

## Latrobe Valley Mine Rehabilitation Advisory Committee

### MEETING #18 MINUTES (WITH CONFIDENTIAL INFORMATION REDACTED)

THURSDAY 30 JANUARY 2020

NAMBUR WARIGA ROOM, LATROBE CITY COUNCIL, 141  
COMMERCIAL ROAD MORWELL VICTORIA 3840

#### ATTENDEES

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**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)  
**Ms Gail Gatt**, Latrobe City Council  
**Cr Graeme Middlemiss**, Latrobe City Council  
**Mr Terry Flynn**, Southern Rural Water  
**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  
**Emeritus Professor Rae Mackay (observer)**, Latrobe Valley Mine Rehabilitation Commissioner  
**Mr Brett Millsom (secretariat)**, Department of Jobs, Precincts and Regions

#### APOLOGIES

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**Mr Trevor Williams**, Gippsland Trades and Labour Council  
**Mr James Faithful**, Latrobe Valley mine operators (ENGIE Hazelwood)  
**Mr Troy McDonald**, Aboriginal community  
**Mr Alan Freitag**, Department of Environment, Land, Water and Planning

#### GUESTS

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**Mr Tony Hicks**, Alinta Energy  
**Mr Chris Wood**, Gippsland Water  
**Ms Linda Bibby**, Director Policy and Legislation, Department of Jobs, Precincts and Regions  
**Ms Alison Capuano**, Manager, Rehabilitation Policy, Department of Jobs, Precincts and Regions

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Agenda Item	Minutes
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**1 Introduction from the Chairperson and Committee administration**

- The Chairperson noted apologies for Trevor Williams, James Faithful, Troy McDonald and Alan Freitag.
- Minutes from the previous Committee meeting (Meeting #17) were noted.

**2 Declared Mine Regulations**

**Delivered by: Alison Capuano, Manager Rehabilitation Policy and Linda Bibby, Director Policy and Legislation Reform, Department of Jobs, Precincts and Regions**

Work is underway to develop new regulations for declared mines. This session provided an opportunity for members of the Committee to provide feedback on policy proposals for the regulations.

- The *Mineral Resources (Sustainable Development) Amendment Act 2019* amends the *Mineral Resources (Sustainable Development) Act 1990* to strengthen rehabilitation requirements for declared mines.
- The Amendment Act was passed on 10 September 2019 and comes into effect 30 June 2020. It requires amending regulations to the *Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019*.
- The Hazelwood Mine Fire Inquiry made a number of recommendations to reform the mine rehabilitation framework. It identified a number of issues with existing rehabilitation plans including that they were conceptual in nature and provided insufficient information about the rehabilitation liability which presented an economic, social and environmental risk to the State.
- The *Mineral Resources (Sustainable Development) Amendment Act 2019* is an enabling piece of legislation. Supporting regulations will set out the information, process and methods required to give effect to it.
- The new legislation applies to declared mines. The Latrobe Valley's three brown coal mines are currently Victoria's only declared mines.
- Regulations will cover three key areas:
  - The contents of a Declared Mine Rehabilitation Plan and its approval
  - Processes and methods for the declared mine land register
  - Processes and methods for the post-closure fund.
- A public consultation process on draft regulations, with an accompanying Regulatory Impact Statement, will be undertaken in 2020

**3 Latrobe Valley Regional Rehabilitation Strategy – Table of Contents**

**Delivered by: Anthony Feigl, Acting Director Coal Resources Victoria, Department of Jobs, Precincts and Regions and Anna May, Director Water Resource Assessment and Planning, Department of Environment, Land, Water and Planning.**

Work is progressing on the final Latrobe Valley Regional Rehabilitation Strategy (LVRRS). Members were provided with a copy of the Table of Contents for the final Strategy and will have an opportunity to discuss and provide feedback on this as part of this agenda item.

- The LVRRS Project Team is well on the way to preparing the final Strategy.
- Public submissions on the *LVRRS Overview* closed on 17 January 2020. The Project Team is currently working through those submissions and where appropriate looking to address feedback in the final Strategy. A total of 28 submissions have been received.
- The table of contents will need to be adaptable and flexible. The Project Team may adapt and adjust the structure of the final Strategy as the writing commences.
- The Chairperson asked where the feedback from public submissions will be reflected in the final Strategy. A report that outlines the feedback received on the *LVRRS Overview* is currently being prepared. The team will work to where appropriate address this feedback throughout the final LVRRS.
- The evolving policy landscape may pose some challenges to the LVRRS. While the LVRRS will be reviewed every three years, policies and positions will inevitably change in between review periods. While the Strategy is required to be updated every three years, the Minister for Resources does have the authority to update the Strategy at any time.
- The Strategy will need to be mindful of the future economic viability of the Latrobe Valley brown coal mines. If the costs of operating and/or rehabilitating the mines becomes extreme, it becomes difficult for the operators to continue

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to operate and justify making the mine void larger.

- One member noted there's a simple question that's at the forefront of the minds of community members that doesn't seem to have been answered – will the mines become lakes and if so, when is that likely to happen and when will the community have access to these sites?
- It was suggested that the community is less concerned with landform and accessibility than they are with managing fire risk. Since the Hazelwood Mine Fire this has been a big concern within the community.

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#### 4 Other business and next meeting

- Next meeting scheduled for Thursday 5 March 2020
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