

Philip Nevill
Senior Environmental Assessment Officer
Energy Resource Assessments

Via: Major Projects Portal

Dear Mr Nevill

Re. Narrabri Underground Mine Stage 3 Extension Response to Submission and Amendment Reports

I refer to your request of 2 June 2021 for advice regarding Narrabri Underground Mine's RTS and amendment reports. The Resources Regulator has reviewed the request.

Assessment

Based on the review of the RTS and Amendment Reports and further information provided by the Proponent, the Resources Regulator provides the following comments in relation to the project.

Mine Safety

The Regulator notes that matters raised in our correspondence of 2 December 2020 around the management of subsidence impacts on residential buildings have been addressed with the proponent in the process of negotiating the purchase of the privately-owned property.

Mine Rehabilitation

In relation to mine rehabilitation following review of the RTS received in June 2021 and additional information received on 23 July 2021, the Resources Regulator requests that the following rehabilitation objectives are included in the Consent:

- Ensure the final landform of the REA is designed using geomorphic principles
- The design must provide for negligible instability risk for all final landforms

The Regulator requests an opportunity to review any amended or additional documentation lodged by the proponent that affects rehabilitation outcomes and also requests the opportunity to review any draft conditions of development consent prior to them being finalised.

Limitations

It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented. Under the conditions of a mining authorisation granted under the Mining Act 1992, the Resources Regulator requires the holder to adopt a risk-based approach to achieving the required rehabilitation outcomes.

The applicability of the controls to achieve effective and sustainable rehabilitation is to be determined based on site-specific risk assessments conducted by the authorisation holder. An authorisation holder may also be directed by the Resources Regulator to implement further risk control measures required to achieve effective rehabilitation outcomes during the life of the mine.

Regulatory requirements if approved

The proponent will be required to comply with rehabilitation requirements under the mining authorisation(s) when undertaking works associated with the proposal.

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,



Garvin Burns
Executive Director
Resources Regulator

30 July 2021