Mapping the legislative pathway to mine closure in the Latrobe Valley, Victoria

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# ABSTRACT

High risk mines in Victoria are assigned 'declared' status. These are mines which have geotechnical, hydrogeological, water quality or hydrological factors that may be deemed to pose significant risk of harm to the community, environment and infrastructure. There are currently three declared mines in Victoria, all located in the Latrobe Valley. These mines are, and soon will be transitioning to rehabilitation and closure. The Mine Land Rehabilitation Authority’s (MLRA) role is to facilitate good rehabilitation outcomes for the Latrobe Valley and as part of this, assist in understanding the complex and changing Victorian regulatory regime that governs the closure of these mines.

Victorian mine licensees are required to operate and close in accordance with numerous Acts, Regulations and policies. The key Acts the mine licensees must navigate include the Mineral Resources (Sustainable Development) Act 1990 (MRSDA), Environment Effects Act 1978, and others.

The MRSDA has undergone rapid changes in recent years to provide more focus on the rehabilitation and closure of the declared mines. It is however untested and the rapid changes in the MRSDA, driven by the region’s shift to mine closure, has resulted in potential gaps within this Act. This is further complicated by the overlay of multiple regulatory processes, raising questions about which assessment process goes first: the approval of each site’s mine closure plan or an assessment of the site’s environmental impacts. These go hand-in-hand but are assessed and governed under different Acts.

As the Latrobe Valley begins to shift away from mining and towards closure, both government and operators face the challenges of navigating through the complexities of mine closure and the associated regulatory framework. This paper will explore the problems identified above by creating visual maps of each of the legislative processes in order to identify potential conflicts and gaps within the legislative processes.