

VICTORIA'S MINING LAWS AMENDED FOR THE BETTER

The Minerals Council of Australia (MCA) is encouraged by the amendments to the *Minerals Resources Development Act* introduced into the Victorian Parliament on 20 July 2006 by the Bracks Government.

Mr Richard Laufmann, Chairman of the Victorian State Council of the MCA said today: "We are very pleased with the inclusions of sustainable development principles in the amendment Bill and that this will form the basis for Government decision making under the Act. Such an approach is consistent with the Australian minerals industry's commitment to sustainable development and its operational framework, *Enduring Value*¹, for implementation at exploration, mining and minerals processing sites.

"Community engagement is integral to the industry's commitment to sustainable development. This aligns with the new requirement in the Bill for community consultation plans to be prepared and implemented by mining companies," Mr Laufmann said.

"The business case for community consultation is strong. It is foundation to earning and maintaining a social licence to operate, which is more enduring than a regulatory licence, as important as that is. We are delighted that the Victorian Government has committed significant financial resources to ensuring the effective implementation of these provisions for community consultation."

Further, the amendment Bill proposes changes to the 100 metre rule arrangements. This, to resolve significant uncertainty created by a 2004 decision of Victorian Civil and Administrative Tribunal (VCAT) regarding landowner consent for work within 100 metres of a house. Mr Laufmann said: "The consent arrangements have been clarified, simplified and made binding, however, we question the need to increase the '100 metre' rule to what will, in effect, be a 'one acre' rule."

The changes to incorporate codes of practice into licensing conditions and to introduce accredited third party assessments of rehabilitation liabilities is 'good regulation' and will help bring the Victorian mining laws into modern regulatory practice.

"The proposed amendments to the mining Act appear a balanced response to improve the operation of the mining laws in that they will provide increased certainty for mining project investors and protection of the rights of neighbours and introduce steps to ensure communities are effectively consulted on mining projects. We trust that the amendments will be passed without any undue delay."

For further information contact Mr Chris Fraser, Executive Director, Victoria of the Minerals Council of Australia on 0413 833 229.

¹ *Enduring Value, The Australian minerals industry framework for sustainable development, MCA, 2005.*