

How minerals exploration is regulated

The regulatory framework



Minerals exploration and mining in Victoria are governed under a robust regulatory framework. This is to ensure community interests and the environment are safeguarded, while allowing explorers to look for mineral resources and better understand their economic potential.

Resources Victoria serves as the exploration and mining regulator on behalf of the Minister for Energy and Resources and oversees administration of the *Mineral Resources (Sustainable Development) Act 1990* (MRSD Act).

The MRSD Act establishes the legal framework to ensure that any risks posed by minerals exploration to the environment, or to land, property or infrastructure are identified and eliminated or appropriately managed.

The Mineral Resources (Sustainable Development) Act 1990 requires:

- rehabilitation to be undertaken
- fair compensation paid for any loss or damage sustained from exploration
- conditions in licences and approvals to be enforced
- that dispute resolution procedures are effective.

Safeguarding special places

Exploration and mining in national parks (such as the Greater Bendigo National Park) and state parks (such as Kooyoorra State Park), and wilderness areas are prohibited under legislation.

Additional, dedicated legislation provides specific safeguards for matters that are important to local communities, such as the environment, Indigenous heritage, water, land, wildlife, Native Title, flora and fauna, biodiversity and water catchments.

Support to assist landholders

In addition to the existing legislative requirements for managing minerals explorers' access to private land, support tools have been developed by Resources Victoria to assist landholders and their advisors to feel more confident in negotiating fair land access conditions with explorers.

You can find out more about land access in a separate fact sheet *Land Access and Compensation for Landholders* or at resources.vic.gov.au/community-and-land-use/commercial-consent-agreement.

Find more information about land access through this QR code.



The Code of Practice for Mineral Exploration

The Code of Practice for Mineral Exploration provides practical guidance about how exploration work should be conducted in Victoria to meet the regulatory requirements and environmental standards under the MRSD Act and associated regulations.

Exploration activities are regulated according to the degree of disturbance that planned exploration activities are expected to have on the landscape and environment.

For any exploration activity that is not considered to be low impact, the exploration licensee must submit a Work Plan. A Work Plan outlines possible impacts to local communities and the environment and explains how an explorer will manage and mitigate the impacts.

Where required, these detailed Work Plans are referred to government agencies for further assessment against matters such as compliance with legislative requirements for the water, environment, flora and fauna and so on.

Compliance with Work Plans is monitored by Resources Victoria's Earth Resources Regulator.

The Code of Practice for Mineral Exploration is based on the principle that well-planned and managed exploration projects should have little or no lasting impact on the environment and impose minimal disruption to other land users and the community.

Did you know?

Exploration companies have a duty to:

- consult with the landholder or occupier
- manage environmental impacts
- consider public safety and land use concerns
- negotiate access and/or have compensation agreements in place with landholders
- share information on any activities authorised under the licence and provide the community with a reasonable opportunity to express views about those activities.

They must ensure that all reasonable measures are taken to minimise the impacts of drilling operations and that the operations are conducted in a manner that ensures protection of the environment, human health and amenity.

Further information

For detailed information and to register to receive updates visit: resources.vic.gov.au

Alternatively, we can be contacted via email at ERRFeedback@deeca.vic.gov.au or call **1300 366 356**.

Key legislation, regulations and policies governing minerals exploration in Victoria

- *Mineral Resources (Sustainable Development) Act 1990 and associated Regulations*
- *Forest Act 1958*
- *Land Act 1958*
- *Environmental Protection Act 1970*
- *National Parks Act 1975*
- *Wildlife Act 1975*
- *Crown Land (Reserves Act) 1978*
- *Environmental Effects Act 1978*
- *Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Part IIA)*
- *Planning and Environment Act 1987*
- *Flora and Fauna Guarantee Act 1988*
- *Water Act 1989*
- *Native Title Act 1993*
- *Catchment and Land Protection Act 1994*
- *Heritage Act 1995*
- *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*
- *Aboriginal Heritage Act 2006*
- *Traditional Owner Settlement Act 2010*
- State Environment Protection Policies (air, land and groundwater, noise, and water)

More information on the regulation of minerals exploration in Victoria, including the Code of Practice for Mineral Exploration can be found at: resources.vic.gov.au/legislation-and-regulations

Find legislations and regulations through this QR code



The Victorian Government acknowledges Aboriginal Traditional Owners of Country throughout Victoria and pays respect to their cultures and Elders past and present.

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