

# Fact sheet

## Guidance on enforceable undertaking applications – industry and community strategies

May 2025

### Enforceable undertakings

This purpose of this fact sheet is to provide guidance to proponents of enforceable undertakings under the *Mining Act 1992* or WHS undertakings under the *Work Health and Safety Act 2011* (collectively referred to hereafter as ‘enforceable undertakings’ unless specifically referring to WHS undertakings).

### Appropriate strategies

It is a requirement that enforceable undertaking proposals include:

- projects, initiatives or strategies (collectively referred hereafter as ‘projects’) that deliver **benefits** to workers, industry and the community<sup>1</sup>.
- **details** of the projects
- **timeframes** for implementation of the projects
- estimated **costs** of the projects.

Proponents of enforceable undertakings may choose to involve third parties to assist in the delivery of projects. The Resources Regulator recognises that third parties may specialise in research and delivery of projects to enhance work health and safety (WHS) or the environment across the mining industry and the community.

The Resources Regulator has identified suitable bodies that proponents of enforceable undertakings may consider when deciding on projects that will benefit industry and the community. The identified bodies use funding they receive to conduct research projects or provide grants to projects which enhance WHS or the environment across NSW.

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<sup>1</sup> [Enforceable undertaking guidelines](#)

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### Bodies

The Resources Regulator has identified four bodies which manage trust funds, research foundations and administration of grants. The four bodies cover a range of disciplines including the environment, coal mines and WHS. The below list is not exhaustive. Proponents may identify other appropriate third parties to partner and co-develop suitable projects.

#### Australian Coal Industry's Research Program (ACARP)

The Australian Coal Association Research Program is a mining research program that has been running in Australia since it was established in 1992. It is 100% owned and funded by all Australian black coal producers through a five cents per tonne levy paid on saleable coal.

ACARP's research covers a wide range of important areas including all aspects of the production and utilisation of black coal including WHS and the environment. It combines resources and expertise from individual producers and shares the risks and benefits across the industry.

Each year the ACARP Committees select approximately 70 projects from the 300 submitted. For further information go to [Australian Coal Industry's Research Program](#).

#### NSW Coal Services Health & Safety Trust

The NSW Coal Services' Health & Safety Trust supports the Australian coal mining industry by funding projects and research that will have a positive effect on the WHS of coal mine workers, operators and the wider mining community. It links with major research bodies in the coal industry. Priority areas for the Trust are health, safety, injury prevention and management.

For further information go to [Coal Services Health and Safety Trust](#).

#### NSW Environmental Trust

The NSW Environment Trust (the Trust) is an independent statutory body that supports projects which enhance the environment of New South Wales. The Trust currently receives money from court rulings and enforceable undertakings initiated by the EPA. With these funds, made available by environmental infractions, the goal is to re-invest back into the environment through on-ground environmental restoration and rehabilitation projects delivered as grants through community organisations (e.g. Landcare groups), non-government organisations, Aboriginal groups and organisations and state and local government etc. These funds complement those expended through the range of annual and long term ecological and environmental education / research grant programs operated by the Trust.

More information about the Trust can be found at the following link [NSW Environmental Trust](#).

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### Other groups and organisations

The bodies listed above are merely a guide for proponents and not intended to be an exhaustive list. Proponents may choose to engage with other community groups and organisations that may be more suitable. Other groups or organisations may include:

- Landcare groups
- Local councils
- Universities
- Other research bodies.

Related information: [Enforceable undertakings guidelines](#)

### Further information

More information is available on our website – [Resources Regulator](#).

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