



NSW Resources Regulator

The NSW Department of Industry has created the NSW Resources Regulator. This is a standalone regulator, responsible for compliance and enforcement functions across our mining and energy sectors, and for driving continuous improvement across all the regulatory functions of our Department.

The NSW Resources Regulator was established at the request of Minister Anthony Roberts to ensure the regulatory functions within the NSW Department of Industry have clear separation from industry development activities.

This move is designed to ensure a consistent and responsive regulatory approach and will provide increased transparency and community confidence.

The NSW Resources Regulator is headed by a Chief Compliance Officer (CCO), who reports directly to the Secretary of the NSW Department of Industry.

What is the major focus of the NSW Resources Regulator?

The primary focus of the NSW Resources Regulator will be on compliance activities within the Resources and Energy sectors, including:

- Compliance with the Mining Act
- Regulating safety and health performance and NSW Mines.

The NSW Resources Regulator will also lead a program of performance improvement across all the Department's other regulatory agencies.

These include agriculture, biosecurity, food safety,

fisheries, Crown lands and water.

The broad improvement role will include:

- Facilitating the sharing of regulatory best practice
- Assisting regulators to respond to major regulatory incidents
- Establish a performance framework consistent with the Government's Quality Regulatory Services initiative
- Working with regulators to establish appropriate risk rankings, compliance strategies and programs.

The NSW Resources Regulator is tasked with setting the frameworks that establish what is low, medium or high risk, and giving guidance to ensure that regulatory action is consistent and proportionate across the Department.

Who will comprise the NSW Resources Regulator?

The NSW Resources Regulator is comprised of the Division of Resources and Energy's former Compliance and Enforcement unit, which has recently been strengthened.

A new role, Director Performance Improvement, will also be created and six additional staff will be recruited to the unit to lead Department wide performance improvement projects and seconded staff.

The Environmental Sustainability Unit, which was previously part of the Compliance and Enforcement Branch, will remain with the Division of Resources and Energy, as its core accountabilities are not

predominantly 'enforcement' in nature.

The Environmental Sustainability Unit oversees NSW Mine Rehabilitation, community education and plays a vital role in the mining Titles assessment process within the Division of Resources and Energy.

The NSW Resources Regulator Advisory Committee

To ensure transparency and to earn community confidence in the NSW Department of Industry's regulatory operations, an Advisory Committee has been established.

The NSW Resources Regulator Advisory Committee, will be comprised of:

- The Chief Compliance Officer, NSW Resources Regulator (Lee Shearer);
- The NSW Department of Industry General Counsel (Tim Holden);
- The Land and Water Commissioner (Jock Laurie);
- An independent Regulatory Adviser, Ms Lisa Corbyn PSM (previously CEO of the NSW EPA).

The principal roles of the committee are to provide:

- Strategic improvement advice, so that the NSW Department of Industry's regulatory services are efficient, respectful and effective;
- Oversight and advice on major enforcement

matters, to ensure that they are (and are seen to be) made on objective grounds and without fear or favour.

What does this mean for regulated activities?

The establishment of the NSW Resources Regulator will not change any of the current responsibilities for compliance and enforcement of the NSW Environment Protection Authority or the NSW Department of Planning and Environment.

There will be no change to compliance obligations for those undertaking exploration or mining activities in NSW, or in relation to obligations under work health and safety laws. Compliance and enforcement activities will continue to be conducted under the same approach as before – but now with clear separation for industry development activities. The changes simply reflect the internal reorganisation of the way the Department delivers its functions.

Contacting the NSW Resources Regulator

Office of the Chief Compliance Officer

T: 02 4931 6401

E: resources.regulator@industry.nsw.gov.au

Reporting a safety incident – **T:** 1300 814 609



The Hon. Anthony Roberts MP
Minister for Industry, Resources
and Energy



Simon Smith,
Secretary,
NSW Department of Industry



Lee Shearer,
Chief Compliance Officer,
NSW Resources Regulator
NSW Department of Industry

