

Latrobe Valley Mine Rehabilitation Advisory Committee

MEETING #24 MINUTES (WITH CONFIDENTIAL INFORMATION REDACTED)

FRIDAY 11 DECEMBER 2020

VIDEOCONFERENCE VIA MICROSOFT TEAMS

ATTENDEES

Ms Susan Lloyd (Chairperson), Latrobe Valley community
Mr Roland Davies, Latrobe Valley community
Mr Ron Mether, Latrobe Valley mine operators (EnergyAustralia Yallourn)
Ms Sarah Gilbert, Latrobe Valley mine operators (AGL Loy Yang)
Mr Tony Hicks, Loy Yang B
Cr Graeme Middlemiss, Latrobe City Council
Mr Terry Flynn, Southern Rural Water
Ms Anne Murphy, Gippsland Trades and Labour Council
Ms Jane Burton, Department of Jobs, Precincts and Regions
Mr Anthony Feigl, Department of Jobs, Precincts and Regions
Ms Anna May, Department of Environment, Land, Water and Planning
Ms Aimi Johnson (secretariat), Department of Jobs, Precincts and Regions

APOLOGIES

Mr Alan Freitag, Department of Environment, Land, Water and Planning
Mr Chris Wood, Gippsland Water
Ms Gail Gatt, Latrobe City Council
Mr James Faithful, Latrobe Valley mine operators (ENGIE Hazelwood)
Mr Troy McDonald, Aboriginal community

GUESTS

Emeritus Professor Rae Mackay, Chairperson, Mine Land Rehabilitation Authority
Ms Lee-Ann Baatjies, Manager Strategy and Operational Policy, Earth Resources Regulation, Department of Jobs, Precincts and Regions
Mr Mark Facciolo, Project Lead - Water and Mining, Department of Environment, Land, Water and Planning
Mr Garry Smith, DG Consulting

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| Agenda Item | Minutes |
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1 Introduction from the Chairperson

- The Chairperson opened the meeting and acknowledged the Traditional Owners of the land.
- Susan Lloyd noted this would be her last meeting serving in the role as Chairperson. She thanked Committee members for their support during her tenure.
- Minutes from the previous Committee meeting (Meeting #23) were noted by the Committee.

Extension of the Latrobe Valley Mine Rehabilitation Advisory Committee

- The Minister for Resources has agreed to a longer-term extension of the Committee for a further three years from 1 January 2021 to 31 December 2023.
- This extension will allow the Committee to support the implementation of the Latrobe Valley Regional Rehabilitation Strategy (LVRRS) and its inaugural review.

2 Latrobe Valley Regional Rehabilitation Strategy Implementation Action Four - Key assumptions and options for consideration

Delivered by Mark Facciolo, Project Lead - Water and Mining, Department of Environment, Land, Water and Planning and Garry Smith, DG Consulting

The Committee was provided with a progress update on the delivery of LVRRS Implementation Action Four to 'further assess the feasibility of alternative water sources that could be used for mine rehabilitation'. This included an outline of the rationale for considering alternative sources of water and the scope of work, including the approach to shortlisting and analysis of options, engagement undertaken to date and next steps.

- The Committee discussed the criteria for determining whether or not various alternative water source options were deemed viable. There are a number of variables that have an effect on the viability of each option considered including, water quality, volumes of water able to be provided, costs and benefits associated with each option, the regulatory and other approvals that would be required to enable each option and the likelihood of community and stakeholder support.
- The Department of Environment, Land, Water and Planning (DELWP) is committed to having further discussions with the Latrobe Valley coal mine licensees regarding where the focus of its investigatory efforts should be.
- The importance of the mine licensees having access to the raw data that underpins the modelling and assessments being undertaken was discussed.
- The Committee discussed the potential for the mine voids to harvest water during peak weather events, noting that this has been discussed on several occasions at previous Committee meetings and should be acknowledged or reflected in this work. It was acknowledged that the potential for flood mitigation has been raised during the consultation undertaken to date, with the Yallourn Mine identified as having the potential to support this given its proximity to natural waterways within the region.
- The Committee discussed whether opportunities exist to access water from other, nearby catchments to support mine rehabilitation. While these options aren't strictly within the scope of this implementation action, it has been identified that it may be possible to bring in water from other catchments.
- The quality of water from the Eastern Treatment Plant and its ability to support mine rehabilitation was discussed. While the Eastern Treatment Plant can produce high-quality, Class A water, this still has nutrient levels that may promote the growth of algae, in particular blue-green algae.
- DELWP will undertake further work in the next six months on the quantities and qualities associated with the various alternative water source options as well the potential beneficial uses and any risks associated with these.
- DELWP has consulted with a number of stakeholders as part of the work including the mine licensees, Gippsland Water, Southern Rural Water, Melbourne Water, the Mine Land Rehabilitation Authority (MLRA) and DJPR. A briefing to Latrobe City Council is scheduled for next week.

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- DELWP committed to providing the Committee with a summary report outlining the various options considered.
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3 Mine Land Rehabilitation Authority update

Delivered by Rae MacKay, Chairperson, Mine Land Rehabilitation Authority

The Committee was provided with an overview of the role of the MLRA, including the organisation's structure, achievements in its first six months and priorities for the next six months.

- The MLRA assumed the role and responsibilities of the Latrobe Valley Mine Rehabilitation Commissioner (LVMRC) on 30 June 2020.
 - In addition to the roles and responsibilities of the LVMRC, the MLRA is responsible for overseeing implementation of the LVRRS and promoting beneficial uses and consistent rehabilitation of declared mine land.
 - The MLRA will provide advice on whether closure criteria have been met and whether post-mining land can therefore be relinquished.
 - The MLRA will have a monitoring and maintenance role for declared mine land post-closure. It will also have the option to own declared mined land post-closure and land in close proximity (if required).
 - The MLRA anticipates that other mines may become declared mines over time and so its remit will potentially expand as this occurs.
 - Key achievement in the MLRA's first six months of operation include:
 - development of board policies and charters
 - development of a first-year strategy
 - recruitment of a Chief Executive Officer
 - oversight of the LVRRS
 - undertaking work plan reviews and supporting planning process associated with the rehabilitation of the Latrobe Valley's three brown coal mines.
 - Key priorities for the next six months include:
 - staff recruitment
 - relocation to the Morwell GovHub
 - sustained community engagement through social media and online activity
 - supporting mine rehabilitation research programs and projects
 - continued oversight of LVRRS implementation actions
 - development of strategic plans and monitoring and evaluation framework.
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4 The Victorian Auditor-General's Office *Rehabilitating Mines* Audit report

Delivered by Lee-Ann Baatjies, Manager Strategy and Operational Policy, Earth Resources Regulation, Department of Jobs, Precincts and Regions

On 5 August 2020, the Victorian Auditor-General's Office (VAGO) [Rehabilitating Mines](#) audit report was tabled in Parliament. The audit examined DJPR's Earth Resources Regulation's work to minimise the state's exposure to rehabilitation liabilities. It also examined how DJPR and DELWP identify and manage rehabilitation liabilities from abandoned and legacy sites as well as coordination with relevant agencies.

- The Committee noted that there's some good messages within the audit report and the work being done in response that will provide assurance to the community regarding the regulation and oversight of the Latrobe Valley's coal mines.
 - Many of the actions required in response to the audits' findings will require engagement with the Latrobe Valley coal mine licensees and other earth resources licensees and work authority holders across the state.
 - Further information was sought on the communications and engagement that is being undertaken to support the report's release. This will help the Committee and/or MLRA in determining if there might be a role for it in filling the gaps or complementing what is already planned.
 - Earth Resources Regulation has recently published two new documents to supplement the [Regulatory Practice Strategy for the Rehabilitation of Earth Resources Sites](#): an [Addendum](#) and the [Regulatory Practice Strategy for the Rehabilitation](#)
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of Earth Resources Sites Progress Report.

5 Other business and next meeting

- Meeting dates for 2021 to be confirmed
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