**Independent Review into Statutory Framework for Small-Scale Titles in NSW**

**1. Introduction**

**2. The current status of the opal mining industry in NSW**

* How much opal do you think is extracted and sold annually in NSW?
* How many people do you think are employed, either directly or indirectly, in the opal mining industry in NSW?
* What do you think is the wider value of the opal industry to NSW and how do you calculate that value?
* If that information is not available, how could the Government obtain that information?
* How does the industry support local communities in the areas in which it operates?
* How can the industry attract new and younger entrants?
* What is the scale of the tourist industry in White Cliffs and Lightning Ridge?

**3. The regulation of opal mining in NSW**

* What features of the opal mining framework do you find most difficult to know and understand?
* Have you found sufficient supporting material to help you understand how the opal framework operates and how it affects miners and landholders?
* Do you have any suggestions as to how MinView can be improved?
* What are the key features of the system that you would like the Review to examine and address?
* Do you support different rules for White Cliffs compared to Lightning Ridge and, if so, why?

**4. The process for obtaining approval to prospect for opal in NSW**

* Is the process for obtaining an opal prospecting licence fit for purpose?
* Should landholders be notified when an applicant applies for an opal prospecting licence?
* Does the system of OPAs and OPBs serve their purpose?
* What other improvements should be made to the opal prospecting system?
* Should new OPBs be declared over more geologically appropriate areas, being areas where opal is more likely to be found, at White Cliffs?

**5. The process for obtaining approval to mine for opal in NSW**

* Should mineral claims be able to be applied for online either via an App or Portal with step-by-step instructions or by lodgement of an editable PDF document?
* How should the application process be simplified?
* Should notification to landholders occur by email or another means?
* What other measures should be implemented to make it an easier, more accurate and fairer process for both miners and landholders?
* What language or other assistance should be available to miners to assist them with the application process?

**6. Mapping Issues**

* Is the system of marking out and self-mapping by miners fit for purpose?
* Do you have other ideas for improving the system?
* Do you support transitioning to a pre-identified grid system for the grant of mineral claims?

**7. Issues with the opal prospecting framework**

* What should the appropriate regime be for opal prospecting?
* What should be the requirements for notification of all opal prospecting activities?
* What amount of bond (if any) should be prescribed for the carrying out of opal prospecting activities, to cover the rehabilitation of the land damaged from prospecting, such as filling of holes, restoration of tracks caused by prospecting, and removing noxious weeds?
* What are the key issues with the permit to enter process?

**8. Issues with the mineral claim framework**

* Should the restriction on holding no more than two mineral claims be removed, given it is not preventing miners from having control over large numbers of mineral claims, but may be acting as a disincentive to new entrants to the industry?
* If it is to remain, what amendments are necessary to ensure mining operations occur on only two mineral claims as originally intended?
* Should the current classes of mineral claims be reduced and simplified?
* Should there be new classes of mineral claims that incentivise the growth of investment and employment in the industry?
* Should the same rights and responsibilities in section 175 orders apply to opal mining in both White Cliffs and Lightning Ridge?
* Should the classes of mineral claims permit mining in a wider area, provided significant bonds are lodged to cover the risks associated with rehabilitation of mineral claims?
* Should the amount of bond required be increased to ensure that if a mineral claim area is not rehabilitated, there are sufficient funds available for MEG or landholders to effect rehabilitation?

**9. Amount of compensation payable to landholders for a mineral claim**

* Is the amount of standard compensation amount for Lightning Ridge sufficient, given it has not been reviewed for a decade? If not, by what methodology should the amount be determined?
* Should there be different amounts of standard compensation for the different classes of mineral claims and the rights permitted under each, such as shaft and tunnel, trenching, open cut, mullock stockpiling and puddling activities?
* Should a standard compensation amount be declared for the White Cliffs Mineral Claims District and what methodology should apply to determine the amount?
* If standard compensation is declared for both mineral claim districts, is there any benefit to retain provisions for the Land and Environment Court to determine compensation for compensable loss in exceptional circumstances?

**10. Availability of land for opal mining**

* What is the factual basis for claims that opal mining is running out of available land?
* What areas should remain open?
* What areas should be closed to opal mining?

**11. Rehabilitation of areas affected by opal mining**

* Should there be more specific and detailed obligations for the remediation of land impacted by opal mining activities?
* What changes could be made to more effectively ensure proper remediation?
* Should opal miners pay higher security bond to protect taxpayers from the cost of remediation?
* How should the impacts of historical mining operations (outside the preserved fields) be addressed?
* What should be the appropriate standards for managing the risk of opal shafts in preserved fields and should chain wire fences with steel posts (as shown in the above photo) be the minimum standard?
* What should be the standards for remediation of open cut and trenching operations?
* How should the completion of opal mining rehabilitation be verified, by visual inspection by MEG or other means?
* Should the sale of mullock from mullock stockpile areas be permitted?
* How should puddling mineral claim areas be managed in the long term?

**12. Preserved Fields**

* Do all the preserved fields serve the same purpose and function?
* Should the preserved fields be reserved for only those close to the towns and which are clearly accessible for visitors?
* What improvements do you think could be made to make them more attractive and safer for residents and tourists?
* What should the standards be for the management of safety and environmental risks of within the preserved fields?
* Should parts of the Main Field at White Cliffs be declared to be a preserved field (such as area A on the plan of management developed by the White Cliffs Miners’ Association)?
* What additional features could be included within the preserved fields to attract more visitors and give them a better experience?

**13. Camps on claims**

* What strategy should be implemented to balance the needs of miners and landholders in relation to camps on claims?
* Should there be clearer guidelines on buildings and structures are allowed and not allowed on mineral claims?
* What other suggestions do you have for addressing issues associated with camps on claims?

**14. Biosecurity**

* How can the need to ensure biosecurity protocols are followed be balanced with the rights of miners to lawfully enter land for the purpose of opal mining?
* What is the best mechanism to ensure the spread of pests and weeds are controlled?
* Should biosecurity management be a formal part of land access agreements?
* Could the Mining Act facilitate biosecurity in any other way?
* How should miners be educated about the need to ensure biosecurity measures are carried out?

**15. Competency and training for opal mining**

* Is the training currently offered by MEG sufficient?
* What other training could be offered to better equip opal miners to carry out mining safely and in accordance with appropriate environmental standards?
* Should applicants for mineral claims be required to meet certain thresholds for competency and, if so, what should those competencies be?
* Should a police check be required to assist MEG determine whether an applicant is a fit and proper person?
* Could the mining associations and their very senior and experienced members be involved in hands-on practical training?
* What role could other organisations play in training such as Local Land Services, the NSW Farmers Federation, NSW Police and local councils?
* Should training be required before any OPL or permit to enter is granted?

**16. Other Issues**