**May 2020**

## Background

This checklist has been developed by the NSW Resources Regulator to assist people who hold mining leases and carry out mining operations to understand their regulatory responsibilities. This checklist is self-directed and helps you to consider many aspects of your regulatory responsibilities under both the *Mining Act 1992* and the Mining Regulation 2016.

## Legislation

The Mining Act outlines the way mineral resources can be explored and mined in NSW. The Act provides a licencing system for people who want to undertake exploration or mining. In general, a valid authorisation is required, and the type of authorisation required depends on the type of activity you are undertaking:

* for mining, this authorisation is a mining lease (ML)
* for exploration, this authorisation is an exploration licence (EL) or an assessment lease (AL).

Authorisations are granted with a series of conditions you must follow. The Regulator will audit the performance of the systems and processes that support your compliance, as well as auditing how you meet your specific obligations under:

* the Mining Act and Regulations
* the conditions of your authorisation
* the commitments in your approved mining operations plan

## Scope of this checklist

This document is comprised of several checklists, each based on those used by the Regulator’s audit team. The checklists provide an indication of some of the issues the Regulator’s auditors consider when undertaking audits on-site.

If you hold an authorisation, you may use these checklists to assist you to identify requirements that apply to your particular authorisation and help you to ensure you are meeting your statutory obligations. This document is designed for small-scale miners, as larger companies generally develop their own internal compliance processes.

**Note:** These checklists are of a general, advisory nature only. Using them does not limit or otherwise reduce your responsibility to ensure you meet your statutory requirements. This document does not provide guidance or advice on other legislation or legislative frameworks that may apply to you. There may be additional obligations relating to your authorisation, or the activities occurring in relation to the authorisation that are not covered by this document.

## Who should use this checklist?

This document is based on the conditions of mining leases granted, transferred or renewed after January 2013. If you hold an authorisation with other sets of conditions, these checklists provide a general indication of the requirements, but certain specific conditions may not be covered. You should perform your own review of your authorisation conditions to ensure the checklist is consistent with the conditions that apply to you.

Regular self-auditing (that is, once a year or more frequently) will help to ensure you maintain your compliance. You should also complete a self-audit at other times, such as following:

* major structural change in your business resulting in changes in staffing or business systems
* major change in operations, for example, extended periods of shutdown, commencing new operations or re-entering previously operated areas
* an alleged or proven non-compliance with the Act, Regulation or authorisation conditions.

### Further information

resourcesregulator.nsw.gov.au

resources.regulator@planning.nsw.gov.au

1300 814 609

## Your mining lease details

|  |  |  |
| --- | --- | --- |
| Mining lease number/s |

|  |
| --- |
|       |

 |
| Project name |

|  |
| --- |
|       |

 |
| Titleholder |

|  |
| --- |
|       |

 |
| Grant date |

|  |
| --- |
|       |

 |
| Last renewal date |

|  |
| --- |
|       |

 |
| Expiry date |

|  |
| --- |
|       |

 |
| Audit period |

|  |  |  |
| --- | --- | --- |
|       |  to |       |

 |
| Checklist completed by |

|  |
| --- |
|       |

 |
| Date checklist completed |

|  |
| --- |
|       |

 |

## Part 1: General conditions of title

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 1 Notice to landholders |  |  |  |  |  |
| You are obliged to give notice to relevant landholders of certain things in relation to your authorisation. For example, the grant or renewal of your authorisation, the area and nature of your authorisation. In some cases, this notice can be served by publication in a newspaper. |
| 1.1 | Was the authorisation granted or renewed within the audit period? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 1.2 | Were there more than 10 landholders within the authorisation area at the time of grant or renewal of your authorisation? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 1.3 | Has notification been served on each landholder, either by letter or newspaper advertisement as required? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 2 Rehabilitation |  |  |  |  |  |
| Any disturbance resulting from the activities carried out under your authorisation must be rehabilitated to the satisfaction of the Minister. Some of the key rehabilitation objectives and criteria are detailed below. |
| 2.1 Rehabilitation risk assessment |  |  |  |  |  |
| 2.1.1 | Have you undertaken a rehabilitation risk assessment to evaluate the range of potential threats and opportunities associated with rehabilitating your site to a condition that can support the intended final land use(s)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.1.2 | Do you regularly review the rehabilitation risk assessment and update it as required to reflect changes in activities or risks to rehabilitation outcomes? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.1.3 | Is your risk assessment (and any review) documented and maintained? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.1.4 | Have you developed specific, measurable, achievable, realistic and time-bound rehabilitation objectives and completion criteria for activities associated with the mining operation? Have they been developed in consultation with relevant landholders? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.2 Rehabilitation monitoring |  |  |  |  |  |
| 2.2.1 | Have you developed adequate rehabilitation monitoring and management programs for the mining operations? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.2.2 | Do those programs consider the scope, frequency, numbering of monitoring locations and use of analogue sites?  | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.2.3 | Do you have evidence to indicate that your rehabilitation monitoring programs are being effectively implemented on-site? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.2.4 | Do you use the results of the rehabilitation monitoring programs to assess performance against the rehabilitation objectives and criteria? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.2.5 | Do you modify your rehabilitation management programs when monitoring results indicate that rehabilitation criteria are not being achieved? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.2.6 | Where rehabilitation monitoring shows that results are not meeting rehabilitation criteria, are corrective actions identified, implemented, monitored and closed out? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.2.7 | Have you developed and implemented rehabilitation care and maintenance programs to ensure that rehabilitation will meet the final land use objectives identified for the site? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.3 Rehabilitation records |  |  |  |  |  |
| 2.3.1 | Are you maintaining records to demonstrate what rehabilitation works have been undertaken? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.3.2 | Do you take and maintain photographs of your rehabilitation activities? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.3.3 | Do you record the actual methodologies used to rehabilitate the site being maintained (for example, species utilised, fertiliser rate, details of ripping and scarifying, timing of sowing, sowing rates, seedling planting density, origin of seed, rainfall, and other)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.3.4 | Do you capture and maintain records of care and maintenance activities undertaken on rehabilitation areas? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.4 Current rehabilitation status |
| 2.4.1 | Do you have evidence to demonstrate that rehabilitation is being undertaken progressively?  | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.4.2 | Have you reviewed your rehabilitation progress and is it on track to comply with the final landform and land use objectives? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 2.4.3 | Are there any areas of incomplete rehabilitation on your site or any areas that, if left unmanaged, are likely to result in a delay in achieving the rehabilitation obligations for the site? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 3 Mining operations plan  |
| You must have and comply with an approved mining operations plan when carrying out any significant surface disturbing activities, including mining operations, ancillary mining activities and prospecting. The plan must be approved and in place prior to undertaking mining operations. |
| 3.1 | Have you prepared and submitted a mining operations plan for your mining operation? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 3.2 | Has the mining operations plan been approved by the Regulator? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 3.3 | Does your mining operations plan identify the approved post-mining land use and set out a detailed rehabilitation strategy to achieve that land use? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 3.4 | Based on your rehabilitation risk assessment, have you identified and implemented suitable controls to manage the risks identified? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 3.5 | Do you have processes to check that those controls have been implemented on the site and are effective in managing the risk? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 3.6 | Do you have systems and processes in place to monitor compliance against the mining operations plan requirements? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 3.7 | If your MOP is due to expire, have you ensured that you have prepared a new MOP and submitted it for approval before the expiry of the current MOP? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 4 Annual Environmental Management Report or Annual Review |
| You must prepare an annual rehabilitation report to the satisfaction of the Minister. The report must:1. provide a detailed review of the progress of rehabilitation against the performance measures and criteria established in the approved mining operations plan
2. be submitted annually on the grant anniversary date (or at such other times as agreed by the Minister), and
3. be prepared in accordance with any relevant annual reporting guidelines [on the department’s website](http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/rules-and-forms/pgf/environmental-guidelines).
 |
| 4.1 | Do you have a system in place to remind you when reports are due? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 4.2 | Have you prepared and submitted rehabilitation reports for your mining operations by the due dates? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 4.3 | Does each rehabilitation report provide a detailed review of the progress of your rehabilitation activities? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 4.4 | Are your rehabilitation reports submitted annually on the grant anniversary date (or other agreed date)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 4.5 | If you have not been able to submit reports within the required timeframes, have you sought and been granted extensions of time to lodge reports? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 4.6 | Have you been granted any exemptions to prepare and lodge reports about your mining operations? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 5 Non-compliance reporting |
| You must notify the Regulator within seven days of becoming aware of any breaches of the conditions of this mining lease or breaches of the Mining Act or Regulations.  |
| 5.1 | Are there systems and processes in place to detect and action non-compliances? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 5.2 | Have you detected any non-compliances during the audit scope period? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 5.3 | If yes, were those non-compliances notified to the Regulator? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 5.4 | Was that notification done within the seven day timeframe? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 5.5 | Have you taken actions to prevent any recurrence, or to mitigate the effects, of that non-compliance? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 6 Environmental incident reporting |
| You must provide environmental incident notifications and reports to the Secretary no later than seven (7) days after those environmental incident notifications and reports are provided to the relevant authorities under the Protection of the Environment Operations Act 1997. |
| 6.1 | Do you have systems and processes in place to detect and action environmental incidents? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 6.2 | Have any environmental incidents occurred during the audit scope period? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 6.3 | If yes, have you reported those incidents to EPA or other agencies? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 6.4 | Have you also provided reports to the Regulator? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 6.5 | Were those reports submitted to the Regulator within the seven day timeframe? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 7 Resource recovery |
| You must optimise the recovery of the minerals that are the subject of your authorisation to the extent that it is economically feasible. |
| 7.1 | Are you actively working your mining lease(s)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 7.2 | Do you submit production quantities to Division of Resources and Geosciences? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 7.3 | Has the Geological Survey of NSW raised any concerns with you about recovery of resources? Have these concerns been acted upon? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 8 Security |
| You must provide and maintain a security deposit to secure funding for the fulfilment of your obligations under your authorisation, including obligations that may arise in the future. |
| Security amount required  | $       |  |  |  |  |
| Date of last security review |                           |
| 8.1 | Have you paid the required security amount? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 8.2 | Have you provided a rehabilitation cost estimate at required intervals or triggers (for example, at renewal, when submitting the annual environmental management report or when submitting the mining operations plan)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 8.33 | Was your rehabilitation cost estimate prepared using the Regulator’s rehabilitation cost estimation tool? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 9 Cooperation agreement |
| You must make every reasonable attempt, and be able to demonstrate your attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). |
| 9.1 | Are there any other mining or exploration titles that overlap with your title(s)? | [ ]  Yes | [ ]  No |  | Comment                          |
| 9.2 | If there are overlapping titles, have you attempted to negotiate a co-operation agreement with the overlapping titleholder? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 9.3 | If you have prepared a cooperation agreement with the overlapping titleholder, does it address: |  |  |  |  |
| i | Access arrangements? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| ii | Operational interaction procedures? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| iii | Dispute resolution? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| iv | Information exchange? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| v | Drillhole location? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| vi | Timing of drilling? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| vii | Potential resource extraction conflicts? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| viii | Rehabilitation issues? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 10 Exploration reporting |
| You must lodge reports relating to exploration (refer to section 163C of the Mining Act and clause 59 of the Mining Regulation). The reports must be prepared in line with the department’s [Exploration reporting: a guide for reporting on exploration and prospecting in NSW](http://www.resourcesandenergy.nsw.gov.au/__data/assets/pdf_file/0017/535112/Exploration-reporting-a-guide-for-reporting-on-exploration-and-prospecting-in-NSW.pdf). |
| 10.1 | Do you have systems and processes in place to track reporting dates? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 10.2 | Have you submitted annual exploration reports in accordance with the guideline? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 10.3 | Do you submit your reports within the 30 day timeframe after grant anniversary date? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 10.4 | If you have been unable to submit your reports within the required timeframes, have you applied for and been granted extensions of time to lodge reports? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 10.5 | Have any exemptions been granted to prepare and lodge reports about the titles? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 10.6 | Have you prepared your exploration reports in accordance with the guideline ‘Exploration Reporting: A guide for reporting on exploration and prospecting in NSW’ and relevant DRG templates? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11 Extraction plan (coal titles only) |
| You must not undertake any underground mining operations that may cause subsidence, except in accordance with an approved extraction plan. You must ensure that the approved extraction plan provides for the effective management of risks associated with any subsidence resulting from mining operations carried out under your authorisation. |
| 11.1 | Are you undertaking underground mining? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.2 | Have you prepared and had approved an extraction plan for the underground operations? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.3 | Does your extraction plan identify the risks associated with subsidence resulting from mining operations? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.4 | Have you identified appropriate risk controls? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.5 | Have those risk controls been implemented? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.6 | Do you have systems and processes for monitoring the implementation of the risk controls? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.7 | Have you undertaken any assessment of the effectiveness of the risk controls? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.8 | Have you made any notifications to the Regulator for any: |  |  |  |  |
| i | Incident caused by subsidence that has a potential to expose any person to health and safety risks? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| ii | Significant deviation from the predicted nature, magnitude, distribution, timing and duration of subsidence effects, and of the potential impacts and consequences of those deviations on built features and the health and safety of any person? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| iii | Significant failure or malfunction of a monitoring device or risk control measure set out in the approved extraction plan addressing built features, public safety or subsidence monitoring? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.9 | If yes to any part of question 8, were the notifications made within the 48 hour timeframe specified? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 11.10 | Where incidents, significant deviations or failures have occurred, were appropriate corrective and preventive actions identified and implemented? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |

## Part 2: Mining Act and Regulation

The *Mining Act 1992* and the Mining Regulation 2016 also impose obligations on titleholders which must be complied with. This section outlines these requirements.

|  |
| --- |
| 12 Section 5 Mining or prospecting without authorisation |

|  |
| --- |
| You must not prospect or mine any mineral except in accordance with the conditions of your authorisation.  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 12.1 | Are you undertaking your mining operations in accordance with the conditions of your authorisation(s)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 12.2 | Are you undertaking all mining operations and ancillary mining activities within your lease boundaries? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 12.3 | If not, does the exemption for ancillary mining activities apply? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 13 Section 113 Applications for renewal of mining lease |

|  |
| --- |
| Section 113 of the Mining Act specifies the timeframes for renewal of a mining lease. Clause 28 of the Mining Regulation prescribes the information that needs to be submitted with an application for renewal.  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 13.1 | Have you renewed your mining lease/s during the audit scope period?  | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 13.2 | Was the renewal application made on the standard departmental form? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 13.3 | Was a renewal justification statement included with the application? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 13.4 | Was a rehabilitation cost estimate provided with the application? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 13.5 | Was a statement of corporate compliance, environmental performance history and financial capability provided with the application? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 13.6 | Was a copy of the development consent included with the application? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |

|  |
| --- |
| 14 Section 163C Reports |
| You must prepare and lodge reports of all operations carried out under the authorisation. Clauses 59, 60, 61 and 63 of the Mining Regulation contain specific requirements for reports, maps, plans and data. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 14.1 | Have you prepared and submitted annual reports for your exploration licence? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 14.2 | If you have relinquished parts of your licence area, have you prepared and submitted partial relinquishment reports? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 14.3 | If you are cancelling or not renewing your exploration licence, have you prepared and submitted a final report? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 14.4 | Have you submitted all required maps, plans and data in the required formats? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 15 Section 163D Record keeping  |

|  |
| --- |
| You must keep records about your authorisation: 1. in a legible form, or in a form that can readily be reduced to a legible form for production to any inspector, and
2. for four years following the expiry or termination of your authorisation.

Note: Please refer to other parts of this checklist to determine the type of records which need to be maintained. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 15.1 | Do you have systems and processes in place to capture and maintain required records? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 15.2 | Are your records well-organised and stored properly? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 15.3 | Are your all records readily retrievable? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 15.4 | Have you provided all data to the department in accordance with the exploration reporting guideline requirements? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 16 Section 282 Liability to pay royalty |

|  |
| --- |
| You are required to pay royalty on any minerals you recover from your lease. Clauses 73 and 74 of the Mining Regulation provide the formulae for calculating the rates of royalty. Clauses 76 and 77 provide the requirements for royalty returns and payments. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 16.1 | Do you have systems and processes in place to remind you when your royalty returns and payments are due? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 16.2 | Have you provided royalty returns as required? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 16.3 | Have your royalty payments been made by the due dates? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 17 Sections 292E and 292I Annual rental fee and annual administrative levy |

|  |
| --- |
| You must pay annual rental fees and administrative levies for each authorisation that you hold. These fees and levies are due each year on the anniversary of the grant of your authorisation/s. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 17.1 | Do you have systems and processes in place to remind you when your rent and levy payments are due? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 17.2 | Have you paid your rents and levies by the due dates? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 18 Schedule 1B Clause 7A Suspension of mining operations |

|  |
| --- |
| You must not suspend mining operations on your authorisation/s unless you have obtained written approval from the Division of Mining Exploration and Geoscience (contact resource.operations@planning.nsw.gov.au) |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 18.1 | Have you suspended your mining operations?  | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 18.2 | If yes, was approval applied for and granted for the suspension of operations? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 18.3 | Were any conditions attached to the approval to suspend operations?  | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 18.4 | Have you complied with those conditions? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |

## Part 3: Operational performance assessment

Questions in this section are intended to help you consider how effectively you are managing compliance with your obligations.

|  |
| --- |
| 19 Compliance management  |
| 19.1 | Have you identified your compliance requirements? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 19.2 | Have you undertaken any analysis of your compliance risks in relation to possible causes and sources of non-compliance? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 19.3 | Are there any systems in place to monitor and track compliance requirements? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 19.4 | Is there a system in place to manage non-compliances that are identified? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 19.5 | Is there a system in place to identify and manage change (for example, a new hardstand facility might require a MOP amendment)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 19.6 | Are changes to compliance requirements and controls communicated to operational personnel (for example, is there a toolbox talk process or similar)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 19.7 | Are there effective mechanisms in place for internal communication? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 19.8 | Do you evaluate your compliance with a view to continual improvement of performance? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 20 Risk identification and assessment |
| 20.1 | Have you undertaken any process mapping and risk assessment to identify key issues for your operation? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 20.2 | Where key issues are identified, have appropriate controls been put in place to manage those risks? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 20.3 | Does the risk identification and assessment address operational and environmental risks as well as safety risks? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 20.4 | Is the risk assessment regularly reviewed and updated as necessary? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 21 Managing your contractors |
| 21.1 | Do you use any subcontracted services (for example, drillers, trucking, or other services)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 21.2 | Do you communicate any relevant key issues and controls to the subcontractor (for example, performance specifications, induction processes, or other issues and controls)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 21.3 | Do you monitor the activities of the subcontractor (for example, surveillance, audits, inspection or through other means)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 21.4 | Do you obtain copies of key records generated by subcontractors to verify compliance with your obligations as a title holder (for example, borehole sealing records, drilling records, or other records)? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 22 Inspecting, monitoring and evaluating |
| 22.1 | Do you have systems in place for the inspection, monitoring, and evaluation of key risk controls? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 22.2 | Are inspections documented? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 22.3 | Is there a closeout loop to ensure any non-compliances or defects identified can be tracked, addressed and closed out? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 22.4 | Is there periodic review and evaluation of monitoring and inspection results to verify controls are effective, or identify any trends in particular issues? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 22.5 | Where incidents occur, are there adequate processes in place for reporting these? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 22.6 | Are there any internal reporting systems, and is information from these systems and processes used in the decision-making process? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 22.7 | Is there any form of management review? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 23 Training and competency |
| 23.1 | Have you identified core competencies required for positions?  | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 23.2 | Is there a skills matrix or other similar tool used to identify any training gaps? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 23.3 | Are training records documented? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 23.4 | Is there a system in place to monitor training expiry dates and program any required re-training? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |
| 23.5 | Is there an induction program and does it address key operational, environmental, and safety risks? | [ ]  Yes | [ ]  No | [ ]  N/A | Comment                          |

## Part 4: Other compliance requirements

Use this section of the checklist to review any conditions or compliance requirements not already covered in the earlier parts of the document.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Requirement 1 |                           |  |  |  |  |
| Comment |                           |  |  |  |  |
| Requirement 2 |                           |  |  |  |  |
| Comment |                           |  |  |  |  |

CM9 reference: DOC19/979898