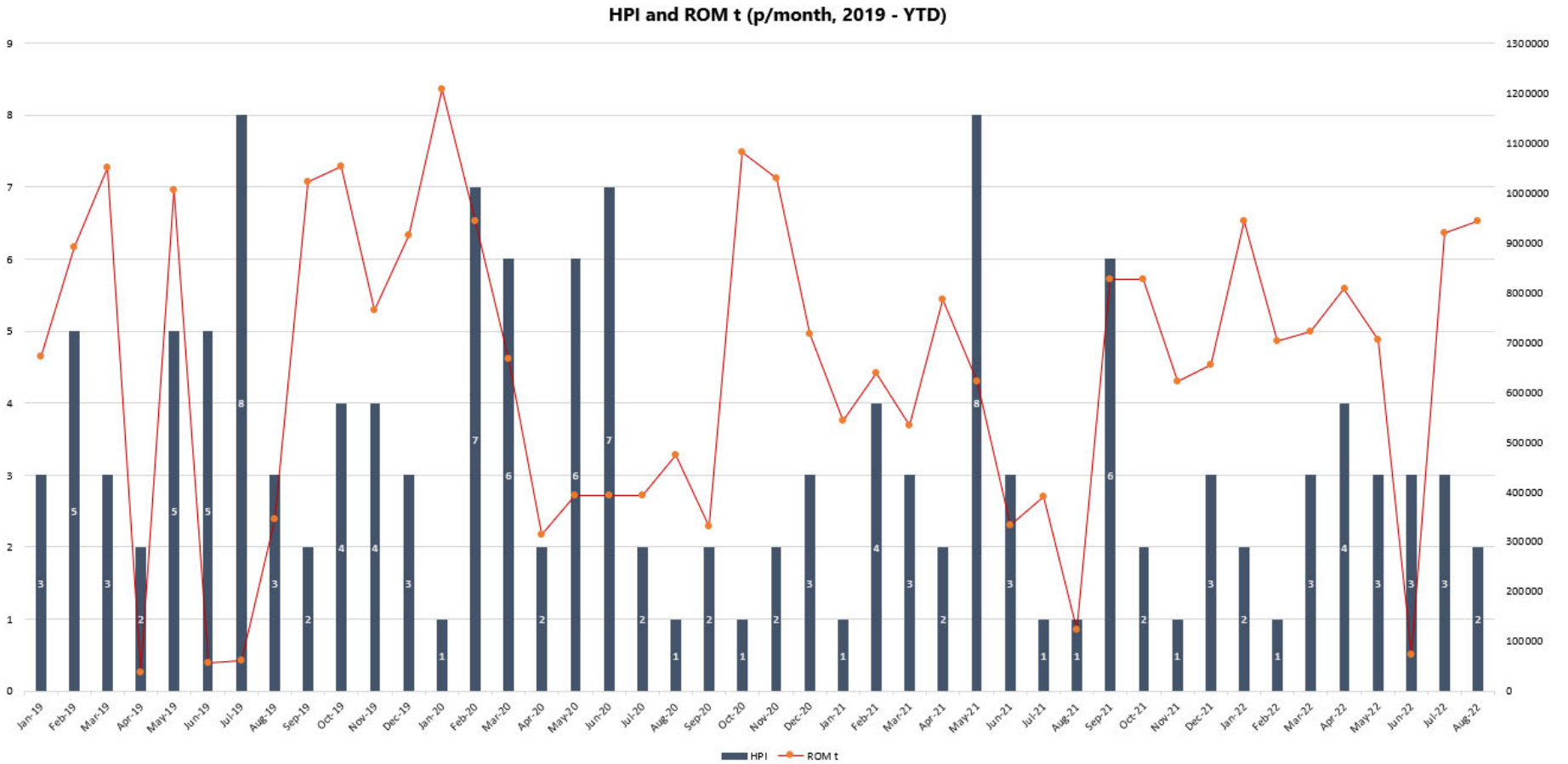


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Annexure 3: ROM tonnes vs HPI's per month



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