

Changes to the extractive industry regulations

What you need to know

REHABILITATION PLAN REQUIREMENTS



New rehabilitation requirements take effect on 1 July 2021. They aim to give the community more certainty regarding the future of quarry sites and include enhanced requirements for final rehabilitation.

What's changing?

The new Mineral Resources (Sustainable Development) (Extractive Industries) Regulations 2019 establish a clear, consistent minimum standard for the approval of rehabilitation plans and their future assessment against criteria. This will support authority holders to adequately plan, undertake and achieve rehabilitation that is safe, stable and sustainable.

The new regulations will be supported by supplementary guidelines. Additional information will provide industry with compliance certainty and the basis for regulatory approval or rejection of rehabilitation plans. The guideline will be developed in consultation with industry.

Who will the changes impact?

The changes will apply to new work plans or work plan variations for extractive works lodged on or after 1 July 2021.

The current rehabilitation plan requirements will continue to apply until 1 July 2021.

An 18-month transition period is being provided before the new rehabilitation plan requirements commence.

If you currently have a work plan and don't seek to vary it, the current rehabilitation requirements will continue to apply.

What will I have to do differently?

The amendments require rehabilitation plans to include:

- a post-quarry land use and a rehabilitation plan that achieves a safe, stable and

sustainable final land form, to support that future use. A new definition of safe, stable and sustainable is included in the regulations;

- rehabilitation objectives for each unique rehabilitation domain within the quarry site, which will collectively measure whether a safe, stable and sustainable landform has been achieved;
- criteria i.e. standards that will be used to measure whether rehabilitation is complete;
- rehabilitation events or steps. The *Mineral Resources (Sustainable Development) Act 1990* requires rehabilitation to occur "in the course of doing work" to reduce rehabilitation liabilities during the operation of the quarry. These rehabilitation events or steps support this requirement by making it measurable and enforceable; and
- a risk assessment to identify and plan for the long-term management of risks associated with any rehabilitated land form that is not self-sustaining.

For further information

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