

# Management of legacy and abandoned mines on Crown land

Victoria has a long history of mining that has resulted in many thousands of former mine sites across the state, the majority of which are on Crown land. Some of these sites may not have been rehabilitated. Some sites that completed rehabilitation may now not meet modern standards, or have now deteriorated.

This statement sets out the responsibilities and obligations of:

- the Department of Jobs, Precincts and Regions (DJPR),
- the Department of Environment, Land, Water and Planning (DELWP), and
- Parks Victoria

in relation to former mine sites on Crown land. Its purpose is to assist the government to manage these sites effectively and ensure that community expectations are met.

For the purposes of this statement:

- **Legacy mines** are historic mines that were closed or ceased operation before the *Mineral Resources (Sustainable Development) Act 1990* (MRSDA)<sup>1</sup> came into effect in 1990 that have no licence holder, individual or company that can be allocated responsibility for their rehabilitation.
- **Abandoned mines** are mines that were in operation or approved after 1990 (i.e. have been regulated under the MRSDA), that are no longer in operation and have no licence holder, individual or company that can be allocated responsibility for their rehabilitation.

## THE MANAGEMENT OF LEGACY MINES

In Victoria, the management of legacy mines is the responsibility of the landowner. If the mine is a legacy mine located on Crown land, the relevant Crown land manager (usually DELWP or Parks Victoria) holds these responsibilities. DJPR may be consulted for advice or expertise.

## THE MANAGEMENT OF ABANDONED MINES

Earth Resources Regulation in DJPR is responsible for the oversight of all mining operations in Victoria under the MRSDA. Section 83 of the MRSDA provides that the Minister for Resources may take any necessary action to rehabilitate land in certain circumstances, including if the Minister is not satisfied that the rehabilitation required by the licence holder's approved rehabilitation plan has been undertaken appropriately and the licence holder or former licence holder has failed to comply with a request to rehabilitate the land within a reasonable time.

In circumstances where a mine on Crown land is abandoned (i.e. there is no longer an entity that can be requested to undertake rehabilitation under section 83(3) of the MRSDA), DJPR may engage in one of two rehabilitation strategies based on an assessment of likely future mining activity.

Where future mining activities are reasonably expected on the site by a new proponent, DJPR will take action to ensure that the site is safe and not creating risk to human health or the environment. DJPR will manage all abandoned mines until either further mining occurs, when the new proponent takes on management responsibilities, or rehabilitation is completed to the mutual satisfaction of the land manager and DJPR.

If no further mining activity is likely, DJPR will take action to rehabilitate the site towards a safe, stable and sustainable landform.

DJPR (drawing on its Earth Resources Regulation unit's expertise) would typically be the project lead, working in close consultation with the Crown land manager, to rehabilitate an abandoned mine site to a mutually agreed and satisfactory standard before the site management is transferred to the Crown land manager.

In the determination of what constitutes satisfactory rehabilitation, DJPR and the Crown land manager will consider the underlying and surrounding land categories/uses/values. They will also determine any inherent long-term risks and liabilities associated with the site.

Management of abandoned mine sites is returned to the Crown land manager only when they are rehabilitated as mutually agreed between DJPR and the Crown land manager.

## STRENGTHENING THE MANAGEMENT OF LEGACY AND ABANDONED MINES

The Victorian Government seeks to foster a socially and environmentally responsible mining industry. This joint statement is a first step in improving the management of legacy and abandoned mines on Crown land. It supports the implementation of the recommendations of the recent Victorian Auditor-General's Office's August 2020 Rehabilitating Mines Independent Assurance Report to Parliament.

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<sup>1</sup> Formerly known and originally passed as the *Mineral Resources Development Act 1990*.