



**NSW  
Resources  
Regulator**

**GUIDELINE**

# **FORM AND WAY FOR ANNUAL REHABILITATION REPORT AND FORWARD PROGRAM FOR SMALL MINES**



## Document control

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## AMENDMENT SCHEDULE

Date	Version	Amendment
June 2021	1	New document
October 2022	2	<p>Minor updates to reflect the online lodgement of the annual rehabilitation report and forward program via the Regulator Portal.</p> <p>Re-ordered certain sections to be consistent with the online form.</p> <p>Removed the need for a 'Summary Table' for the annual rehabilitation report and forward program.</p> <p>Removed 'Underground Mining Area' from Tables 2, 3 and 5 as the relevant surface disturbance elements are already captured in the "Total Disturbance Footprint – Surface Disturbance' reporting category.</p> <p>Amended definition in Table 3 of '(B) Total active disturbance' reporting category to ensure it excludes underground mining areas.</p>
May 2023	3	<p>Removed the need to report cumulative 'ecosystem and land use establishment' in Table 5. Replaced this with new reporting category (P) – 'Total New Area of Land Proposed for Active Rehabilitation'. Also included new definition of (P) in Table 3.</p>
February 2024	4	<p>Amended 'Purpose' and 'Mandatory requirements' sections to make it clear that the online forms on the Resources Regulator Portal are the approved form and way pursuant to clause 9 of Schedule 8A to the Mining Regulation 2016.</p> <p>Includes a new 'Publication' section to explain requirements to publish certain documents on the mining lease holders website.</p>

**AMENDMENT SCHEDULE**

Included a new section 2.3.4 – *Completion of rehabilitation* to reflect requirements of the forward program online form.

Amended the ‘Glossary’ to include a new definition for a ‘Final void’ and amended the ‘Form and way’ definition to refer to the online forms on the Resources Regulator Portal.

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## Purpose

Clause 9 of Schedule 8A to the Mining Regulation 2016 states that rehabilitation documents must:

- be in a form approved by the Secretary, and
- if required to be given to the Secretary - be given in a way approved by the Secretary.

The Secretary has approved the online form on the Resources Regulator Portal (accessible at <https://nswresourcesregulator.service-now.com/regulator>) as the prescribed form and way for an annual rehabilitation report and forward program for small mines, in accordance with Clauses 9 and 13 of Schedule 8A to the Mining Regulation 2016.

This document provides additional information for the online preparation and submission of the annual rehabilitation report and forward program for small mines.

**The annual rehabilitation report and the forward program are two separate documents.**

## Mandatory requirements

The annual rehabilitation report and forward program must be submitted using the online form on the Resources Regulator Portal accessible at <https://nswresourcesregulator.service-now.com/regulator>.

**The annual rehabilitation report and the forward program are two separate online forms.**

## Annual rehabilitation report and forward program content

The information included in each part, section and subsection in the annual rehabilitation report and forward program must address all instructions detailed within the relevant part, section or subsection of the relevant online form accessible via the [Resources Regulator Portal](#). This document sets out the parts, sections and sub-sections that are contained in the online form.

Where a part, section or subsection is not relevant or applicable, it must be noted as such and a justification provided.<sup>1</sup>

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<sup>1</sup> The inclusion of all parts, sections or subsections is to ensure consistency in the format of all annual rehabilitation reports and forward programs across NSW and compliance with the requirements of this document. The Resources Regulator recognises that the information in an annual report and forward program may be brief or very detailed. The length and complexity of an annual rehabilitation report and forward program will depend on the nature and scale of the mining operation, the level of risk to the environment and the rehabilitation outcomes to be achieved.

## Publication

Clause 16 of Schedule 8A to the Mining Regulation 2016 requires the annual rehabilitation report and forward program (including the rehabilitation cost estimate component of the forward program) to be made publicly available through publication on the mining lease holder's website within 14 days after submission to the Resources Regulator<sup>2</sup>.

Once an annual rehabilitation report / forward program is submitted via the relevant online form, a PDF copy of the document (other than the rehabilitation cost estimate component of a forward program) is provided to the nominated contact person<sup>3</sup> to enable such publication.

## 1. Part 1 – Annual rehabilitation report

Part 1 sets out the components of the online form for the annual rehabilitation report accessible at <https://nswresourcesregulator.service-now.com/regulator>.

### 1.1. Applicant details

This section must provide:

- applicant's name (being the relevant lease holder)
- name of the relevant mining operation/mine.

### 1.2. Mine details

#### 1.2.1. Project description

This section must provide:

- a description of the mining project. The description must be consistent with the development consent(s) for the mine
- the estimated life of the mine (in years).

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<sup>2</sup> Clause 16(2)(b) states that if the holder of a mining lease does not have a website then they must provide a copy of the annual rehabilitation report / forward program to a person within 14 days following any request.

<sup>3</sup> Clause 19 in Schedule 8A to the Mining Regulation 2016 requires the holder of a mining lease to nominate a natural person with whom the Secretary can communicate in relation to the mining lease for the purposes of the *Mining Act 1992* (i.e. a nominated contact person).

## 1.2.2. Current development consents, leases and licences

This section must include the following approvals, or any new approvals for the mining area documented in the rehabilitation management plan:

- a. development consents granted under the *Environmental Planning and Assessment Act 1979*
- b. authorisations covering the mining area (including mining leases and exploration licences, and assessment leases and) granted under the *Mining Act 1992*
- c. any other approvals, licences, or authorities issued by government agencies that are relevant to the progress of mining operation and rehabilitation activities.

If there have been changes to the status of these approvals during the annual reporting period, the lease holder must include a summary of the scope and/or purpose of the new applications or modifications to existing approvals.

## 1.2.3. Land ownership and land use

This section must provide details of any changes to land ownership and land use related to the land, that has occurred during the annual reporting period.

## 1.3. Complaints register

This section must list (in a table) any complaints received during the reporting period in relation to rehabilitation and provide details of the response(s) to these complaints.

## 1.4. Surface disturbance and rehabilitation activities during the annual reporting period

This section must provide an overview of significant surface disturbance activities, including mining operations, ancillary mining activities, exploration carried out on the mining area, and rehabilitation activities that were undertaken during the annual reporting period. Information must include, but is not limited to the following:

- a. A description of the surface disturbance and rehabilitation activities that were conducted and an analysis of the progress against the schedule presented in the previous annual rehabilitation report and forward program, as well as any relevant development consent.
- b. An overview of rehabilitation management and maintenance activities, for example re-seeding, weed and feral animal control and erosion control works.

- c. Key production milestones / material production schedule by completing Table 1.

Table 1: Key production milestones / material production during previous annual reporting period

MATERIAL	UNIT	QUANTITY
Stripped topsoil (if applicable)	(e.g. m <sup>3</sup> )	
Rock/overburden	(e.g. m <sup>3</sup> / tonnes /Mt)	
Ore	(e.g. m <sup>3</sup> / tonnes /Mt)	
Reject material <sup>4</sup>	(e.g. m <sup>3</sup> / tonnes /Mt)	
Product	(e.g. m <sup>3</sup> / ounces / tonnes /Mt)	

**Note:** This table within the online form will highlight any substantial deviation from data provided in your forward program. These changes may have resulted in changes to the rehabilitation schedule which must also be reported in the relevant section of this annual rehabilitation report.

## 1.5. Disturbance and rehabilitation statistics

### Explanatory note 1: Disturbance and rehabilitation reporting categories

The sequence of actions required to rehabilitate disturbed areas to achieve the final land use are classified into conceptual stages referred to as phases of rehabilitation. These phases are defined in the Glossary and are:

- active mining
- decommissioning
- landform establishment
- growth medium development
- ecosystem and land use establishment
- ecosystem and land use development
- rehabilitation completion (sign-off).

Rehabilitation areas often progress through the initial phases of rehabilitation (decommissioning, landform establishment and growth media development) in a short period of time. For the

<sup>4</sup> This includes coarse rejects, tailings and any other wastes resulting from beneficiation.



purposes of rehabilitation reporting, a modified classification of rehabilitation reporting categories is to be adopted in the annual rehabilitation report and forward program so that areas within the decommissioning, landform establishment and growth media development are cumulatively reported as **rehabilitation – land preparation**.

A description of each disturbance and rehabilitation reporting category is provided in Table 3 – Disturbance and rehabilitation reporting categories. Rehabilitation classified as ‘ecosystem and land use development’ will require lease holders to validate through monitoring data that rehabilitation is classified within this phase and retain appropriate records.

For rehabilitation to be classified as ‘rehabilitation complete’ it will require a determination in writing by the NSW Resources Regulator that the mining area (or part thereof) has achieved the final land use, as set out in clause 6 of Schedule 8A of the Mining Regulation 2016, following submission of the relevant application by the lease holder.

### 1.5.1. Current disturbance and rehabilitation progression

This section must provide a summary of the current disturbance and rehabilitation status at the end of the annual reporting period by completing Table 2. The disturbance and reporting information provided in Table 2 must be consistent with the definitions of these reporting categories set out in Table 3 and the glossary.

Table 2: Status of disturbance and rehabilitation at end of reporting period

<b>ANNUAL REPORTING PERIOD</b>	Insert start and completion dates
<b>TOTAL DISTURBANCE FOOTPRINT – SURFACE DISTURBANCE ((hectares)</b>	(A1)*
<b>TOTAL ACTIVE DISTURBANCE (hectares)</b>	(B)*
<b>REHABILITATION – LAND PREPARATION (hectares)</b>	(C)*
<b>ECOSYSTEM AND LAND USE ESTABLISHMENT (hectares)</b>	(D)*
<b>ECOSYSTEM AND LAND USE DEVELOPMENT (hectares)</b>	(E)*
<b>REHABILITATION COMPLETION (hectares)</b>	(F)*

**\*Note:** Definitions for each disturbance and rehabilitation reporting category are provided in Table 3.

Table 3: Disturbance and rehabilitation reporting categories

REPORTING CATEGORY	DEFINITION
A1 Total disturbance footprint – surface disturbance	<p>All areas within a mining lease that either have at some point in time or continue to pose a rehabilitation liability due to surface disturbance activities.</p> <p>The total disturbance footprint is the sum of the total active disturbance, decommissioning, landform establishment, growth medium development, ecosystem and land use establishment, ecosystem and land use development and rehabilitation completion (see definitions below).</p> <p>Underground mining operations should not include the footprint of underground mining areas/subsidence management areas in the total disturbance footprint.</p>
B Total active disturbance	<p>Includes all surface disturbance areas that are active and on which rehabilitation has not commenced.</p> <p>It includes mining domains: infrastructure areas, tailings storage facilities, water management areas, overburden emplacement areas, active mining areas (open cut void), beneficiation facilities.</p> <p>It excludes the mining domain: underground mining areas (SMP).</p> <p>It excludes disturbance areas where rehabilitation has commenced. An exception is temporary stabilised areas (e.g. areas sown with temporary cover crops for dust mitigation and temporary rehabilitation).</p>
C Rehabilitation – land preparation	<p>Includes the sum of all disturbed land within a mining lease that has commenced any, or all, of the following phases of rehabilitation – decommissioning, landform establishment and growth medium development.</p> <p>Refer to the glossary for the definition of these phases of rehabilitation.</p>
D Ecosystem and land use establishment	<p>Includes the area which has been seeded/planted with the target vegetation species for the intended final land use. However, vegetation has not matured to a stage where it can be demonstrated that it will be sustainable for the long-term and/or require only a maintenance regime consistent with target reference/analogue sites.</p> <p>This phase does not apply to infrastructure areas that are being retained as part of final land use for the site.</p>

REPORTING CATEGORY		DEFINITION
		Typically, rehabilitation areas would be in this phase for at least two years (and usually more) before rehabilitation can be classified as being in the ecosystem and land use development phase.
E	Ecosystem and land use development	<p>Rehabilitation has matured to a level where target revegetation outcomes are on a trajectory towards meeting the final rehabilitation objectives and rehabilitation completion criteria (as verified by monitoring).</p> <p>This phase includes infrastructure areas that are to be retained for an approved final land use, following completion of all necessary measures to render the infrastructure fit for this purpose (for example structural integrity).</p>
F	Rehabilitation completion	The NSW Resources Regulator has determined, in writing, that the mining area has achieved the approved rehabilitation objectives and approved rehabilitation completion criteria following the submission of the relevant application by the lease holder.
P	Total new area of land proposed for active rehabilitation	The sum of any <b>new</b> rehabilitation to be commenced in the next three years. These areas may be in the phases ‘rehabilitation - land preparation’ or the ‘ecosystem and land use establishment’ (definitions C and D above).

### Explanatory note 2: Status of rehabilitation and disturbance reporting

Reporting the status of rehabilitation and disturbance provides context and transparency about rehabilitation performance.

The information in Table 2 may assist the lease holder to:

- compare actual areas to predictions in the forward program for the annual reporting period
- calculate rehabilitation cost estimates.

The information in Table 2 provides context for the NSW Resources Regulator’s assessment that any land or water in the mining area that is disturbed by activities under the mining lease is rehabilitated as soon as reasonably practicable after the disturbance occurs in accordance with Clause 5 of Schedule 8A of the Mining Regulation 2016.

## 2. Part 2 – Forward program

Part 2 sets out the components of the online form for the forward program accessible at <https://nswresourcesregulator.service-now.com/regulator>.

### 2.1. Applicant details

This section must provide:

- applicant's name (being the relevant lease holder)
- name of the relevant mining operation/mine.

### 2.2. Three-year surface disturbance activities forecast

#### 2.2.1. Project description

This section must outline the mining project. The project description must be consistent with the development consent for the mine.

#### 2.2.2. Description of surface disturbance activities

This section must detail the surface disturbance activities proposed for the next three years. The following content must be included:

**a. Exploration activities**

Identify and describe exploration activities that are proposed or likely to be carried out in areas within the mining leases in the next three years.

**b. Construction activities**

Identify and describe any construction activities scheduled in the next three years.

**c. Mining schedule**

Outline the sequence and staging of mining operations over the next three years. This must be consistent with the relevant development consent(s) and include the following (where relevant):

- A description of the method of mining development and sequencing and general mine features.

- A description of the areas identified for emplacements, the sequencing of emplacements, construction and management.
- The identification of processing infrastructure activities and the location of tailings facilities and schedule for emplacement.
- A description of waste disposal and materials handling operations over the next three years. This should include a discussion of disposal of putrescible waste, hydrocarbons, and management of contaminated soils.

Table 4 must be completed.

**Note:** It is recognised that the progress of mining operations may affect the progressive rehabilitation schedule.

Table 4: Material production schedule during the next three years

MATERIAL	UNIT	YEAR 1	YEAR 2	YEAR 3
Stripped topsoil (if applicable)	(e.g. m <sup>3</sup> )			
Rock/overburden	(e.g. m <sup>3</sup> / tonnes /Mt)			
Ore	(e.g. m <sup>3</sup> / tonnes /Mt)			
Reject material <sup>5</sup>	(e.g. m <sup>3</sup> / tonnes /Mt)			
Product	(e.g. m <sup>3</sup> / ounces / tonnes /Mt)			

## 2.3. Three-year rehabilitation forecast

### 2.3.1. Rehabilitation maintenance and corrective actions

This section must include a detailed description of the rehabilitation maintenance and corrective action measures that will be carried out to address all rehabilitation performance issues and/or knowledge gaps identified in the annual rehabilitation report (Part 1).

<sup>5</sup> Where relevant this includes coarse rejects, tailings and any other wastes resulting from beneficiation.

## 2.3.2. Rehabilitation schedule

This section must describe the mining and rehabilitation schedule over the next three-year term and describe how the lease holder will progressively rehabilitate as soon as reasonably practicable.

## 2.3.3. Completion of rehabilitation

This section must provide a description of any areas where an application for rehabilitation completion will be lodged with the Resources Regulator within the next three years. The description must include the location, spatial extent and 'Year' the application will be lodged (i.e. Year 1 / Year 2 / Year 3).

## 2.4. Progressive mining and rehabilitation statistics

### 2.4.1. Three-yearly forecast cumulative disturbance and rehabilitation progression

This section must provide a summary of the forecast cumulative disturbance and rehabilitation progression during the next three years in Table 5.

Table 5: Predicted cumulative disturbance and rehabilitation progression during the next three-year term

YEAR	1	2	3
TOTAL DISTURBANCE FOOTPRINT – SURFACE DISTURBANCE (Hectares)	(A1)*		
TOTAL ACTIVE DISTURBANCE (Hectares)	(B)*		
TOTAL NEW AREA OF LAND PROPOSED FOR ACTIVE REHABILITATION (Hectares)	(P)*		

\***Note:** Definitions for each mining and rehabilitation phase are outlined in Table 3.

### Explanatory note 3: Disturbance and rehabilitation progress

The purpose of the information in Table 5 is to provide a detailed breakdown of disturbance and rehabilitation progress on an annual basis. This is a transparent way of:

- calculating cumulative disturbance and rehabilitation totals
- developing rehabilitation targets and key performance indicators
- comparing actual areas and reasons for change, as per the annual rehabilitation report and forward program
- calculating and validating rehabilitation cost estimates.

## 2.5. Rehabilitation Cost Estimate

This section must include a rehabilitation cost estimate (RCE) prepared in accordance with the NSW Resources Regulator's Rehabilitation Cost Estimation Tool.

### Explanatory note 4: Rehabilitation Cost Estimate

A RCE must be based on one of the following specific stages of disturbance:

- maximum disturbance within a term (including liabilities associated with previous and on-going surface disturbance activities); or
- snapshot of disturbance.

Where the "maximum disturbance within a term" method is used by a lease holder, the RCE will need to be aligned with the three-yearly forecast for surface disturbance and rehabilitation activities (including liabilities associated with previous and on-going surface disturbance activities) as detailed in the forward program. Where the "snapshot of disturbance" method is used by a lease holder, the RCE will need to be aligned with the surface disturbance and rehabilitation activities as detailed in the annual rehabilitation report.

The RCE will be assessed by the NSW Resources Regulator to assist in determining the amount of the security deposit. The RCE is to be submitted using the online form on the Resources Regulator Portal (accessible at <https://nswresourcesregulator.service-now.com/regulator>).

## Glossary

TERM	DEFINITION
Active	In the context of rehabilitation, land associated with mining domains is considered 'active' for the period following disturbance until the commencement of rehabilitation.
Active mining phase of rehabilitation	In the context of rehabilitation, the active mining phase of rehabilitation constitutes the rehabilitation activities undertaken during mining operations such as land clearing, salvaging and managing soil resources, salvaging habitat resources, and native seed collection. This phase also includes management actions taken during operations to manage risks to rehabilitation and enhance rehabilitation outcomes such as selective handling of waste rock and management of tailings emplacements.
Analogue site	An area of land and/or water that is a 'reference site' that represents an example of the defining values and characteristics (such as vegetation composition and structure or agricultural productivity) of the final land use. An analogue site is a selected location surrounding or within a proposed/existing mine site. The location is usually an undisturbed area or a self-sustaining vegetation community that demonstrates the existing environment without any impact of disturbance (i.e. acts as a baseline for the surrounding undisturbed environment). Characteristics of analogue sites can be assessed to develop the rehabilitation objectives and rehabilitation completion criteria for final land use domains.
Annual rehabilitation report	As outlined in the Mining Regulation 2016.
Annual reporting period	As defined in the Mining Regulation 2016.
Closure	A whole-of-mine-life process, which typically culminates in the relinquishment of the mining lease. It includes decommissioning and rehabilitation to achieve the approved final land use(s).
Decommissioning	The process of removing mining infrastructure and removing contaminants and hazardous materials.



TERM	DEFINITION
Decommissioning phase of rehabilitation	Activities associated with the removal of mining infrastructure and removal and/or remediation of contaminants and hazardous materials. In the context of the rehabilitation management plan (for large mines only) this phase of rehabilitation may also include studies and assessments associated with decommissioning and demolition of infrastructure or works carried out to make safe or 'fit for purpose' built infrastructure to be retained for future use(s) following lease relinquishment.
Department	Department of Regional NSW.
Disturbance	See Surface Disturbance.
Disturbance area	<p>An area that has been disturbed and that requires rehabilitation.</p> <p>This may include areas such as exploration areas, stripped areas ahead of mining, infrastructure areas, water management infrastructure, sewage treatment facilities, topsoil stockpile areas, access tracks and haul roads, active mining areas, waste emplacements (active/unshaped/in or out-of-pit), tailings dams (active/unshaped/uncapped), and areas requiring rehabilitation that are temporarily stabilised (e.g. managed to minimise dust generation and/or erosion).</p>
Domain	An area (or areas) of the land that has been disturbed by mining and has a specific operational use (mining domain) or specific final land use (final land use domain). Land within a domain typically has similar geochemical and/or geophysical characteristics and therefore requires specific rehabilitation activities to achieve the associated final land use.
Ecosystem and land use development	<p>This phase of rehabilitation consists of the activities to manage maturing rehabilitation areas on a trajectory to achieving the approved or, if not yet approved, the proposed:</p> <ul style="list-style-type: none"> <li>■ rehabilitation objectives</li> <li>■ rehabilitation completion criteria</li> <li>■ for large mines – final landform and rehabilitation plan.</li> </ul> <p>For vegetated land uses this phase may include processes to develop characteristics of functional self-sustaining ecosystems, such as nutrient recycling, vegetation flowering and reproduction, increasing habitat complexity, and the development of a productive, self-sustaining soil profile.</p>

TERM	DEFINITION
	This phase of rehabilitation may include specific vegetation management strategies and maintenance such as tree thinning, supplementary plantings and weed management.
Ecosystem and land use establishment	<p>This phase of rehabilitation consists of the processes to establish the approved final land use following construction of the final landform (as per the approved final landform and rehabilitation plan for large mines).</p> <p>For vegetated land uses, this rehabilitation phase includes establishing the desired vegetation community and implementing land management activities such as weed control. This phase of rehabilitation may also include habitat augmentation such as installation of nest boxes.</p>
Exploration	Has the same meaning as that term under the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i> .
Final land use	As defined in the Mining Regulation 2016.
Final land use domain	A land management unit with a final land use. A mining lease may have one final land use (e.g. returning the entire mining lease to native vegetation) or several final land use units (e.g. a mix of pasture areas and native ecosystems). Each final land use unit represents a separate final land use domain.
Final void	<p>A final void is demarcated by the extent of an area that does not free drain to the surrounding surface environment. In other words the void's planar extent is defined by the lowest point of the voids crest, often referred to as the spill point level (or spill level). The spill level is the elevation in the void, which if filled with water, water would spill into the surrounding landscape. A final void typically comprises the following:</p> <ul style="list-style-type: none"> <li>■ an area whereby material was extracted as a result of mining and a void remains after mining is complete; and / or</li> <li>■ highwalls; and / or</li> <li>■ low walls; and / or</li> <li>■ ramps.</li> </ul>
Form and way	Means the form and way approved by the Secretary pursuant to clause 9 in Schedule 8A in the Mining Regulation 2016. The Secretary has approved the online form on the Resources Regulator Portal as the prescribed form and

TERM	DEFINITION
	way (accessible at <a href="https://nswresourcesregulator.service-now.com/regulator">https://nswresourcesregulator.service-now.com/regulator</a> ).
Forward program	As defined in the Mining Regulation 2016.
Growth medium development	<p>This phase of rehabilitation consists of activities required to establish the physical, chemical and biological components of the substrate required to establish the desired vegetation community (including short-lived pioneer species) to ensure achievement of the approved or, if not yet approved, the proposed:</p> <ul style="list-style-type: none"> <li>■ rehabilitation objectives</li> <li>■ rehabilitation completion criteria</li> <li>■ for large mines – final landform and rehabilitation plan.</li> </ul> <p>This phase may include spreading the prepared landform with topsoil and/or subsoil and/or soil substitutes, applying soil ameliorants to enhance the physical, chemical and biological characteristics of the growth media, and actions to minimise loss of growth media due to erosion.</p>
Habitat	Has the same meaning as that term under the <i>Biodiversity Conservation Act 2016</i> and the <i>Fisheries Management Act 1994</i> (as relevant).
Indicator	An attribute of the biophysical environment (e.g. pH, topsoil depth, biomass) that can be used to approximate the progression of a biophysical process. It can be measured and audited to demonstrate (and track) the progress of an aspect of rehabilitation towards a desired completion criterion (defined end point). It may be aligned to an established protocol and used to evaluate changes in a system.
Land	As defined in the <i>Mining Act 1992</i> .
Landform establishment	<p>This phase of rehabilitation consists of the processes and activities required to construct the approved final landform (as per the development consent and, for large mines, the approved final landform and rehabilitation plan).</p> <p>In addition to profiling the surface of rehabilitation areas to the approved final landform profile, this phase may include works to construct surface water drainage features, encapsulate problematic materials such as tailings, and prepare a substrate with the desired physical and chemical characteristics (e.g. rock raking or ameliorating sodic materials).</p>

TERM	DEFINITION
Large mine	As defined in the Mining Regulation 2016.
Lease holder	The holder of a mining lease.
Mining area	As defined in the <i>Mining Act 1992</i> .
Mining domain	A land management unit with a discrete operational function (e.g. overburden emplacement), and therefore similar geophysical characteristics, that will require specific rehabilitation treatments to achieve the final land use(s).
Mining lease	As defined in the <i>Mining Act 1992</i> .
Overburden	Material overlying coal or a mineral deposit.
Performance indicator	An attribute of the biophysical environment (e.g. pH, slope, topsoil depth, biomass) that can be used to demonstrate achievement of a rehabilitation objective. It can be measured and audited to demonstrate (and track) the progress of an aspect of rehabilitation towards a desired completion criterion, that is, a defined end point. It may be aligned to an established protocol and used to evaluate changes in a system.
Phases of rehabilitation	<p>The stages and sequences of actions required to rehabilitate disturbed land to achieve the final land use. The phases of rehabilitation are:</p> <ul style="list-style-type: none"> <li>■ active mining</li> <li>■ decommissioning</li> <li>■ landform establishment</li> <li>■ growth medium development</li> <li>■ ecosystem and land use establishment</li> <li>■ ecosystem and land use development</li> <li>■ rehabilitation completion (sign-off).</li> </ul>
Progressive rehabilitation	<p>The progress of rehabilitation towards achieving the approved or, if not yet approved, the proposed:</p> <ul style="list-style-type: none"> <li>■ rehabilitation objectives</li> <li>■ rehabilitation completion criteria</li> <li>■ for large mines – final landform and rehabilitation plan.</li> </ul>

TERM	DEFINITION
	This may be described in terms of domains, phases, performance indicators and rehabilitation completion criteria.
Rehabilitation	As defined in the <i>Mining Act 1992</i> .
Rehabilitation completion	<p>The final phase of rehabilitation when a rehabilitation area has achieved the final land use for the mining area:</p> <ul style="list-style-type: none"> <li>■ as stated in the approved rehabilitation objectives and the approved rehabilitation completion criteria</li> <li>■ for large mines – as spatially depicted in the approved final landform and rehabilitation plan.</li> </ul> <p>Rehabilitation areas may be classified as complete when the NSW Resources Regulator has determined in writing that rehabilitation has achieved the final land use following submission of the relevant application by the lease holder.</p>
Rehabilitation completion criteria	Rehabilitation completion criteria set out the criteria the achievement of which will demonstrate the achievement of the rehabilitation objectives.
Rehabilitation cost estimate	As defined in the Mining Regulation 2016.
Rehabilitation documents	<p>As defined in the Mining Regulation 2016.</p> <p>[includes the rehabilitation management plan (large mines only); rehabilitation objectives statement; rehabilitation completion criteria statement; final landform and rehabilitation plan (large mines only); forward program and annual rehabilitation report].</p>
Rehabilitation objectives	Means the rehabilitation objectives required to achieve the final land use for the mining area.
Rehabilitation outcomes	Means the final land use for the mining area as stated in the approved rehabilitation objectives, the approved rehabilitation completion criteria and (for large mines) the approved final landform and rehabilitation plan.
Rehabilitation schedule	The defined timeframes for progressive rehabilitation set out in the forward program.

TERM	DEFINITION
Secretary	The Secretary of the Department.
Security deposit	An amount that a mining lease holder is required to provide and maintain under a mining lease condition, to secure funding for the fulfilment of obligations under the lease (including obligations that may arise in the future).
Small mine	As defined in the Mining Regulation 2016 (proposed amendment).
Surface disturbance	Includes activities that disturb the surface of the mining area, including mining operations, ancillary mining activities and exploration.
Tailings	A combination of the fine-grained (typically silt-sized, in the range from 0.001 to 0.6 mm) solid materials remaining after the recoverable metals and minerals have been extracted from mined ore, together with the water used in the recovery process. <sup>6</sup>
Waste	Has the same meaning as that term under the <i>Protection of the Environment Operations Act 1997</i> .

<sup>6</sup> *Tailings Management: Leading Practice Sustainable Development Program for the Mining Industry*, Commonwealth of Australia (2016).