

New rehabilitation plan requirements for mining and prospecting

Preparation of Rehabilitation Plans: Guideline for Mining and Prospecting Projects

February 2020



New rehabilitation requirements take effect on 1 July 2020. They aim to give the community more certainty regarding the future of mine sites and will enable leading industry practice in planning for successful final rehabilitation.

Why is rehabilitation important?

As Victoria's primary regulator of earth resources, Earth Resources Regulation is committed to protecting people, land, infrastructure and the environment across the whole resource life cycle. Effective site rehabilitation underpins confidence in both the resources industry and the regulator.

What are the benefits of the new rehabilitation requirements?

The new rehabilitation requirements establish a clear and consistent minimum standard for the preparation of rehabilitation plans and the assessment of rehabilitation outcomes against specific objectives. This will provide all parties with greater certainty of expected outcomes after mining is complete.

Who will the new requirements apply to?

The new rehabilitation requirements will only apply to new work plans and all work plan variations lodged on or after 1 July 2020. They will not apply to declared mines. A diagram outlining how to develop a rehabilitation plan which meets the new requirements is on the next page.

Do I have to do anything?

If you have an existing work plan and do not intend to lodge a variation, then you do not need to make any changes – your existing rehabilitation requirements will continue.

However, if you do vary your work plan, you will need to update your rehabilitation plan to align with the new rehabilitation requirements.

How do I develop a rehabilitation plan?

The diagram on the next page outlines the process for developing a rehabilitation plan which meets the new requirements. *Preparation of Rehabilitation Plans: Guideline for Mining and Prospecting Projects* (the Guideline) provides more detailed information to guide licensees through the process. It can be found at: earthresources.vic.gov.au/legislation-and-regulations/guidelines-and-codes-of-practice.

Can a rehabilitation plan be changed via the administrative update (notification) pathway?

Yes, certain changes to rehabilitation plans can be made via the administrative update (notification) pathway. The threshold for the administrative update (notification) pathway is based on the rehabilitation hazards and is set out in the Guideline.

Where do I go for help?

For further information please contact Earth Resources Regulation on 1300 366 356 or workplan.approvals@ecodev.vic.gov.au

You can also subscribe to Earth Resources Regulation's email newsletter by visiting earthresources.vic.gov.au/aboutus/newsletters.

Overview of how to develop a rehabilitation plan

- 1** **Develop a knowledge base** Gather information to support the rehabilitation plan (e.g. regulatory requirements, maps, studies).
- 2** **Compare current plan against new requirements** For variations only – compare your current rehabilitation plan to the new framework to identify what needs to change.
- 3** **Propose post-mining land uses(s)** Demonstrate how community and landholder views have been considered in the post-mining land uses. The land use is more general than the land form. Regulation 43(2)(a)
- 4** **Identify post-mining land form(s)** Identify a land form that is safe, stable and sustainable and supports the post-mining land use. A specific land form(s) must be included. Regulation 43(2)(b)
- 5** **Identify domains** Separate the site into areas with similar rehabilitation requirements. Each domain may have a different post-mining land form and use. Regulation 43(2)(c)
- 6** **Develop rehabilitation objectives** Develop a whole of site rehabilitation objective, and specific objectives for each domain. Regulation 43(2)(c)
- 7** **Develop rehabilitation criteria** Develop criteria to assess whether the rehabilitation objective(s) for each domain has been met. Regulation 43(2)(d)
- 8** **Identify rehabilitation milestones** Identify milestones that will be achieved in rehabilitating each domain. Regulation 43(2)(e)
- 9** **Assess residual risks from rehabilitated land** Complete a residual risk assessment for the rehabilitated land (post-closure). Regulation 43(2)(f)