

Foreword

The NSW Government welcomes the findings of the Independent Review into the Statutory Framework for Small-Scale Titles.

We have a rich history of opal mining in NSW and the NSW Government recognises the unique role it plays in the Lightning Ridge and White Cliffs communities. Opals are highly valued gemstones which are prized worldwide.

Since the early 1900s, opal mining has served an important role for communities in the Far West region, supporting economic and cultural benefits, tourism, and job creation.

Through the work of the Independent Review and our response we will continue to work with the community to safeguard the future of the opal mining industry, and provide a strong regulatory framework backed by compliance.

Agriculture also plays a key role in these communities. It is an important objective of this response to ensure the continued co-existence of these industries.

Our response has been informed by detailed stakeholder engagement. The NSW Government has worked closely with claim holders and landowners to ensure the co-existence of agriculture and mining now and into the future.

I have twice visited Lightning Ridge since 2023 to meet with miners, farmers and local stakeholders to hear directly from them as part of the NSW Government's formulation of this response.

A working group chaired by the Hon. Stephen Lawrence MLC and made up of key stakeholders and NSW Government representatives met throughout 2024-25. During this time, the group engaged directly with those working in the opal mining industry and affected by the Independent Review's content, and the NSW Government will continue to work with stakeholders throughout the implementation of the changes to the opal mining framework outlined in this response.

I thank the independent reviewer, the Hon. Terry Sheahan AO for his report, and the Member for Barwon, Roy Butler MP, for his advice during this process.

The NSW Government response will ensure a viable and sustainable opal industry. I look forward to working closely with stakeholders to ensure the continuation of the industry well into the future.

The Honourable Courtney Houssos, MLC

Minister for Finance
Minister for Domestic Manufacturing and Government Procurement
Minister for Natural Resources

Executive summary

Our plan for action

The Independent Review into the Statutory Framework for Small-Scale Titles in NSW (the Review) conducted by the Hon. Terry Sheahan AO provided analysis and recommendations on several key areas affecting stakeholders within the opal industry, including access to land, rehabilitation, landholder compensation and whether the current framework is fit for purpose.

The NSW Government is committed to improvements for the opal sector. Our action plan to address the recommendations from the Review has three focus areas:

- Improve confidence and certainty for landholders and miners.
- Strengthen our rehabilitation framework to deliver effective rehabilitation outcomes.
- Implement a modern, digital-based approach to for opal mining.

This action plan includes thorough consideration of all Review recommendations, and feedback from the Government's Small-Scale Titles Stakeholder Working Group. Overall, the action plan:

- supports 74 Review recommendations to improve the management of small-scale titles for all our stakeholders
- does not support 7 Review recommendations as they would have unintended impacts on broader stakeholders and legislative frameworks.

These comprehensive changes will take time to implement and a phased approach to implementation will be adopted.

To ensure that the reforms achieve desired outcomes, an evaluation and statutory review will be completed five years following any legislative change. Affected stakeholders will be consulted throughout the implementation of this action plan.

Background

In June 2023, the NSW Government announced the Review to analyse the statutory framework for the administration and regulation of small-scale titles for opal mining, and to make recommendations about the future of the industry. This Review was part of a broader initiative to address issues associated with the invalid granting of small-scale (opal mining) titles. Between 1 January 2015 and 13 February 2023, 3342 mineral claim titles were invalidly issued under the *Mining Act 1992*.

The Review's [Terms of Reference](#) included, among other things, consideration of land availability, landholder compensation arrangements, and analysis of the rehabilitation framework to ensure it can deliver effective outcomes. The Review focused on identifying inefficiencies and inadequacies in the current statutory framework to inform recommendations for proposed legislative and policy reform to deliver practical, beneficial changes.

Former Land and Environment Court Judge and NSW Attorney General, the Hon. Terry Sheahan AO, led the Review with the support of law firm Norton Rose Fulbright Australia. Following consultation with key stakeholder groups, the Review released an [Issues Paper](#) for public comment and received 369 submissions from a range of stakeholders.

Action plan for the opal sector

The Review's recommendations have been grouped into three key focus areas to reflect its objectives and the type of reform required to achieve them:

- Improve confidence and certainty for landholders and miners.
- Strengthen our rehabilitation framework to deliver effective rehabilitation outcomes.
- Implement a modern, digital-based approach for opal mining.

A fit-for-purpose legislative framework underpins each of these key focus areas. The NSW Government is committed to a detailed legislative review, and will look to amend relevant sections of the *Mining Act 1992* (the Mining Act) to address the recommendations of the Review.

In developing this action plan, we have considered the findings of the Review and analysed each of the 81 recommendations (Attachment A). We also engaged with key stakeholder bodies through the Small-Scale Titles Stakeholder Working Group to ensure that our plan reflects the needs and realities of the opal sector.

Proposed timeframes for delivery were carefully considered, based on Working Group feedback on stakeholder priorities, implementation needs and further consultation

requirements. A phased delivery approach will ensure that we can continue to support affected stakeholders during the transition.

To ensure that the reforms achieve desired outcomes, an evaluation and statutory review will be completed five years following any legislative change. This will review whether the reforms achieved their intended outcomes and ensure that the legislative framework remains fit for purpose.

Focus area 1: Improve confidence and certainty for landholders and miners

The Review highlighted the role of the State, as the owner of NSW's minerals, is to encourage mineral extraction while providing a framework that supports the co-existence of miners and landholders.

We acknowledge that miners and landholders want greater certainty about small-scale mining operations and areas available. To support this the NSW Government will:

- Continue the moratorium on mining on Opal Prospecting Area 4 (OPA4)
- Exclude the Lightning Ridge Plainsland from mining operations and redefine the White Cliffs and Lightning Ridge Mineral Claims District areas
 - Allow up to 8 mineral claims per person and implement new mineral claim classes
 - Provide certainty of tenure for dwellings on current mineral claims
 - Simplify mineral claim conditions
 - Implement revised standard landholder compensation amounts.

Short-term actions

During the next 6 months, we will:

- Update conditions of permits to enter land to provide certainty to landholders about who is on their land and when
- Implement appropriate standard compensation amounts
- Establish varying classes for mineral claim sizes and authorised operations
- Implement a Plainsland policy for the Lightning Ridge Mineral Claims District
- Continue the moratorium on new mineral claims in OPA4
- Revise orders and instruments made under the Mining Act to:
 - allow up to 8 mineral claims to be held and operated per person
 - simplify mineral claim conditions
 - ensure consistency between Lightning Ridge and White Cliffs where appropriate
- Update the fit and proper person policy and investigate the use of police checks
- Consult with affected stakeholders on appropriate biosecurity training requirements
- Clarify requirements for new structures on mineral claims.

Medium-term actions

During the next 6 to 18 months, we will:

- Progress amendments to the legislative framework to:
 - update administrative fees to ensure they are appropriate
 - include a regular review period for standard compensation amounts
 - update definition of mineral claim holder to include related business entities
 - Improve clarity around obstruction offence provisions
 - Remove the requirement to mark access tracks with marker posts
 - Provide greater certainty on residential buffer zones
- Update permits to enter land, including their validity period and relevant pre-approval training requirements
- Publish optional access management plan templates
- Extend use of access management plans to White Cliffs
- Review the function of 'policy reserves'
- Consider formalising the White Cliffs Area A as a preserved field in consultation with key stakeholders
- Update existing training requirements and develop new training modules to expand miners understanding of areas relevant to their rights and obligations.

Longer-term actions

In the longer term (from 18 months), we will:

- Consult with other agencies to review the role of Preserved Fields recognising tourism value
- Review relevance of OPAs once changes to mineral claims district are implemented
- Implement any legislative changes and provide support and education to affected stakeholders.

Focus area 2: Strengthen our rehabilitation framework to deliver effective rehabilitation outcomes

The NSW Government recognises the importance of holding the opal sector to its rehabilitation and environmental obligations and the need to manage rehabilitation of historic mine workings. The NSW Government will:

- Strengthen rehabilitation standards across private and public land
- Investigate beneficial reuse of mullock stockpiles
- Simplify access to the rehabilitation levy funds.

Short-term actions

During the next 6 months, we will:

- Introduce improved title conditions for:
 - the removal, storage and reinstatement of topsoil and revegetation
 - mullock stockpile management
 - weed and pest control
- Introduce a transparent process for the access and use of levy funds
- Require pre-disturbance photos for mineral claim applications to support assessment of rehabilitation upon cancellation or expiry of the mineral claim
- Explore options to allow for beneficial reuse of mullock stockpiles
- Utilise results of opal compliance education campaign to develop tools that enhance compliance with rehabilitation and environmental standards.

Medium-term actions

During the next 6 to 18 months, we will:

- Update security bond requirements to ensure they are sufficient to deliver effective rehabilitation outcomes if the mineral claim is not rehabilitated
- Strengthen our rehabilitation framework through robust standard conditions.

Longer-term actions

In the longer term (from 18 months), we will:

- Develop a new communal mullock stockpile management framework
- Implement operating and rehabilitation controls for mineral claims granted over rehabilitated land.

Focus area 3: Implement a modern, digital-based approach for opal mining

The NSW Government acknowledges the need to modernise the systems overseeing the sector for improved efficiency, user experience, and alignment with the broader mining industry. Digital systems will be phased in with support for stakeholders as we transition away from paper-based approaches. to the NSW Government commits to:

- Provide a modernised system that is fit for purpose and offers online options wherever possible, whilst retaining paper-based options in some circumstances
- Integrate GPS technology where possible
- Update notification requirements and methods, with differentiation for notifications on private and public land.

In May 2025, the NSW Government updated the *Mining Regulation 2016* to allow for the electronic lodgement of the following types of applications:

- All small-scale title renewal applications
- Applications for grant or transfer of mineral claims within the White Cliffs Mineral Claims District
- Applications for grant of opal prospecting licences within the White Cliffs Mineral Claims District.

Medium-term actions

During the next 6 to 18 months, we will:

- Progress amendments to legislation to enable the transition to a digital administration system
- Investigate the use of appropriate GPS technology to improve accuracy and certainty to the allocation of land within the mineral claims districts
- Scope the functions of digital system to ensure it meets our stakeholders needs.

Longer-term actions

In the longer term (from 18 months), we will:

- Phase in the implementation of the new digital system, retaining paper-based options as required
- Consider feasibility of introducing a standardised grid system for mineral claims
- Reassess the need for physical mineral claim boundary marker requirements.

Next steps

The NSW Government will implement the actions set out in this plan over three stages following its release - during the first 6 months, from 6 to 18 months and in the longer term. The first stage focuses on areas of most immediate need for change.

A legislative reform package is proposed in the first half of 2026 along with other medium-term actions. Some items will require longer-term analysis and review, commencing in 2026 and beyond.

The table below provides a high-level overview of anticipated timelines and phased implementation for key focus area packages to support stakeholders with the transition.

Phased Implementation Timeline

Work Package	Commencement timeline		
	Within 6 months	Within 6 to 18 months	Beyond 18 months
Consultation with affected stakeholders			
Policy and guideline reviews			
Review of legislation ahead of legislative change packages			
Legislative changes to table in Parliament			
Developing the digital administrative system			
Implementation of legislative changes			
Implementing digital based system with appropriate support for users			
Longer term actions required to support the sector into the future			

Independent Review into the Statutory Framework for Small-Scale Titles

List of Recommendations

This document sets out all 81 recommendations made by the review as well as the Government's position.

Support – The NSW Government will implement the recommendation as proposed.

Support in principle– The NSW Government supports some/all of the recommendation but will need to undertake further analysis and consultation with affected stakeholders on how the recommendations will be implemented to achieve the intent.

Not supported – The NSW Government does not support this recommendation as it would have unintended impacts on stakeholders and/or unrelated legislative frameworks.

Number	Recommendation	Government position
R2.1	The Mining Act should be restructured to consolidate the opal mining provisions into a single part, with sections organised in a logical manner following the sequence of activities required by a person to undertake opal mining.	Support in principle
R2.2	The orders and instruments that supplement the provisions should be simplified and consolidated. Once remade, all orders and instruments should be provided online in an easy-to-understand format.	Support in principle
R2.3	The need to retain opal prospecting areas should be considered in light of the recommendation in Chapter 3 for clearer identification of areas for opal prospecting and opal mining. Mapping of the areas available for opal prospecting and mining should be publicly available online in an easy-to-understand format.	Support in principle

R2.4	NSW Resources, including the Resources Regulator, should ensure there are more regular visits from key staff at both Lightning Ridge and White Cliffs to promote education and their understanding of current mining activities, and to ensure appropriate enforcement and rehabilitation of mined areas.	Support The NSW Government is committed to greater compliance of opal mining activity in Lightning Ridge and White Cliffs. In May 2025 the Resources Regulator undertook an education campaign focusing on environmental management and safety in Lightning Ridge.
R3.1	NSW Resources should make and publish online a policy that no prospecting licences or mineral claims be granted outside the Cretaceous ridge land except for puddling claims. Mapping of the Cretaceous ridge land should also be published online and in hard copy.	Support
R3.2	The current moratorium on the grant of mineral claims within OPA4 should continue until the reforms recommended by the Review are implemented. Thereafter, the Review recommends that NSW Resources accept applications for opal prospecting licences and mineral claims over the Cretaceous ridge land within the area of OPA4, and subject to the constraints mapping in Chapter 6 of the REF. This would enable applications to be lodged in relation to an additional 36,800 hectares of areas identified as having low environmental impact, and a further 9,900 hectares with a medium environmental impact within OPA4.	Support in principle The NSW Government will continue its moratorium on opal mining in OPA4.
R3.3	The boundaries of the WCMCD should be remade and redeclared by the Secretary, limiting its boundaries to MR2686 and MR2684. The watershed of the White Cliffs town water supply should be excluded from the WCMCD.	Support in principle
R3.4	To improve certainty, appropriate definitions should be inserted into the Mining Act in respect of residential dwellings. For example, a dwelling could be defined to be a principal place of residence and include water tanks, verandas etc but exclude buildings not attached to the dwelling such as car ports, farm sheds and other structures. The term significant improvement should be removed as it is too uncertain.	Support in principle

R3.5	The Mining Act should be amended to include a right to object to the Secretary in relation to the grant of mineral claim by reason of encroachment into an area claimed by a landowner to be a residential buffer zone. The Secretary can determine the matter or delegate it to an appropriate staff member or independent decision maker.	Support in principle The NSW Government supports the provision of a higher level of regulatory certainty. However, maintaining the role of the Land and Environment Court as arbiter is appropriate.
R3.6	Existing 'policy reserves' should be reviewed. If following a review, these are determined to have no practical function, they should be repealed. If some of these policy reserves areas should be protected from mining, then a formal gazettal of the reserve under s 367 should be made.	Support
R3.7	The use of OPAs in the Mining Act be reviewed.	Support in principle
R4.1	Considerable efficiencies can be achieved by developing and implementing a more modern regulatory system. As a starting point, all applications, renewals and other documentary processes should be capable of being lodged via an online platform as is common with other government services.	Support in principle Since May 2025, electronic lodgement is now available for all small-scale title applications within the White Cliffs Mineral Claims District, and renewal applications within the Lightning Ridge Mineral Claims District.
R4.2	The system should include specific functionality as recommended in the chapters that follow.	Support in principle The NSW Government supports the transition to a digital-based approach to streamlining opal mining administration.
R4.3	Assistance should be made available to miners at the NSW Resources Lightning Ridge Office on how to use the online system and the mining associates should consider how to assist their members in navigating the application process involve automated development of notices so that the application can be simple, smooth and functional.	Support

R5.1	NSW Resources should explore moving towards a fully graticulated system in which applicants select which areas they are applying for from a surveyed grid of the opal field.	Support in principle
R5.2	Until this system is fully implemented by NSW Resources, the Mining Act should be amended to require miners to mark out their claims using appropriate geolocating technology. This could include GPS devices calibrated to a minimum accuracy, mobile phones or other technology as it becomes available.	Support in principle
R5.3	If appropriate, NSW Resources could consider purchasing a number of devices and renting them to miners from its Lightning Ridge office. For White Cliffs, NSW Resources should negotiate an agreement with the White Cliffs Miners Association so they can rent the devices to miners to mark out their proposed mineral claim.	Not supported
R5.4	Once implemented, the requirements for an applicant to erect marker posts, dig a trench or dig a wall can be discontinued. Consideration should be given as to whether the requirement to place a notice on the land should be retained.	Support in principle

R6.1	The online system recommended in Chapter 4 should: a) Require the miner to include all relevant information required by NSW Resources including the lodgement of photographs of the mineral claim area recording its physical condition; b) Require the payment of an application fee, security and applicable levies; c) Require the payment of an amount for landholder compensation; d) Be classed as a pending application until the process is completed; e) Enable NSW Resources to prepare a map of the mineral claim area based on the GPS data provided by the miner and send a copy of that map to the applicant; and f) Automatically notify the relevant landholder(s) and include a copy of the application and the map of the mineral claim area.	Support
R6.2	NSW Resources should develop a tool to allow landholders to lodge an online objection to the grant of the mineral claim on the basis that the land is agricultural land under s 179	Support in principle
R6.3	The System should then provide for the determination of the application by the Secretary and the notification to the applicant and to the landholder of the determination.	Support in principle
R6.4	The online system should automatically forward landholder compensation to the landholder on the granting of a mineral claim on their land.	Support in principle
R6.5	The online system should be designed so that miners are automatically notified that their mineral claim is due to expire and an application for renewals needs to be lodged.	Support

R6.6	The Mining Act be amended to facilitate the above recommendations.	Support in principle
R7.1	The online system recommended in Chapter 4 should allow for miners to apply for a permit to enter.	Support
R7.2	NSW Resources must not grant a permit to enter unless satisfied the applicant has completed appropriate training in: a) Obligations under the Mining Act; b) Environmental protection (including erosion control and watercourse management); c) Heritage conservation (including mining heritage and Aboriginal cultural heritage); d) Biosecurity; and e) Animal welfare and the operation of grazing properties.	Support in principle The NSW Government will require opal miners and prospectors to undertake appropriate training. Training packages will be developed and implemented by relevant NSW Government agencies.
R7.3	A permit to enter is to be valid for 14 days.	Support in principle
R7.4	The system established by NSW Resources should provide notice of the holder's intention to enter to the landholder's property within 72 hours' notice by way of email, text message or other electronic means.	Support in principle
R7.5	The applicant must provide in their application, and NSW Resources must include in the notice to the landholder, the following information: a) Names of all person(s) proposing to enter; b) Vehicle model & type; c) If registered, the vehicle registration number; and d) How long the person(s) entering intend to be on the property.	Support

R7.6	The offence of obstructing a person be amended to make clear this extends to obstruction by way of threat.	Support in principle																					
R7.7	The penalty for obstructing a person exercising their rights under a permit to enter should be increased to 500 penalty units.	Support in principle																					
R7.8	There be available training modules for miners on the above topics. Training could be provided by NSW Resources with input from appropriately qualified and skilled miners and farmers.	Support in principle The NSW Government will develop and implement training packages to support opal miners.																					
R8.1	The existing Section 175 Orders for both mineral claims districts should be reviewed. Ideally, the Section 175 Orders for both districts should be similar to promote greater consistency in the regulation of the industry.	Support																					
R8.2	To encourage investment in the opal mining industry, the classes of claims that should be available for miners should be reviewed. Consideration should be given to the following proposed classes in any new section 175 order: <table border="1"> <thead> <tr> <th>Class</th><th>Term</th><th>Area</th></tr> </thead> <tbody> <tr> <td>General (small)</td><td>1-5 years</td><td>2500m²</td></tr> <tr> <td>General (large)</td><td>1-10 years</td><td>10,000m²</td></tr> <tr> <td>Puddling</td><td>5 years</td><td>20,000m²</td></tr> <tr> <td>Mullock storage</td><td>5 years</td><td>20,000m²</td></tr> <tr> <td>Open cut and trenching</td><td>5 years</td><td>20,000m²</td></tr> <tr> <td>Trenching only</td><td>1 years</td><td>2500m²</td></tr> </tbody> </table>	Class	Term	Area	General (small)	1-5 years	2500m ²	General (large)	1-10 years	10,000m ²	Puddling	5 years	20,000m ²	Mullock storage	5 years	20,000m ²	Open cut and trenching	5 years	20,000m ²	Trenching only	1 years	2500m ²	Support in principle
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R8.3	If a new Section 175 Order is made, the new form of mineral claims can be phased in over time on the renewal of each existing mineral claim	Support
R8.4	Miners should be restricted to holding only two mineral claims. The definition of the holder of the mineral claim should be broadened to include all related party entities such as related companies including companies held by the same directors and shareholders and where the mineral claim is held by persons related to the holder.	Support in principle The NSW Government supports the restriction of mineral claim, with the maximum number of mineral claims of any class to be held or operated by one person to be limited to 8 claims.
R8.5	The Mining Act should be amended to provide that access management plans may be entered into in any part of a mineral claims district.	Support in principle
R8.6	The Mining Act should be amended to allow for the gazettal of a template access management plan (AMP). A template AMP could be based upon those determined in decisions of the NSW Land and Environmental Court. NSW Resources should consult with landholders and mining associations on the draft. AMPs based on the template could include additional conditions as agreed by the parties.	Support in principle
R8.7	The requirement to mark access tracks with marker posts be removed.	Support in principle
R8.8	Administrative fees should be reviewed having regard to relevant factors including cost to Government and costs to miners.	Support in principle
R8.9	Mineral claim holders should be required to submit an annual mining report to the Mining Regulator setting out the depth of the mine shaft, the lateral extent in metres, direction and dimension of any tunnels or caverns, and the void space created.	Support in principle

R9.1	A standard compensation determination for WCMCD should be made as a matter of urgency. It is suggested the standard compensation per annum for general (small) mineral claims granted within the WCMCD is the order of \$55 and \$200 within the LRMCD.	Support in principle
R9.2	NSW Resources should develop and publish a policy outlining how the standard compensation is calculated and indexed based on the approach set out in Chapter 9.2.	Support
R9.3	Standard compensation amounts should be proportionally increased for mineral claims granted over larger areas.	Support in principle
R9.4	The standard compensation amount should be reviewed every five years.	Support in principle
R9.5	Section 266(1) should be simplified to provide that a landowner is entitled to receive standard compensation on the grant of a mineral claim, or an amount agreed in writing by the landholder and the applicant for the mineral claim.	Support in principle
R9.6	A definition of standard compensation should be inserted into the Mining Act, being the amount determined by the Minister having regard to valuation advice and published in the Government Gazette.	Support in principle
R9.7	Consideration should be given to repealing sections 266(6)-(8) of the Mining Act once a standard compensation determination for WCMCD is made.	Not supported The Government supports the role of the Land and Environment Court.
R10.1	A new provision should be inserted into the Mining Act requiring mineral claims to be rehabilitated to certain standards published by NSW Resources at the expiry of the mineral claim.	Support in principle The NSW Government supports improving rehabilitation outcomes for opal mining.

R10.2	The NSW Resources publishes rehabilitation standards should: a) Require all mining shafts within the preserved fields to be filled in to a depth of 2m below ground level at the end of the mineral claim term; b) Require all mining shafts outside the preserved fields to be filled and capped including an amount to allow for subsidence; c) Require the removal of any mining structures and machinery (regardless of who placed them there); d) Specify methods for collecting, storing and reinstating topsoil; and e) Specify revegetation methods.	Support in principle The NSW Government supports improving rehabilitation outcomes for opal mining
R10.3	Once a mineral claim is rehabilitated, the only future mineral claims that be granted over that area are open cut or trenching mineral claims.	Support in principle The NSW Government supports appropriate future use of rehabilitated mineral claims.
R10.4	NSW Resources should impose more detailed conditions in open cut mineral claims requiring strict compliance with rehabilitation standards including how the miner must deal with the removal, storage and reinstatement of topsoil and how the area is to be revegetated before the mineral claim is cancelled.	Support
R10.5	The Mining Act should permit the sale and reuse of mullock. This material should be used for purposes such as backfilling former shafts and voids, road base and other appropriate uses. Mullock should be subject to a resource recovery order and exemption under the Protection of the Environment Operations Act 1997.	Support in principle The NSW Government will consider beneficial reuse of mullock stockpiles.
R10.6	Mullock storage should be confined to bunded areas. Conditions should apply to miners to ensure bunds are maintained.	Support

R10.7	Miners should be required to notify NSW Resources of all mullock removals and the estimated volume of material removed from a claim. The practice of dumping mullock on unregulated communal stockpiles should cease. Unregulated mullock stockpiles should be remediated by use of funds from the Environmental Levy fund.	Support in principle The NSW Government supports the development of a communal mullock stockpile framework.														
R10.8	Security bonds should be lifted as set out below: <table><tr><th>Type</th><th>Minimum bonds amount</th></tr><tr><td>General (small)</td><td>\$1,000</td></tr><tr><td>General (large)</td><td>\$10,000 (or an amount determined by a rehabilitation assessment tool)</td></tr><tr><td>Puddling</td><td>\$30,000</td></tr><tr><td>Mullock storage</td><td>\$50,000</td></tr><tr><td>Open cut and trenching</td><td>\$50,000</td></tr><tr><td>Trenching only</td><td>\$10,000</td></tr></table>	Type	Minimum bonds amount	General (small)	\$1,000	General (large)	\$10,000 (or an amount determined by a rehabilitation assessment tool)	Puddling	\$30,000	Mullock storage	\$50,000	Open cut and trenching	\$50,000	Trenching only	\$10,000	Support in principle
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R10.9	As noted in Chapter 4, a mineral claim application must include photos of the mineral claim area recording of its condition. NSW Resources should develop guidelines on the minimum number of photos required to fairly depict the overall physical conditions of the claim.	Support														

R10.10	Security bonds should be required for both LRMCD and WCMCD. In order for security bonds to be refunded, the Resource Regulator should inspect the mineral claim and certify that rehabilitation has been completed in compliance with NSW Resource's rehabilitation standards. If, in the opinion of the Resources Regulator, this is not the case, an order to complete rehabilitation within 30 days should be given. If, at the end of this period, rehabilitation is still not completed to standard, the security bond should be forfeited, and the Resources Regulator given the discretion to issue a penalty notice.	Support in principle The NSW Government supports the use of security bonds to drive improved rehabilitation outcomes.
R10.11	The standard conditions in a mineral claim should require the mineral claim holder to rehabilitate the entirety of the mineral claim regardless of who carried out the opal mining activity within that mineral claim.	Support
R10.12	NSW Resources should fund immediate and urgent rehabilitation works such as rubbish removal, filling-in of shafts and other priority works.	Support The NSW Government will investigate opportunities for rehabilitation of historical works using the small-scale titles environmental levy funds.
R10.13	The list of approved suppliers under the rehabilitation fund should be reviewed by NSW Resources with a view to increasing the pool of available contractors. NSW Resources should publicise the rehabilitation fund and publish a fact sheet on how to apply, what is covered and how the funds are to be spent.	Support
R11.1	It is recommended that NSW Resources review the preserved fields and consider rationalising them to ensure they can focus on a safer and more enriching tourism experience.	Support

R11.2	Area A at White Cliffs should be formalised as a preserved field.	Support in principle The NSW Government supports recognition of the tourism and heritage value of Area A in White Cliffs.
R11.3	Rehabilitation standards for the preserved fields should be published requiring shafts to be filled to no less than 2m below ground level or to be fenced with cyclone fencing, secured by posts cemented into the ground.	Support in principle The NSW Government is supportive of improving rehabilitation standards for the preserved fields.
R11.4	The Lightning Ridge Opal Reserve manager should take the lead on improving safety standards within the preserved fields at Lightning Ridge using funds from the Environmental Levy.	Support in principle The NSW Government supports improving public safety outcomes across the preserved fields.
R11.5	Stakeholders should work together to improve tourist infrastructure in the preserved fields by installing wayfinding signage, more detailed information on mining, better footpaths, amenities, seating and so on.	Support
R12.1	No new permanent structures should be permitted on mineral claims, with clear guidelines published for what constitutes a temporary structure permissible on a claim.	Support
R12.2	Existing residents whose dwellings were erected under the purported authorisation of NSW Resource's predecessor and that have not been transitioned to a Western Lands Lease should be offered a long term lease or licence as a matter of urgency.	Support in principle The NSW Government supports the transition of eligible dwellings to alternate tenures.
R12.3	The lease or licence should not be renewed at the conclusion of its term unless relevant planning and building approvals have been obtained for the dwelling and conditions imposed that if the lease or licence is not renewed, all improvements must be removed from the land.	Support

R13.1	Miners should be required to comply with reasonable requirements of Biosecurity Management Plans. The obligation should be incorporated as a condition of the grant of a permit to enter, OPL or mineral claim.	Not supported The NSW Government takes biosecurity seriously. Anyone entering agricultural, horticultural, or public land in NSW must legally abide by the general Biosecurity Duty in the Biosecurity Act 2015. In March 2025, the NSW Government released a factsheet to increase awareness of miners' biosecurity obligations. An education and training program will also be created for opal miners.
R13.2	A miner may apply to the Secretary to determine whether a requirement of a Biosecurity Management Plan is reasonable. This function should be delegated by the Secretary to an independent expert whose decision shall be final and binding.	Not supported The NSW Government takes biosecurity seriously. Anyone entering agricultural, horticultural, or public land in NSW must legally abide by the general Biosecurity Duty in the Biosecurity Act 2015. In March 2025, the NSW Government released a factsheet to increase awareness of miners' biosecurity obligations. An education and training program will also be created for opal miners.
R13.3	A condition should be placed on the grant of mineral claims, requiring mineral claim holders to take reasonable steps to control weeds on their mineral claim.	Support

R14.1	Training should be provided by NSW Resources on the following competency areas: a) Obligations under the Mining Act; b) Surveying a mineral claim using GPS devices; c) Workplace Health and Safety; d) Mine geology and engineering basics; e) Environmental protection (including erosion control and watercourse management); f) Heritage conservation (including mining heritage and Aboriginal cultural heritage); g) Biosecurity; and h) Animal welfare and the operation of grazing properties.	Support
R14.2	To obtain any permit to enter or OPL, the applicant will need to demonstrate they have completed training in (a), (e), (f), (g), and (h). To obtain a mineral claim an applicant will further need to demonstrate further training in (b), (c) and (d).	Support in principle The NSW Government supports appropriate training of opal miners and prospectors, and the development of training packages.
R14.3	An applicant for an OPL or mineral claim should be required to provide NSW Resources with a recent police check and NSW Resources should develop and implement a fit and proper person policy.	Support in principle The NSW Government will review the existing fit and proper person policy that applies across the broader mining industry under the <i>Mining Act 1992</i> to ensure it is appropriate for mineral claims.
R15.1	The Mining Act and Land and Environment Court Act 1979 be amended in order for relatively minor disputes involving opal mining be able to be resolved by the Secretary and the Secretary being able to delegate to an independent expert the role of settling the dispute. The decision of the independent expert should be final and binding.	Not supported The Government supports the role of the Land and Environment Court.

R15.2	The disputes that may be resolved by this process include: a) Determining whether a mineral claim is within a prescribed distance of a dwelling house under s 188(1); b) Rights of way under s 211 (7); and c) The making of access management plans under s 236.	Not supported The Government supports the role of the Land and Environment Court.
R15.3	The NSW Government should set aside \$2 million for the future buyback of land within the mineral claims districts.	Not supported Improvements to the regulatory framework and dispute resolution arrangements in the Mining Act as proposed are designed to ensure the co-existence of opal mining and other activities in the mineral claims districts.
R15.4	The Reserve Manager should pursue the diversification of its income streams to reduce reliance on landholder compensation payments.	Support
R15.5	The Review recommends that the land manager provide every opportunity for the Aboriginal community to access Country and that the recommendations and strategies in section 8.3 of the Plan of Management for the Lightning Ridge Opal Reserve be implemented, monitored and reported on and that this information be shared with the Aboriginal community.	Support
R15.6	The Review recommends appointing a suitably qualified person to engage with stakeholders and consideration be given to establishing an advisory body which that person could chair.	Support in principle