

Grant of an exploration licence in Victoria

Key:

MRSDA = Mineral Resources (Sustainable Development) Act 1990 (Vic)

MRS DR = Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (Vic)

NTA = Native Title Act 1993 (Cth)

TOSA = Traditional Owners Settlement Act 2010 (Vic)

s = section

r = regulation

RFI = Request for information

• = Earth Resources Regulation (Department of Jobs, Precincts and Regions), Minister for Resources/Delegate

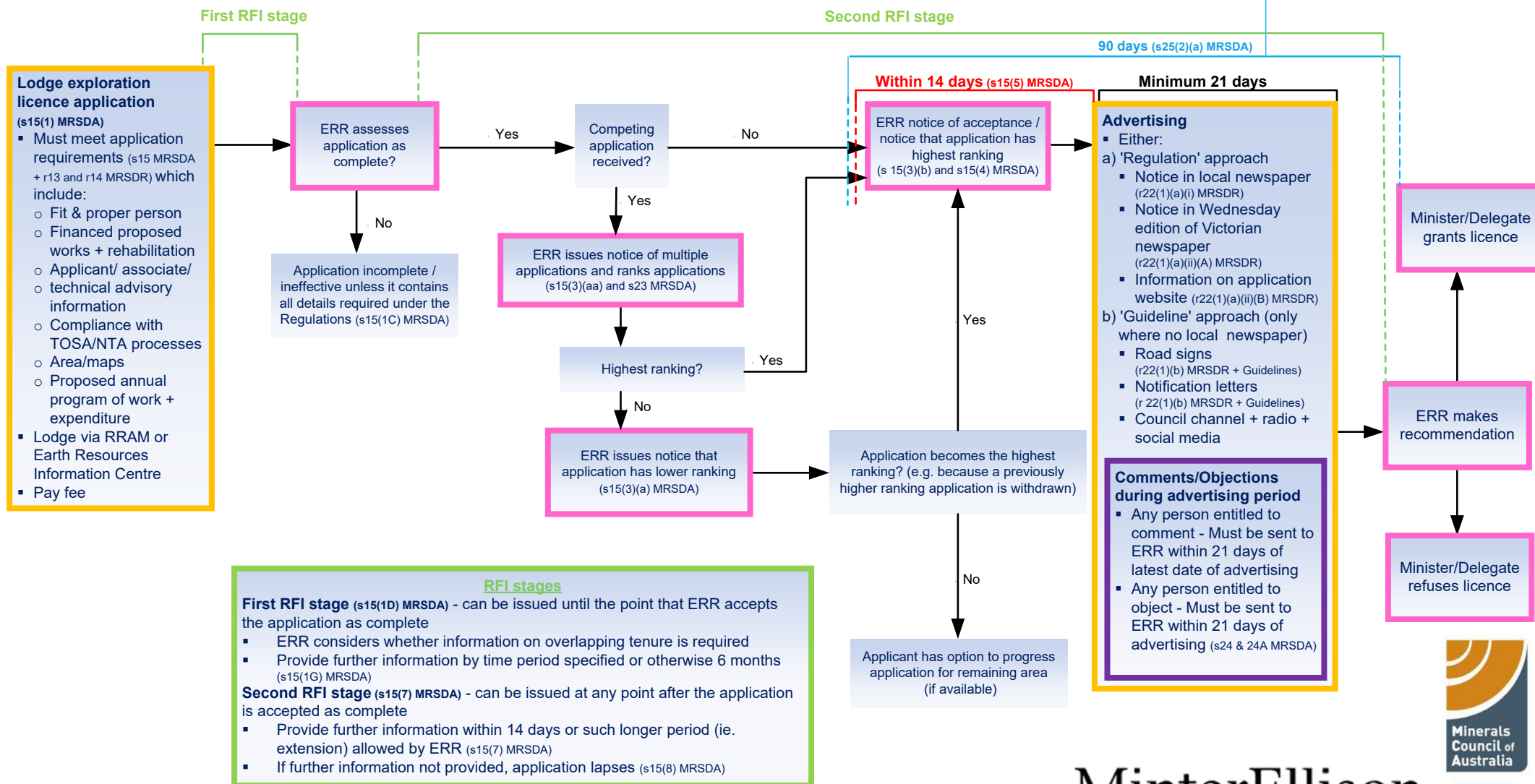
• = Applicant

• = RFI stages

• = Third parties

NOTE: 90 day time period is exclusive of:

- RFI extensions under s15(7) MRSDA; and
- TOSA/NTA extensions (s25(2A) MRSDA. Note: If the application area includes Crown land where native title has not been extinguished, then the 'future act' provisions of the NTA must be met or the relevant land use activity agreement under the TOSA must be complied with.



This flow chart is intended to be a general guide and does not substitute for legal advice.

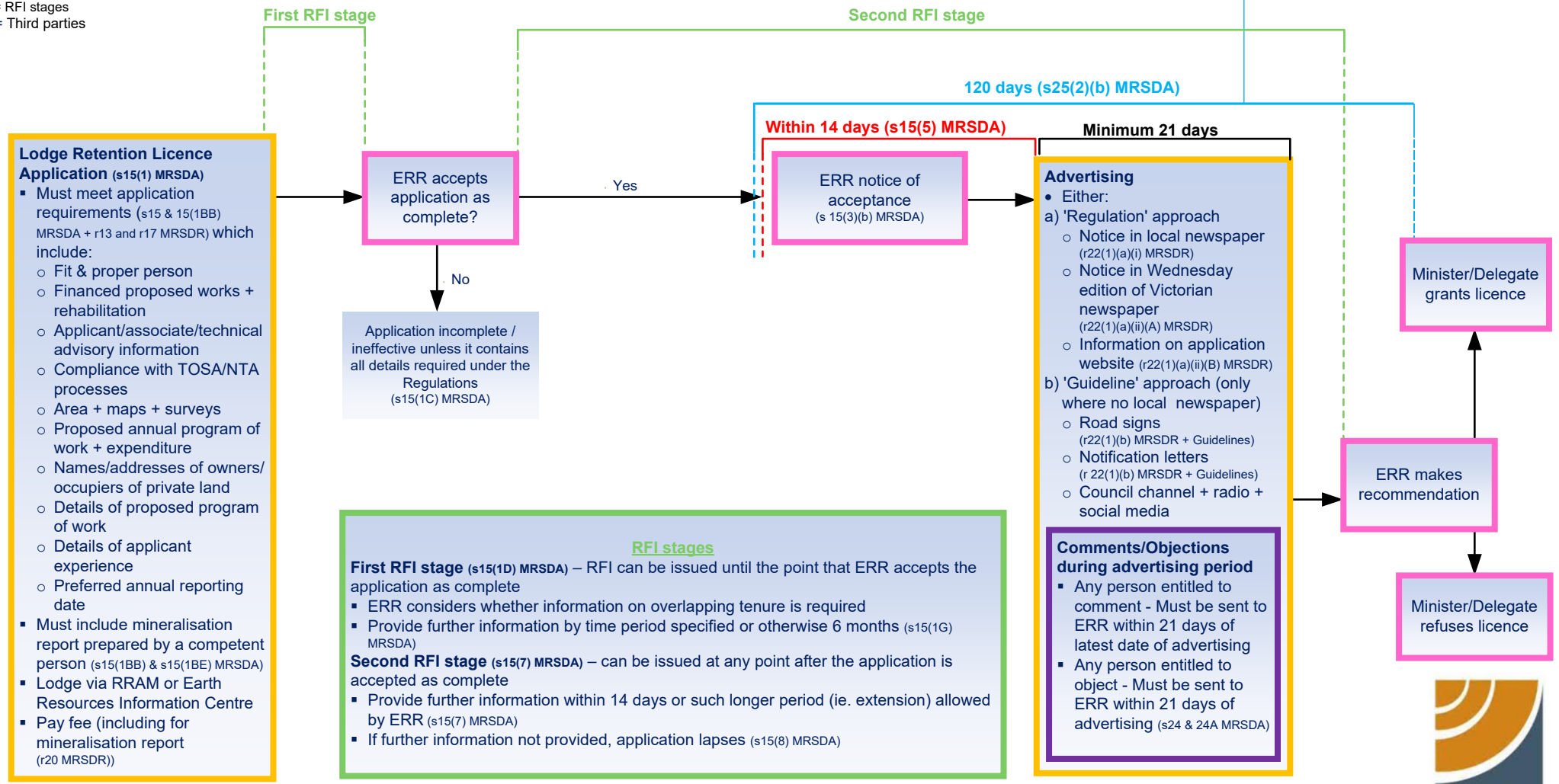
Grant of a retention licence in Victoria

Key:

- MRSDA = *Mineral Resources (Sustainable Development) Act 1990 (Vic)*
- MRSDR = *Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (Vic)*
- NTA = *Native Title Act 1993 (Cth)*
- TOSA = *Traditional Owners Settlement Act 2010 (Vic)*
- s = section
- r = regulation
- RFI = Request for information
- = Earth Resources Regulation (Department of Jobs, Precincts and Regions), Minister for Resources/Delegate
- = Applicant
- = RFI stages
- = Third parties

NOTE: 120 day time period is exclusive of:

- RFI extensions under s15(7) MRSDA; and
- TOSA/NTA extensions (s25(2A) MRSDA). Note: If the application area includes Crown land where native title has not been extinguished, then the 'future act' provisions of the NTA must be met or the relevant land use activity agreement under the TOSA must be complied with.



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Work under an exploration or retention licence in Victoria

Key:

MRSDA = Mineral Resources (Sustainable Development) Act 1990 (Vic)

MRS DR = Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (Vic)

WP = Work plan

s = section

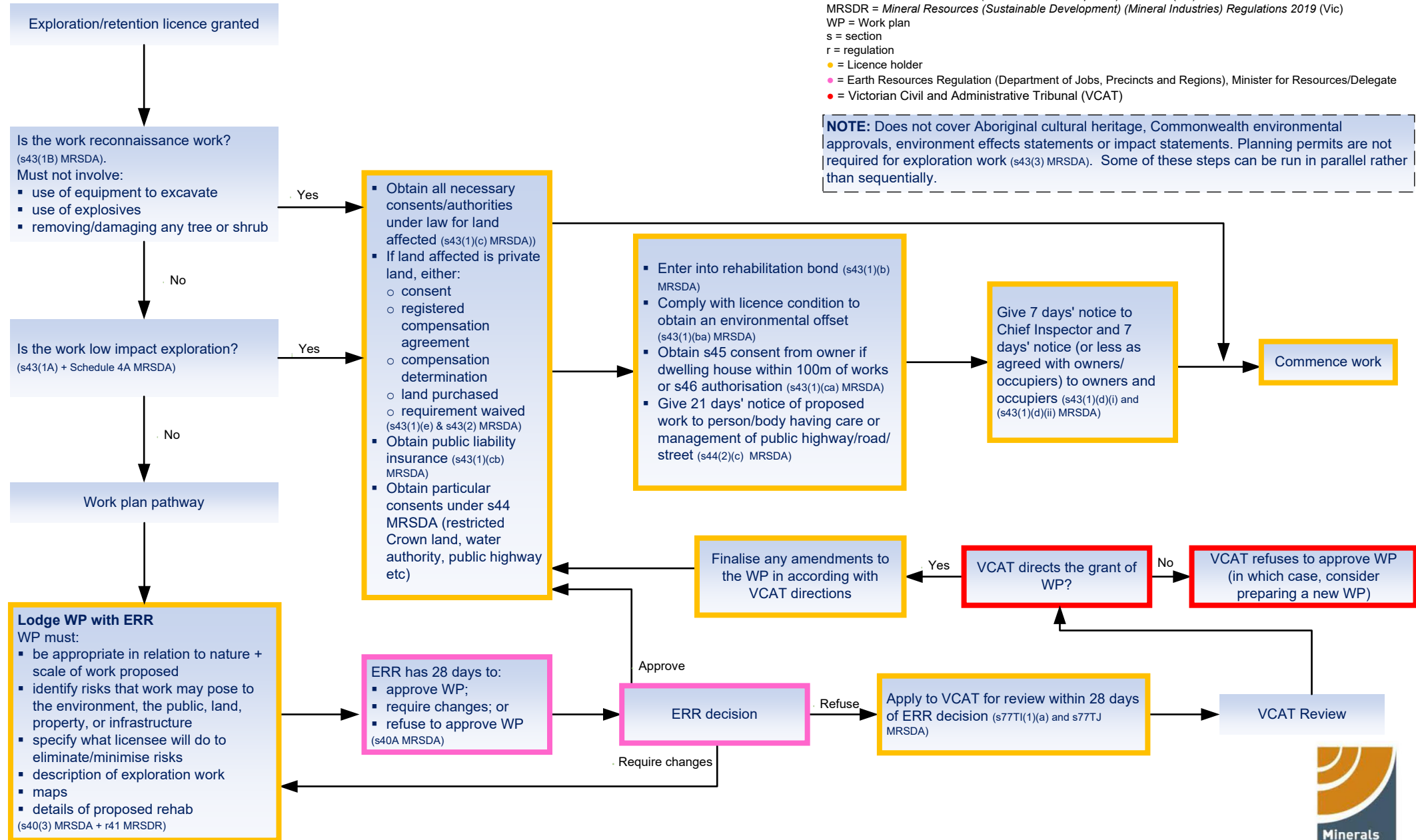
r = regulation

● = Licence holder

● = Earth Resources Regulation (Department of Jobs, Precincts and Regions), Minister for Resources/Delegate

● = Victorian Civil and Administrative Tribunal (VCAT)

NOTE: Does not cover Aboriginal cultural heritage, Commonwealth environmental approvals, environment effects statements or impact statements. Planning permits are not required for exploration work (s43(3) MRS DA). Some of these steps can be run in parallel rather than sequentially.

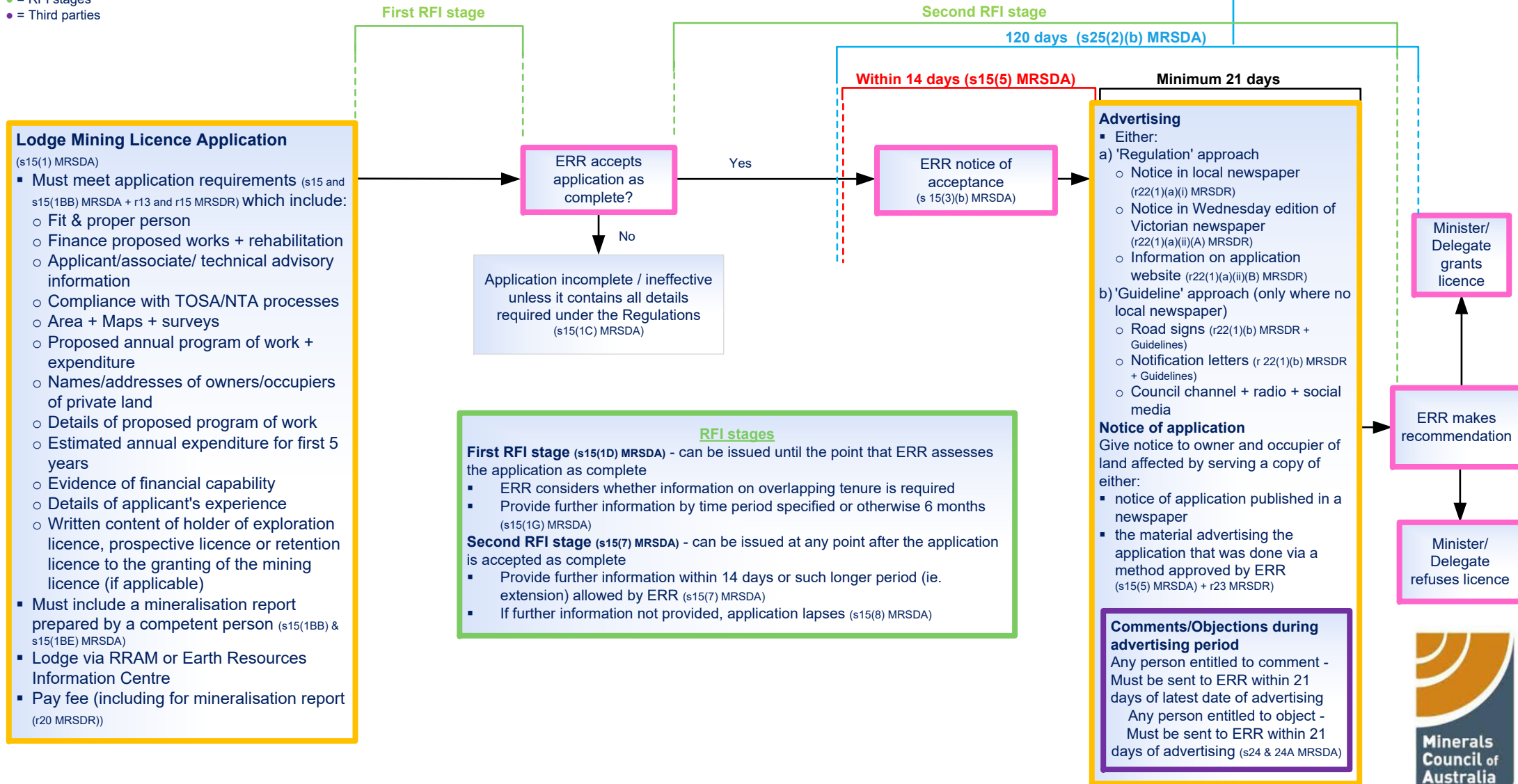


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Grant of a mining licence in Victoria

Key:
 MRSDA = Mineral Resources (Sustainable Development) Act 1990 (Vic)
 MRSDR = Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (Vic)
 NTA = Native Title Act 1993 (Cth)
 TOSA = Traditional Owners Settlement Act 2010 (Vic)
 s = section
 r = regulation
 RFI = Request for information
 ● = Earth Resources Regulation (Department of Jobs, Precincts and Regions), Minister for Resources/Delegate
 ● = Applicant
 ● = RFI stages
 ● = Third parties

NOTE: 120 day time period is exclusive of:
 ■ RFI extensions under s15(7) MRSDA; and
 ■ TOSA/NTA extensions (s25(2A) MRSDA). Note: If the application area includes Crown land where native title has not been extinguished, then the 'future act' provisions of the NTA must be met or the relevant land use activity agreement under the TOSA must be complied with.



This flow chart is intended to be a general guide and does not substitute for legal advice.

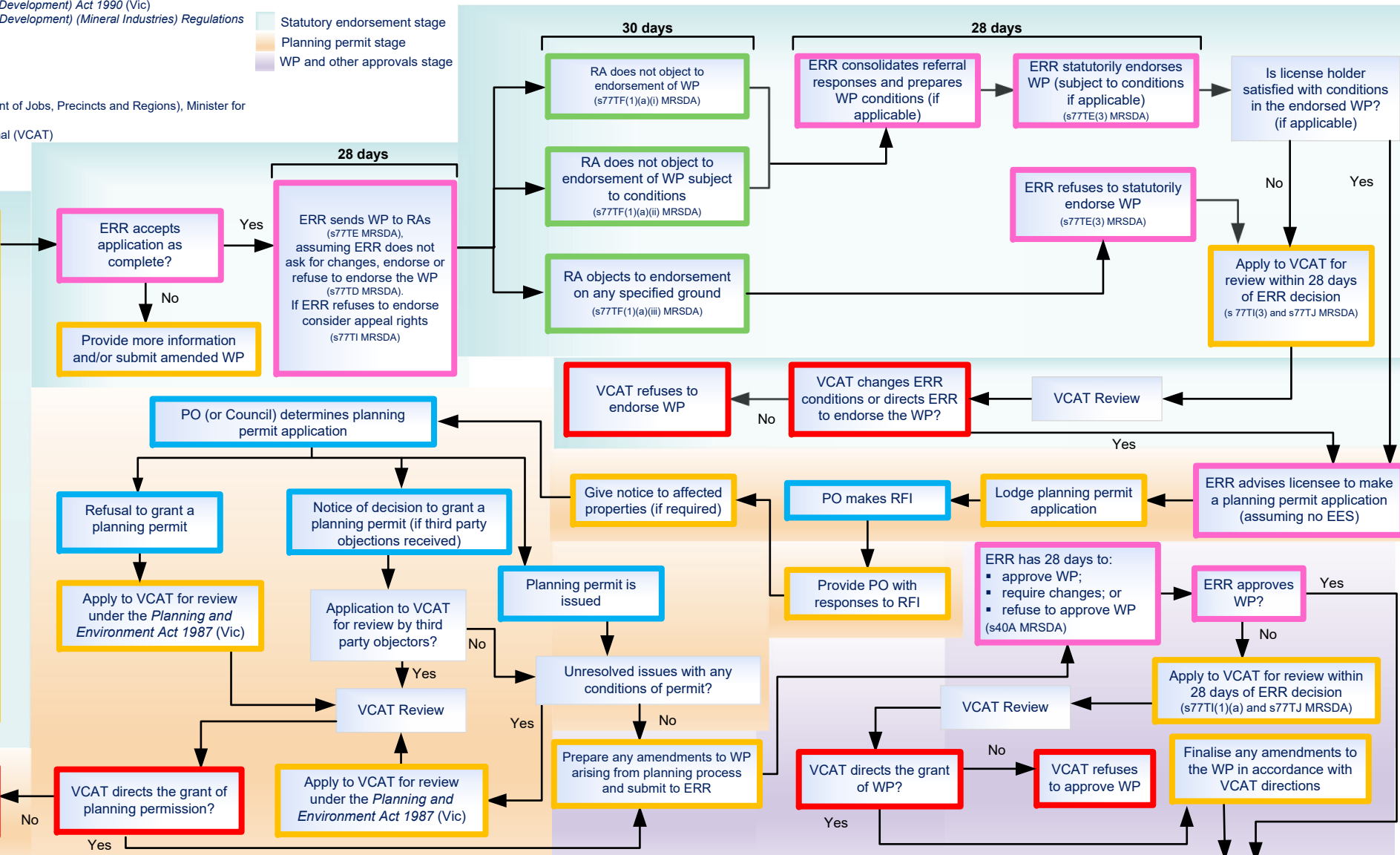
Work under a mining licence in Victoria

Key:
 MRSDA = Mineral Resources (Sustainable Development) Act 1990 (Vic)
 MRSDR = Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (Vic)
 s = section
 r = regulation
 WP = Work Plan
 = Licence holder
 = Earth Resources Regulation (Department of Jobs, Precincts and Regions), Minister for Resources/Delegate
 = Victorian Civil and Administrative Tribunal (VCAT)
 = Referral authority (RA)
 = Planning officer (PO)

Statutory endorsement stage
 Planning permit stage
 WP and other approvals stage

Lodge WP with ERR. WP must:

- be appropriate in relation to nature + scale of work proposed
- identify risks that work may pose to the environment, the public, land, property, or infrastructure
- specify what licensee will do to eliminate/minimise risks
- include plan for community consultation
- include rehab plan
- contain prescribed min stability requirements + processes (if declared mine)
- include description of the mining work (sensitive receptions, location map, general description of geological information pertaining to work, general description of mine operations, site map, schematic + description of working of underground operations (if relevant)). (s40(3) MRSDA + r42, r44 + r45 MRSDR)



This flow chart:

- outlines the key steps involved in conducting work under a mining licence, assuming a planning permit is also required
- does not cover exploration work under a mining licence
- does not cover low risk mines (ie. 5ha or less and does not include underground operations, blasting, clearing of native vegetation & chemical treatments)
- assumes no EES has been prepared
- does not cover related approvals such as under the *Water Act 1989 (Vic)*, *Aboriginal Heritage Act 2006 (Vic)* & *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*
- does not cover the agricultural land provisions in sections 26A-26E of the MRSDA
- does not cover administrative steps (such as an initial site meeting)

NOTE: This process can run in parallel with the WP approval process

Commence work

Give 7 days' notice to Chief Inspector and 7 days' notice to owners and occupiers (s42(1) MRSDA)

- Enter into rehabilitation bond
- Obtain all consents + other authorities required by law
- Comply with licence condition to provide an environmental offset
- Obtain insurance
- Obtain s45 consent from owner if dwelling house within 100m of works or s46 authorisation
- Obtain particular consents under s44 MRSDA (restricted Crown land, water authority, public highway etc) (s42)(1) MRSDA

If land affected is private land, either (s42(1)(h) & s42(1)(2) MRSDA):

- consent
- registered compensation agreement
- compensation determination
- land purchased
- requirement waived

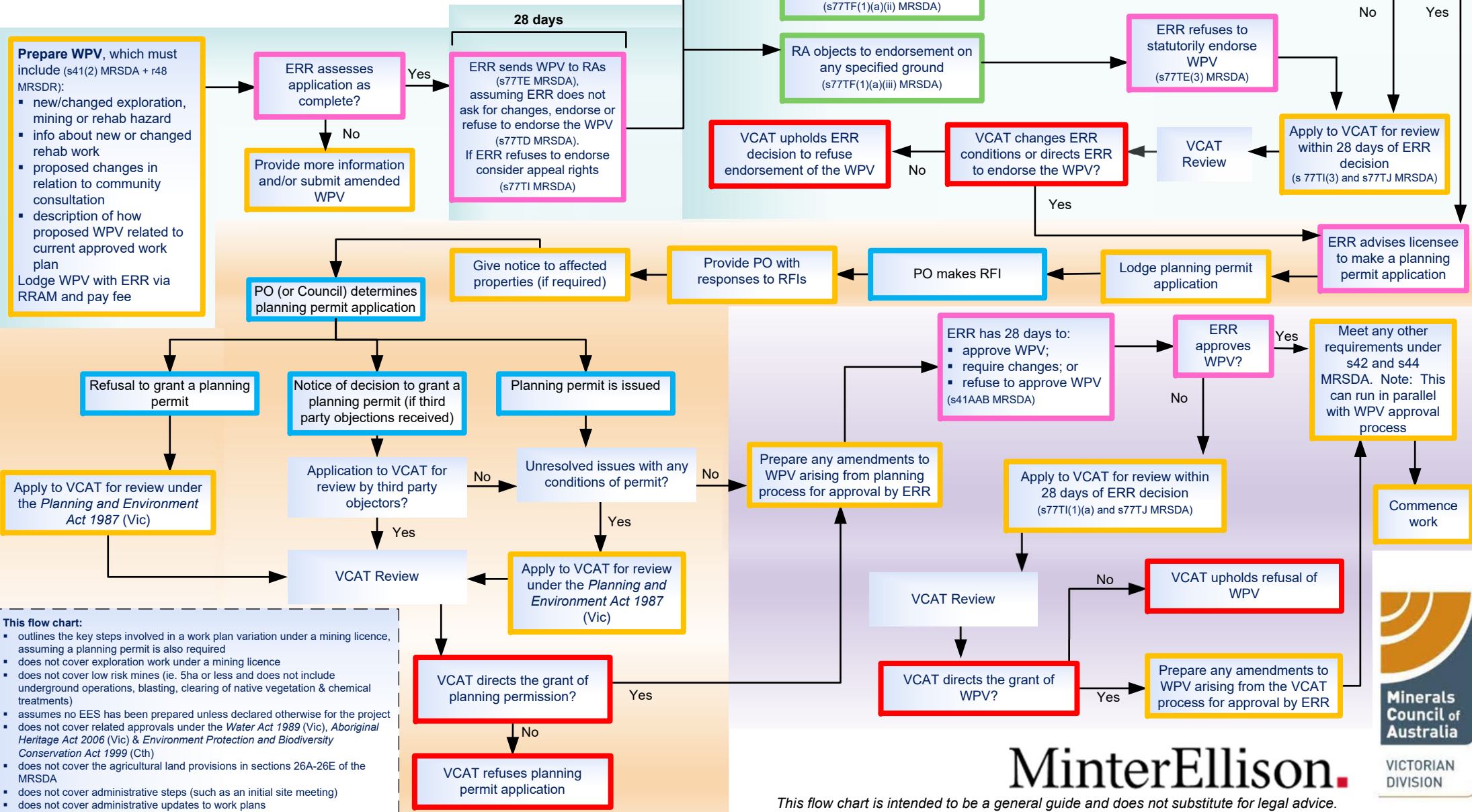
Give 21 days' notice of proposed work to person/body having care or management of public highway/road/street (s44(2)(c) MRSDA)



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Work plan variations for mining in Victoria

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 MRSDA = Mineral Resources (Sustainable Development) Act 1990 (Vic)
 MRSDR = Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (Vic)
 s = section
 r = regulation
 RFI = Request for information
 WPV = Work plan variation
 ● = Victorian Civil and Administrative Tribunal (VCAT)
 ● = Referral authority (RA)
 ● = Planning officer (PO)
 ● = Earth Resources Regulation (Department of Jobs, Precincts and Regions), Minister for Resources/Delegate
 ● = License holder



This flow chart:

- outlines the key steps involved in a work plan variation under a mining licence, assuming a planning permit is also required
- does not cover exploration work under a mining licence
- does not cover low risk mines (ie. 5ha or less and does not include underground operations, blasting, clearing of native vegetation & chemical treatments)
- assumes no EES has been prepared unless declared otherwise for the project
- does not cover related approvals under the Water Act 1989 (Vic), Aboriginal Heritage Act 2006 (Vic) & Environment Protection and Biodiversity Conservation Act 1999 (Cth)
- does not cover the agricultural land provisions in sections 26A-26E of the MRSDA
- does not cover administrative steps (such as an initial site meeting)
- does not cover administrative updates to work plans