

Robert Hodgkins
Energy Resource Assessment
Department of Planning, Industry and Environment

Via: Major Projects Portal

Dear Mr Hodgkins

Re. Dubbo Quarry Continuation Project (SSD-10417) – Request for Advice

I refer to your request of 9 February 2020 for advice regarding the Dubbo Quarry Continuation Project. The Resources Regulator has reviewed the request.

Assessment

Based on this review, the Resources Regulator advises that, as the quarry proposes the extraction of basalt for use as road base and aggregate (which is not a mineral under the Mining Act) its rehabilitation is not regulated by the NSW Resources Regulator.

In regards to Mine Safety it should be noted that as the proposed quarrying activity is considered a mine under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* (the “WHS (MPS) Act”) with the mine operator required to conduct its operations in accordance with the provisions of both the *Work Health and Safety Act 2011* and the WHS (MPS) Act.

Regulatory requirements if approved

The Resources Regulator may undertake assessments of the mine operators’ proposed mining activities under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and Regulation as well as other WHS regulatory obligations.

Background

The Mining Act Inspectorate within the Resources Regulator undertake risk-based compliance and enforcement activities in relation to obligations under the *Mining Act 1992*. This includes undertaking assessment and compliance activities in relation to mine rehabilitation activities and determination of security deposits.

The Mine Safety Inspectorate within the Resources Regulator is responsible for ensuring the mine operators’ compliance with the Work Health and Safety (WHS) legislation, in particular the effective management of risks associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Contact

Should you require any further information or clarification, please contact the Office of the Executive Director (ED.ResourcesRegulator@planning.nsw.gov.au)

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Alex Tutt-Branco', with a stylized flourish at the end.

Alex Tutt-Branco
Executive Officer
Office of the Executive Director, Resources Regulator

19 February 2021