



Victoria Government Gazette

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Subordinate Legislation Act 1994

DEPARTMENT OF PRIMARY INDUSTRIES

Notice of Preparation of Regulatory Impact Statement

Mineral Resources (Sustainable Development) (Extractive Industries) Regulations 2009

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to amendments to the Mineral Resources (Extractive Industries) Development Regulations 2009 (the proposed Regulations).

The purpose of the proposed Regulations is to replace the existing Extractive Industry Development Regulations 2007, which are due to sunset on 26 May 2010. The proposed Regulations will be made pursuant to the **Mineral Resources (Sustainable Development) Act 1990** which incorporates legislative changes to regulate extractive industries under that Act. These changes will be brought into effect from 1 January 2010.

The objectives of the proposed Regulations are to prescribe various procedures relating to extractive industry operations as authorised under the **Mineral Resources (Sustainable Development) Act 1990** including matters relating to work authorities, royalties, fees, forms and certain offences described as infringement offences. The proposed Regulations support the extractive industry related objectives of the Act which are to ensure that:

- Stone is developed in ways that minimise the adverse impacts on the environment and community;
- Consultation mechanisms are effective and appropriate access to information is provided;
- Land from which stone has been extracted or removed is rehabilitated;
- Conditions in approvals are enforced; and
- The health and safety of people is protected; and
- To recognise that the extraction of stone must be carried out in a way that is not inconsistent with the **Native Title Act 1993** of the Commonwealth and the **Land Titles Validation Act 1994**.

The proposed Regulations fulfil these objectives by prescribing:

- Various procedures relating to work plans, extractive industry work authorities, quarry stability requirements, reportable events and declared quarries;
- Matters relating to royalties;
- Fees, forms and other matters authorised by the Act; and
- Certain offences as infringement offences.

The RIS assesses the costs and benefits of the proposed regulations and assesses both regulatory and non-regulatory alternatives to the proposed Regulations. The RIS concludes that the benefits of the proposed Regulations outweigh their costs and that none of the alternatives provide a more efficient or effective means of achieving the proposed Regulations' objectives.

Copies of the RIS and the proposed Regulations may be obtained from:

- Department of Primary Industries Customer Service Centre by phoning (03) 9658 4440 (between 9.00 am to 5.00 pm); or
- Department of Primary Industries Information Centre (Floor 16, 1 Spring Street, Melbourne between 8.30 am and 5.00 pm); or
- Department of Primary Industries internet page at www.dpi.vic.gov.au

SPECIAL

Public comments are invited on the RIS and the accompanying Regulations. All comments must be in writing and can be emailed to ei.regulations@dpi.vic.gov.au or should be sent to:

Earth Resources Policy Unit
Earth Resources Division
PO Box 4440
Melbourne, Victoria 3001

by no later than 5.00 pm on 30 December 2009.

All comments and submissions will be treated as public documents.

Dated 26 November 2009

THE HONOURABLE PETER BATCHELOR, MP
Minister for Energy and Resources

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