


Regulating for Safe and Sustainable Resource Development

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Executive Director
Resources Regulator

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The background features a stylized illustration. On the left, a river flows through a landscape with emus and small green plants. The sky is dark blue with white stars and a crescent moon. The right side shows a blue body of water with a white whale and a yellow sun. The entire scene is framed by a blue border with white dots.

The Department of Primary Industries and Regional Development acknowledges that it stands on Country which always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.

Resources Regulator – who are we?

The Resources Regulator within NSW Resources, is responsible for compliance and enforcement functions across NSW's mining sector.

The primary focus of the Regulator is to undertake compliance activities for compliance with the Mining Act, including regulating exploration activities (including rehabilitation of those activities), mine rehabilitation obligations and regulating work health and safety legislation on NSW mine and petroleum sites.

Our Objectives

We aim to:

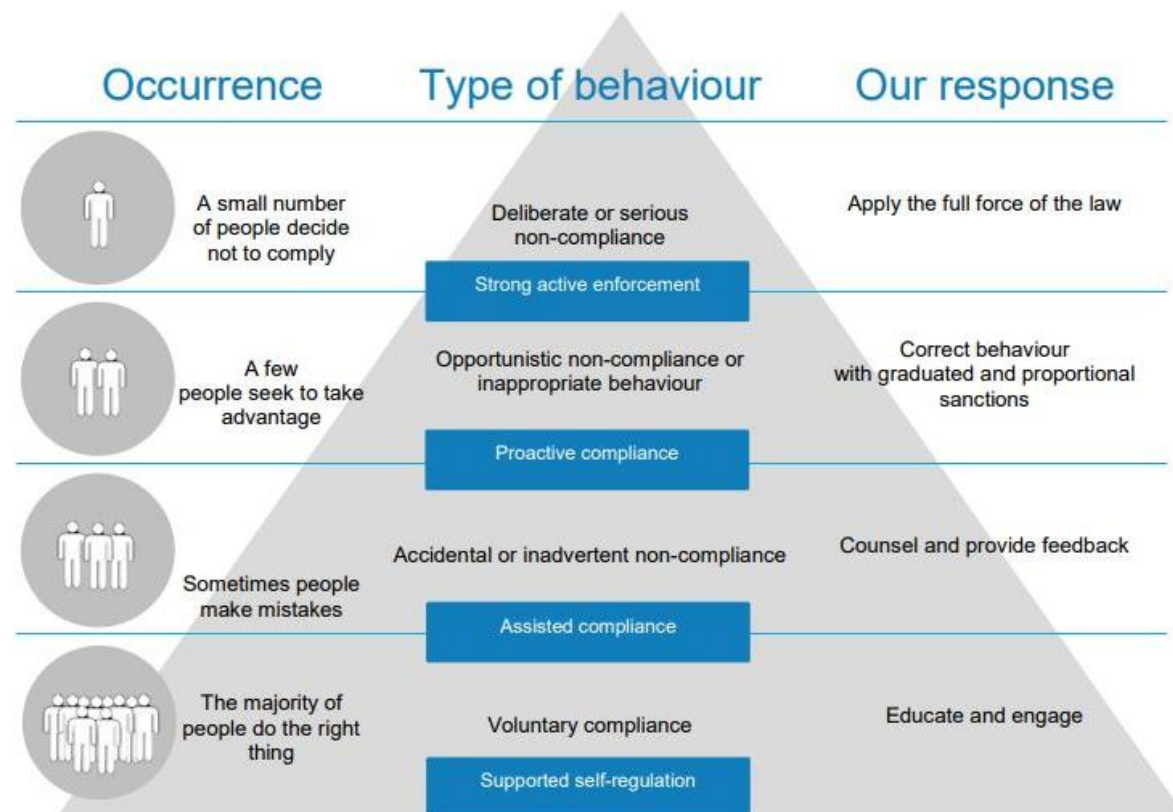
- Ensure a safe, sustainable and innovative mining, extractive and petroleum industry in NSW
- Regulate and monitor the NSW mining industry to meet its safety and environmental regulatory obligations
- Make regulations and outcomes transparent to customers and stakeholders
- Engage with and educate industry about best practice
- Promote confidence in how the industry is regulated

Our role

Our role includes:

- receiving and considering complaints, alleged breaches of the Mining Act and safety incident notifications
- providing information and guidance about safety and other regulatory obligations to protect and support industry, workers, the community and the state
- conducting probity and compliance checks on applicants for grant/renewal/transfer title applications
- conducting inspections and investigations
- assessing licensing, registration applications and grants applications for occupational licences (practising certificates and certificates of competence)
- regulating exploration activities including issuing activity approvals and ensuring compliance with title conditions and codes of practice
- taking enforcement action such as issuing prohibition and other statutory notices and taking prosecution action
- providing advice to the appropriate development consent authority regarding the appropriateness of rehabilitation strategies included in development applications, including advice on conditioning

Our regulatory approach



Aims to promote voluntary compliance and good practice

Compliance and enforcement actions are driven by a risk-based approach

Applies escalating enforcement action for those who demonstrate more serious, repeated or sustained non-compliances or misconduct

Exploration and the WHS laws

The WHS Act 2011 and the WHS (MPS) Act 2013 and their associated regulations apply whenever exploration is undertaken.

Key obligations:

- Appoint an operator for the exploration site (in most cases this would be the titleholder) and notify us
- Notify us at the start of exploration
- Develop and implement and safety management system
- Notify us of any safety incidents

The Mine Safety Inspectorate and Exploration

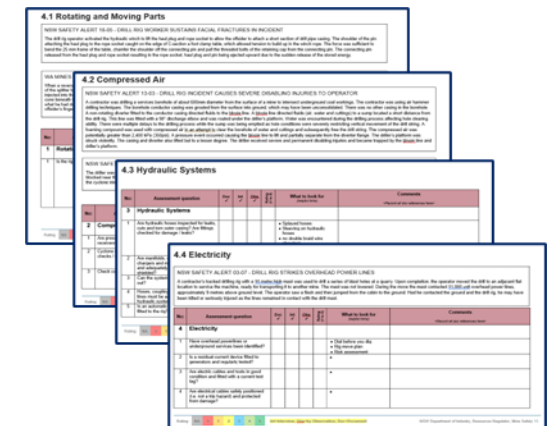
Who are we:

- Made up of operational and engineering teams within the Resource Regulator
- Inspectors are appointed under the WHS legislation
- Monitor and enforce legislative compliance



Our role in exploration:

- Currently undertaking site assessments on drilling activities – assessing operator and contractor systems and implementation.
- As well as hazards associated with drill rigs and their operation.
- Provide feedback on operations by way of notice where applicable



Compliance priorities and programs

For July to December 2024, our compliance priorities for exploration include:

Assessment of safety management systems and other WHS requirements in drilling operations in exploration

Compliance audits of exploration operations against Mining Act requirements, including:

- Full compliance audits of exploration licences
- Targeted audits against the mandatory requirements of the Exploration code of practice: Community consultation
- Targeted audits of applications for sign-off of rehabilitation for exploration activities

2023 audit program findings

There were 22 non-compliances, 27 observations of concern and 71 suggestions for improvement identified across the 38 audits included in the 2023 audit program.

The exploration non-compliances related to:

- failure to undertake a community consultation risk assessment (6)
- failure to prepare a documented community consultation strategy (3)
- failure to prepare a documented environmental management risk assessment (3)
- failure to prepare a documented rehabilitation risk assessment (3)
- failure to maintain core and samples from exploration operations (2)
- failure to conduct exploration operations in accordance with assessable prospecting operation approvals (2)

Contacting the Regulator



RESOURCES REGULATOR TELEPHONE MENU

1300 814 609

For all other enquiries, **PRESS 2** 8.30AM - 4.30PM MON - FRI

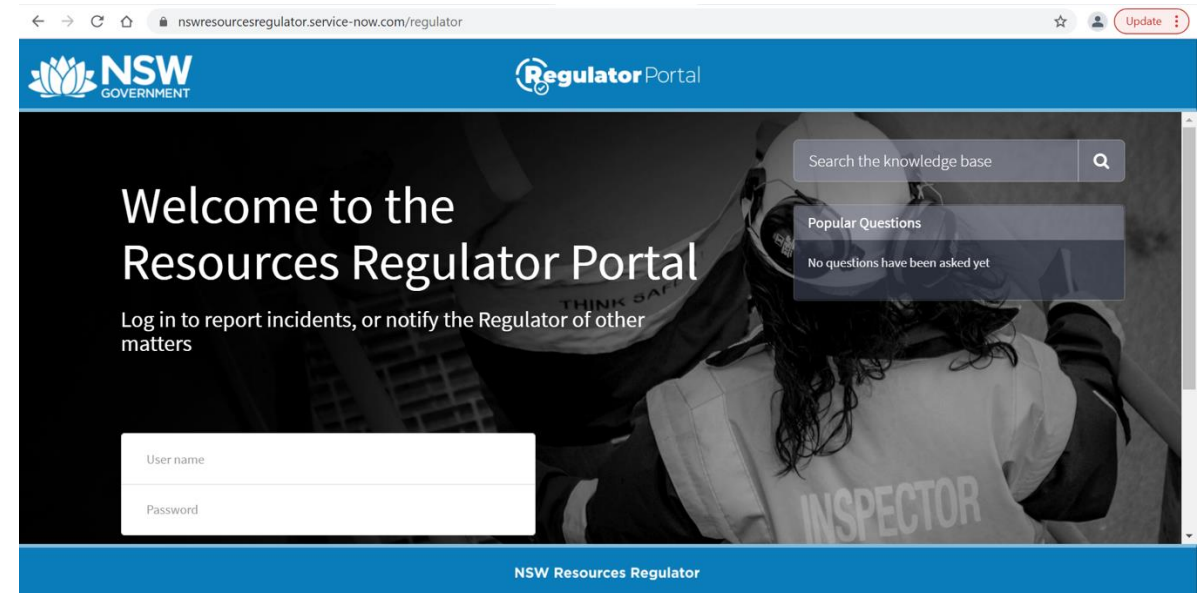
1 NOTIFY AN INCIDENT To notify a safety incident, or to enquire about an incident you have already notified. **PRESS 1** 24/7

2 AUTHORISATIONS, PLANT REGISTRATION, LICENCES & EXEMPTIONS PRESS 2

3 COMPETENCE, PRACTISING CERTIFICATES & MUTUAL RECOGNITION PRESS 3

4 MINE SAFETY GENERAL PRESS 4

5 MINING ACT COMPLIANCE PRESS 5



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