

Changes to the mineral industries regulations

REHABILITATION PLAN REQUIREMENTS



From 1 July 2020, changes to the rehabilitation plan component of work plans will be implemented.

What are the changes?

The new regulations establish a clearer process for the approval of rehabilitation plans and the assessment of rehabilitation against rehabilitation outcomes and criteria. This will support licensees to adequately plan for, undertake, and achieve rehabilitation to a land form that is safe, stable and sustainable.

The new rehabilitation requirements will be supported by guidelines. These guidelines will provide industry with advice on what to include in a rehabilitation plan and will be developed in consultation with industry and stakeholders in the coming months.

These changes are being implemented under the Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019.

Who do the changes impact?

The changes apply to anyone lodging a new work plan or work plan variation for mining works on or after 1 July 2020.

The rehabilitation plan requirements from the previous regulations will continue to apply until 30 June 2020.

What do I have to do differently?

The changes will require rehabilitation plans to:

- identify a post-mining land use and include a rehabilitation plan that achieves a safe, stable and sustainable final land form, to support that future use (a definition of safe, stable and sustainable is included in the regulations);

- include objectives for each distinct rehabilitation domain within the mine site;
- include completion criteria i.e. standards that will be used to measure whether rehabilitation is complete;
- include progressive rehabilitation milestones that set out a series of rehabilitation steps in the course of doing work under the licence (this supports the requirement in the Act for rehabilitation to occur “in the course of doing work” to reduce rehabilitation liabilities during the operation of the mine); and
- include post-closure planning to identify and plan for the long-term management of risks associated with any rehabilitated land form that is not self-sustaining.

When will the changes take place?

A 12-month transition period is being provided before application of the new requirements for rehabilitation plans.

What is not affected?

There is no material change to the rehabilitation information required in respect of exploration work.

Information required in item 4 of schedule 13 of the 2018 regulations is now provided for in regulation 41(b).

For further information

earthresources.vic.gov.au/mineralregs

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