

RVF22/403#42
MAAG0014057

Ms Genevieve Lucas
Team Leader - Resource Assessments
Energy, Industry and Compliance
Department of Planning, Industry and Environment

Via: Major Project Portal / Email

Dear Ms Lucas,

Re. The Constellation Project

I refer to your request of 2 May 2022 for advice regarding a request for the Secretary's Environmental Assessment Requirements (SEARs) for the Constellation Project. The Resources Regulator has reviewed the request.

The Mining Act Inspectorate recommends that the environmental assessment requirements as outlined in Attachment 1 are addressed in the development application.

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,

A handwritten signature in black ink, appearing to read 'P Day', with a stylized, cursive script.

Peter Day
Executive Director
Resources Regulator

13 May 2022