

# Role Description

## Director Compliance (Mining Act Inspectorate)



Regional  
NSW

Cluster	Regional NSW
Agency	Department of Regional NSW
Division/Branch/Unit	Mining Exploration and Geoscience/Resources Regulator
Classification/Grade/Band	PSSE Band 1
Senior executive work level standards	Work Contribution Stream: Regulatory/Compliance
ANZSCO Code	139999
PCAT Code	1119192
Date of Approval	11 October 2021
Agency Website	<a href="http://www.regional.nsw.gov.au/">http://www.regional.nsw.gov.au/</a>

### Agency overview

The Department of Regional NSW was formed in 2020 as a central agency for regional issues. The Department has responsible for building resilient regional economies and communities, strengthening primary industries, managing the use of regional land, overseeing the state's mineral and mining resources and ensuring government investment in regional NSW is fair and delivers positive outcomes for local communities and businesses.

Mining, Exploration and Geoscience sets strategic policy for the state's mineral and energy resources, gathers, analyses and disseminates geoscientific information, and assesses and determines applications for mineral and petroleum titles for exploration activities and extractive uses. Through its Resources Regulator Branch the Group ensures the safe and sustainable functioning of the industry in NSW.

Mining, Exploration and Geoscience is committed to delivering strong and quality outcomes, with the vision of our minerals and petroleum resources generating prosperity for the people of NSW.

### Primary purpose of the role

The Director Compliance provides world class compliance leadership, drive a coordinated regulatory compliance and enforcement function, and deliver an integrated risk-based compliance program for obligations under the Mining Act including mine rehabilitation. Works with other Group senior executives, stakeholders and jurisdictional counterparts to ensure a collaborative approach and a consistent and accountable application of contemporary best practice.

The Director Compliance also leads and directs the Legacy Mines Program to ensure outcomes of the program are in line with funding agreement and government objectives.

## Key accountabilities

- Lead compliance and enforcement activities and programs to improve mine rehabilitation and regulatory performance under the Mining Act through investigation of incidents, consultation, risk identification, audit, site assessments and enforcement interventions.
- Ensure that the Legacy Mines Program is providing outcomes and deliverables in line with original funding arrangements and the objectives of MEG and the broader DRNSW.
- Develop and implement sound governance arrangements in relation to program delivery, compliance, evaluation and risk management and promote an internal service-based culture based on integrity, continuous improvement, shared values and teamwork and evaluate the overall performance and operational effectiveness of the compliance program by setting expectations, performance goals and quality standards, implementing performance measures and monitoring performance to identify opportunities for continuous improvement.
- Forge and maintain partnerships and liaise widely with key stakeholders across the mining sector directly to maintain an accurate understanding of stakeholder interests and regulatory requirements impacting the exploration, mining, and extractive industries.
- Determine standards and the levels of security required by mining and petroleum operators to ensure that rehabilitation is completed in the event of default by the titleholder.
- Identify and manage potential and emerging regulatory and industry risks by developing and implementing compliance policy frameworks instigating timely responsive regulatory action, and maintaining networks with other regulators, government enforcement agencies and stakeholder groups.
- Oversee development of communication and education strategies and activities to inform the community and the targeted industries of legislative provisions, regulations, licensing requirements, guidelines, codes, the role of the compliance program; and remedies for breach to optimise levels of industry compliance.
- Ensure that all material of an evidentiary nature, including correspondence and documentation related to provision of regulatory and compliance activities, enforcement actions, breaches of regulations and reported non-compliance, is registered and managed appropriately to facilitate imposition of breach remedies and/or litigation.

## Key challenges

- Maintaining and utilising current knowledge of contemporary compliance and enforcement policy development and emerging trends in mining and mine rehabilitation to provide innovative solutions.
- Achieving a balance between proactive education, advice and change management and the reactive enforcement of penalties for breach or non-compliance
- Formulating policy and providing associated strategic advice on compliance issues where the views of industry and community stakeholders are highly variable and changing.

## Key relationships

Who	Why
<b>Internal</b>	
Executive Director, Resources	<ul style="list-style-type: none"><li>• Collaborate on technical issues and developments</li></ul>
Regulator	<ul style="list-style-type: none"><li>• Provide expert technical advice and liaise to formulate policy / direction.</li></ul>

Who	Why
	<ul style="list-style-type: none"> <li>• Provide expert strategic and operational advice to inform decision making on complex regulatory issues</li> <li>• Collaborate on strategic development and business planning and to monitor organisational performance</li> </ul>
Mining Exploration and Geoscience Executives	<ul style="list-style-type: none"> <li>• Provide expert technical advice and liaise to formulate policy /direction and support regulatory service delivery</li> <li>• Develop productive and collaborative working relationships</li> <li>• Engage in service design, delivery and assessment to continually improve delivery models and solutions</li> </ul>
<b>External</b>	
Executive Director, Resources Regulator	<ul style="list-style-type: none"> <li>• Collaborate on technical issues and developments</li> <li>• Provide expert technical advice and liaise to formulate policy /direction</li> <li>• Provide expert strategic and operational advice to inform decision making on complex regulatory issues</li> <li>• Collaborate on strategic development and business planning and to monitor organisational performance</li> </ul>
Other public sector jurisdictions; industry peak bodies and key stakeholders	<ul style="list-style-type: none"> <li>• Ensure that the State's position and interests are effectively represented</li> <li>• Captures emerging issues, allows for stakeholder participation in debate, early resolution of conflict, and assessment of impact</li> <li>• Facilitate consistency in operations</li> <li>• Allow for negotiation from an informed base</li> <li>• Facilitate resource sharing</li> </ul>

## Role dimensions

### Decision making

The Director, Compliance acts with a high level of autonomy to:

- develop programs, establish partnerships and change priorities within approved business plans;
- plan, lead and organise the work of teams and manage resources through appropriate procurement processes; and
- make decisions or determinations under appropriate delegation or legislative authority.

### Reporting line

Executive Director, Resources Regulator

### Direct reports

10

### Budget/Expenditure

TBC

## Key knowledge and experience

- Understanding of the economic, social, political and environmental issues associated with resources and mining in NSW
- Knowledge of the workings of government and in-depth knowledge and experience working with applicable mining legislation and regulations.
- Extensive experience at a senior level in the application of best practice and innovative management of large and complex resources to achieve key organisational objectives

## Essential requirements

- Tertiary qualifications relevant to compliance and enforcement activities and/or extensive experience in the development and implementation of compliance and enforcement policy and regulatory frameworks.
- Compliance with the Resources Regulator Integrity Clearance policy is mandatory, and a condition of engagement for staff engaged after 3 December 2019.
- Compliance with the Resources Regulator Pecuniary Interests in the Regulated Sector policy is mandatory.
- Appointment and ongoing assignment is subject to the satisfactory participation in ongoing health screening.

## Capabilities for the role


The [NSW public sector capability framework](#) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into **focus capabilities** and **complementary capabilities**.

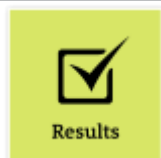
## Focus capabilities

*Focus capabilities* are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

FOCUS CAPABILITIES			
Capability group/sets	Capability name	Behavioural indicators	Level
 Personal Attributes	<b>Display Resilience and Courage</b> Be open and honest, prepared to express your views, and willing to accept and commit to change	<ul style="list-style-type: none"> <li>• Create a culture that encourages and supports openness, persistence and genuine debate around critical issues</li> <li>• Provide clear exposition and argument for agreed positions while remaining open to valid suggestions for change</li> <li>• Raise critical issues and make tough decisions</li> </ul>	Highly Advanced

		<ul style="list-style-type: none"> <li>Respond to significant, complex and novel challenges with a high level of resilience and persistence</li> <li>Consistently use a range of strategies to remain composed and calm and act as a stabilising influence even in the most challenging situations</li> </ul>	
	<b>Act with Integrity</b> Be ethical and professional, and uphold and promote the public sector values	<ul style="list-style-type: none"> <li>Model the highest standards of ethical and professional behaviour and reinforce their use</li> <li>Represent the organisation in an honest, ethical and professional way and set an example for others to follow</li> <li>Promote a culture of integrity and professionalism within the organisation and in dealings external to government</li> <li>Monitor ethical practices, standards and systems and reinforce their use</li> <li>Act promptly on reported breaches of legislation, policies and guidelines</li> </ul>	Advanced
	<b>Communicate Effectively</b> Communicate clearly, actively listen to others, and respond with understanding and respect	<ul style="list-style-type: none"> <li>Articulate complex concepts and put forward compelling arguments and rationales to all levels and types of audiences</li> <li>Speak in a highly articulate and influential manner</li> <li>State the facts and explain their implications for the organisation and key stakeholders</li> <li>Promote the organisation's position with authority and credibility across government, other jurisdictions and external organisations</li> <li>Anticipate and address key areas of interest for the audience and adapt style under pressure</li> </ul>	Highly Advanced
	<b>Work Collaboratively</b> Collaborate with others and value their contribution	<ul style="list-style-type: none"> <li>Recognise outcomes achieved through effective collaboration between teams</li> <li>Build cooperation and overcome barriers to information sharing, communication and collaboration across the organisation and across government</li> <li>Facilitate opportunities to engage and collaborate with stakeholders to develop joint solutions</li> <li>Network extensively across government and organisations to increase collaboration</li> <li>Encourage others to use appropriate collaboration approaches and tools, including digital technologies</li> </ul>	Advanced
	<b>Deliver Results</b>	<ul style="list-style-type: none"> <li>Seek and apply the expertise of key individuals to achieve organisational outcomes</li> <li>Drive a culture of achievement and acknowledge input from others</li> </ul>	Advanced



Achieve results through the efficient use of resources and a commitment to quality outcomes

- Determine how outcomes will be measured and guide others on evaluation methods
- Investigate and create opportunities to enhance the achievement of organisational objectives
- Make sure others understand that on-time and on-budget results are required and how overall success is defined
- Control business unit output to ensure government outcomes are achieved within budgets
- Progress organisational priorities and ensure that resources are acquired and used effectively

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### **Demonstrate Accountability**

Advanced

Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines

- Design and develop systems to establish and measure accountabilities
- Ensure accountabilities are exercised in line with government and business goals
- Exercise due diligence to ensure work health and safety risks are addressed
- Oversee quality assurance practices
- Model the highest standards of financial probity, demonstrating respect for public monies and other resources
- Monitor and maintain business-unit knowledge of and compliance with legislative and regulatory frameworks
- Incorporate sound risk management principles and strategies into business planning

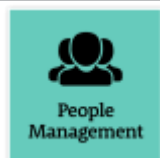


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### **Project Management**

Understand and apply effective planning, coordination and control methods

- Prepare and review project scope and business cases for projects with multiple interdependencies
  - Access key subject-matter experts' knowledge to inform project plans and directions
  - Design and implement effective stakeholder engagement and communications strategies for all project stages
  - Monitor project completion and implement effective and rigorous project evaluation methodologies to inform future planning
  - Develop effective strategies to remedy variances from project plans and minimise impact
  - Manage transitions between project stages and ensure that changes are consistent with organisational goals
  - Participate in governance processes such as project steering groups
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### Inspire Direction and Purpose

Communicate goals, priorities and vision, and recognise achievements

- Promote a sense of purpose and enable others to understand the links between government policy, organisational goals and public value
- Build a shared sense of direction, clarify priorities and goals, and inspire others to achieve these
- Work with others to translate strategic direction into operational goals and build a shared understanding of the link between these and core business outcomes
- Create opportunities for recognising and celebrating high performance at the individual and team level
- Instil confidence, and cultivate an attitude of openness and curiosity in tackling future challenges

Advanced

## Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as 'not essential' for this role are not relevant for recruitment purposes however may be relevant for future career development.

COMPLEMENTARY CAPABILITIES			
Capability group/sets	Capability name	Description	Level
 Personal Attributes	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Adept
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Adept
 Relationships	Commit to Customer Service	Provide customer-focused services in line with public sector and organisational objectives	Adept
	Influence and Negotiate	Gain consensus and commitment from others, and resolve issues and conflicts	Advanced
 Results	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Advanced
	Think and Solve Problems	Think, analyse and consider the broader context to develop practical solutions	Advanced
 Business Enablers	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Adept
	Technology	Understand and use available technologies to maximise efficiencies and effectiveness	Adept
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Adept



Manage and Develop People	Engage and motivate staff, and develop capability and potential in others	Adept
Optimise Business Outcomes	Manage people and resources effectively to achieve public value	Adept
Manage Reform and Change	Support, promote and champion change, and assist others to engage with change	Adept