



Latrobe Valley  
Regional  
REHABILITATION  
STRATEGY

Latrobe Valley Mine Rehabilitation  
Advisory Committee

*Annual Report*  
*July 2018 – June 2019*

## FOREWORD FROM THE CHAIRPERSON



2018/19 has been a busy year for the Latrobe Valley Mine Rehabilitation Advisory Committee and the Latrobe Valley Regional Rehabilitation Strategy Project Team.

The Latrobe Valley Regional Rehabilitation Strategy will provide the framework for safe, stable and sustainable landforms for the Latrobe Valley's three brown coal mines and surrounding areas. This is an important and complex task that must be informed by robust technical evidence so that future residents of the Latrobe Valley can benefit from the rehabilitated mine sites and surrounding areas for years to come.

The last 12 months have seen several major technical studies conducted that will provide a sound evidence base for decision making about mine rehabilitation in the years ahead, including regional geotechnical and water studies. Members of the Committee were regularly briefed on the water, geotechnical and land use studies and given opportunities to provide advice and input into them over the

course of the last year.

As these major technical studies were conducted during 2018/19 the Project entered its fourth and final stage, which will see the research findings integrated to prepare the Latrobe Valley Regional Rehabilitation Strategy which is due in June 2020.

Of critical importance to the Committee for the 12 months ahead will be open and transparent engagement and information sharing with a range of stakeholders, including the Latrobe Valley community. The challenge associated with community engagement on a highly technical and complex Project such as this has been noted by the Committee on several occasions, and the Committee is keen to take a role in supporting these activities in the year ahead.

I'd like to take the opportunity to thank Committee members for their willingness to openly and honestly share their views and opinions within Committee meetings. Given the complexity of the task at hand, it's important that a range of opinions and views are brought to the table allowing all perspectives to be heard and the Committee has continued to engage in these robust discussions with the highest degree of professionalism.

I look forward to the challenges and opportunities that the next year will bring for the Committee, in particular, the delivery of the final LVRRS in June 2020.

**Susan Lloyd**

Chairperson

Latrobe Valley Mine Rehabilitation Advisory Committee.

## BACKGROUND

The establishment of the Latrobe Valley Mine Rehabilitation Advisory Committee (the Committee) was a deliverable action (action 183) as part of the Victorian Government's response to the findings and recommendations of the Hazelwood Mine Fire Inquiry as outlined in the *Hazelwood Mine Fire Inquiry: Victorian Government Implementation Plan June 2016*.

The Committee operates in accordance with the *Latrobe Valley Mine Rehabilitation Advisory Committee Terms of Reference and Management Procedures* (Terms of Reference).

The Terms of Reference task the Committee with providing expert and strategic advice to the Minister for Resources and the Department of Jobs, Precincts and Regions (DJPR) regarding the preparation of a regional rehabilitation strategy for the Latrobe Valley's three brown coal mine voids.

In providing advice regarding the Regional Rehabilitation Strategy, the Committee is required to:

- a) Contribute to the development of the Strategy through the provision of expertise and advice;
- b) Facilitate interaction and partnerships between industry, the community and other relevant Government agencies and departments;
- c) Provide advice on policy and legislation development when requested by the Department or the Minister;
- d) Represent key stakeholders and stakeholder group interests in relation to mine rehabilitation in the Latrobe Valley; and
- e) Act as a conduit to broader stakeholder engagement in the Latrobe Valley.

The Committee comprises membership with a diverse range of experience and expertise regarding mine rehabilitation in the Latrobe Valley. The members of the Committee are:

- Ms Susan Lloyd (Chairperson), representing the Latrobe Valley community
- Mr Roland Davies, representing the Latrobe Valley community
- Mr James Faithful, representing the Latrobe Valley mine operators (ENGIE Hazelwood)
- Ms Sarah Gilbert, representing the Latrobe Valley mine operators (AGL Loy Yang)
- Mr Ron Mether, representing the Latrobe Valley mine operators (EnergyAustralia Yallourn)
- Ms Gail Gatt, representing the Latrobe City Council
- Cr Graeme Middlemiss, representing the Latrobe City Council
- Mr Terry Flynn, representing Southern Rural Water
- Mr Angelo Saridis, representing Gippsland Water
- Mr Troy McDonald, representing the local Aboriginal community
- Mr Trevor Williams, representing the Gippsland Trades and Labour Council
- Mr John Krbaleski, representing the Department of Jobs, Precincts and Regions
- Ms Jane Burton, representing the Department of Jobs, Precincts and Regions
- Ms Anna May, representing the Department of Environment, Land, Water and Planning
- Mr Alan Freitag, representing the Department of Environment, Land, Water and Planning.

## RECORD OF ATTENDANCE

The Committee met six times during the 2018/19 year. A summary of the attendance at Committee meetings between July 2018 and June 2019 is provided below.

Member	Meeting 09 August 2018)	Meeting 10 (19 September 2018)	Meeting 11 (11 October 2018)	Meeting 12 (14 February 2019)	Meeting 13 (2 May 2019)	Meeting 14 (14 June 2019)
Susan Lloyd (Chairperson)	✓	x	✓	✓	✓	✓
Roland Davies	✓	✓	✓	✓	✓	✓
James Faithful	✓	✓	✓	✓	✓	x
Sarah Gilbert	x	✓	✓	✓	x	✓
Ron Mether	✓	✓	✓	✓	✓	✓
Gail Gatt	✓	✓	✓	✓	✓	✓
Graeme Middlemiss	✓	x	✓	x	✓	x
Terry Flynn	✓	✓	✓	x	✓	✓
Angelo Saridis	x	✓	✓	✓	✓	✓
Troy McDonald <sup>1</sup>	-	-	-	✓ (observer)	x	x
Trevor Williams (observer)	✓	✓	x	x	x	✓
John Krbaleski	x	x	✓	x	-	-
Jane Burton	✓	✓	✓	✓	✓	✓
Grace Mitchell	✓	-	-	-	-	-
Anna May (observer)	✓	✓	✓	✓	x	✓
Alan Freitag	x	✓	✓	✓	x	✓
Anthony Feigl	-	-	-	-	✓	✓

**Legend** ✓ attended x apology - attendance not required

**Table 1** - Record of attendance of Latrobe Valley Mine Rehabilitation Advisory Committee Members in 2018/19

## MEMBERSHIP CHANGES IN 2018/19

A summary of the individual membership changes to the Committee in 2018/19 is provided below.

- Mr Troy McDonald was nominated by the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) to assume the vacant Aboriginal community member role on the Committee. Mr McDonald was formally appointed as a Committee Member in March 2019. Mr McDonald has lived and worked in Gippsland and Melbourne for many years and in that time has worked on the Victorian Government's Water Policy Framework, *Water for Victoria* as well as being instrumental in driving the Government's policy commitments regarding Aboriginal values and use as it relates to the *Victorian Water Entitlement Framework*. These skills have broad application to many organisational contexts.
- Mr Trevor Williams was nominated by the Gippsland Trades and Labour Council to assume its vacant role on the Committee following Tim Delany's resignation in early 2018. Mr Williams formally assumed the role of Committee Member in September 2019. Mr Williams has had a long career in plant operations at a variety of organisations including the State Electricity Commission of Victoria. Mr Williams is currently the District President of the

<sup>1</sup> Mr McDonald was formally appointed to the Committee in March 2019. Accordingly, he was not eligible to attend Committee meetings as a member until this date.

Construction, Forestry, Mining and Energy Union's Mining and Energy Division – Victoria, having previously held the role of State Organiser. Mr Williams holds a Certificate IV in Unionism and Industrial Relations from the Australian Council of Trade Unions.

- John Krbaleski assumed a new acting role in late February 2019. Due to this change in role Mr Krbaleski was not required to attend Committee Meetings 13 and 14. Jane Burton assumed Mr Krbaleski's substantive role in an acting capacity and retained ex-officio membership of the Committee. Anthony Feigl assumed Ms Burton's substantive role in an acting capacity from late February 2019, including ex-officio membership of the Committee.
- Grace Mitchell assumed a new role after the August 2018 meeting of the Committee. Anna May was appointed as the Director, Water Resource Assessment and Planning and assumed ex-officio membership of the Committee from September 2018.

## COMMITTEE DISCUSSIONS IN 2018/19

Members were actively involved in a range of discussions related to mine rehabilitation in the Latrobe Valley as well as providing their feedback and advice on a range of issues to inform the Latrobe Valley Regional Rehabilitation Strategy (LVRRS). These included:



*From left to right: Latrobe Valley Mine Rehabilitation Advisory Committee Members Graeme Middlemiss, Anna May, Alan Freitag and Latrobe Valley Mine Rehabilitation Commissioner Rae Mackay (observer).*

### **Recognised regional receptors and water and geotechnical metrics and thresholds for impact assessment (Meeting 09)**

The identification of regional receptors as part of the LVRRS is a key step in assessing the range of potential impacts of mine rehabilitation. For the purposes of the LVRRS, receptors are defined as features of the natural and built environment which have the potential to be impacted (positively or negatively) by rehabilitation of the Latrobe Valley's coal mines and include

Aboriginal heritage, infrastructure, the environment, land and water resources. As part of meeting 9 of the Committee, members were provided with an overview of the receptors identified as part of the LVRRS. Feedback from members was sought to ensure that appropriate representation of receptors relevant to the LVRRS had been identified and captured. In

addition, the Committee was provided with information on the metrics and thresholds that would be used to assess the potential impacts on these receptors.

### **Climate change projections (Meeting 09)**

It's important that the LVRRS is cognizant of projected climate change scenarios as this may have implications for the Project, particularly the availability of water for mine rehabilitation. At meeting 09, members of the Committee were provided with an overview of the climate change modelling and scenarios that are informing the preparation of the LVRRS. At later meetings in 2018/19 where updates on the Latrobe Valley Regional Water Study were provided, members were able to see how potential water availability for mine rehabilitation varied under different climate change scenarios.

### **ENGIE's Masterplan and rehabilitation and closure planning for Hazelwood (Meetings 10 and 13)**

As the LVRRS is being prepared, ENGIE is progressing with its rehabilitation and closure planning for the Hazelwood Mine, as well as the preparation of a masterplan for the site. ENGIE's Rehabilitation and Closure Plan has been developed on the assumption of a full pit lake (water level RL+45M) and is expected to be submitted to the Department of Jobs, Precincts and Regions in late 2019. The Masterplan seeks to articulate a shared vision for the future of the site and provides a coordinated set of initiatives regarding what ENGIE can legitimately do with it. The Committee was provided with updates on these items at Meetings 10 and 13. While the LVRRS is regional in focus, it is important that the Committee is aware of the mine scale work being undertaken by the mine operators regarding rehabilitation planning. This is particularly important in the case of ENGIE, as it's now ceased operating and is preparing its final rehabilitation and closure plan at the same time as the LVRRS is being prepared. Members discussed how the site might be carved up into smaller parcels and how these may be progressively released, with a desire from members to ensure that this occurs in a way that ensures the best development outcomes possible on these sites. Member also discussed the broad range of planning related work related to mine rehabilitation and the importance of ensuring a level on convergence within this domain.

### **Reflections from the German mine rehabilitation experience (Meeting 11)**

In September 2019, representatives from the Latrobe Valley mine operators, the Latrobe Valley Mine Rehabilitation Commissioner's Office and the then Department of Economic Development, Jobs, Transport and Resources travelled to the International Conference on Mine Closure which was held in Leipzig in Germany. Meeting 11 provided members of the Committee with the opportunity to hear from a number of those who attended the conference to gain insights and learnings that could be beneficial for the LVRRS. Germany's mining regions share a number of similarities with the Latrobe Valley, including decades of mining activity in close proximity to townships and developed communities. While the stripping ratio (the ratio of coal to overburden) is different in comparison to the Latrobe Valley (Germany's mines had more overburden to return to the mine as part of rehabilitation), there are important lessons that can be learnt from the German experience, including:

- the importance of long-term planning for mine rehabilitation;
- the need for appropriate funding to ensure rehabilitation activities can be carried out; and
- the importance of providing public access to the former mining sites as early as possible.

### Latrobe Valley Regional Land Use Study (Meeting 13)

In addition to regional geotechnical and water studies, a regional land use study (being led by the Department of Environment, Land, Water and Planning) is being undertaken to inform preparation of the LVRRS. The land use study comprises a social history study and a preliminary land use vision for the Latrobe Valley. The social history study captures the Latrobe Valley's rich past, with a particular focus on the importance of the region's mining and power generation history and how this has influenced the development of the Latrobe Valley over the decades. The Preliminary Land Use Vision provides a long-term land use planning outlook for coming decades for the Latrobe Valley as mining activity may cease and rehabilitation commences. The Preliminary Land Use Vision is intended to provide a set of guiding directions based on achieving positive social, economic and environmental outcomes for future land use and development in the region. Of particular interest to the Committee was how the Preliminary Land Use Vision aligned with other regional land use plans, particularly Latrobe City Council's *Live, Work Latrobe* and ENGIE's Masterplan for the Hazelwood site. Members also discussed, and expressed a need for the right mechanisms to be in place to ensure that land within the mining licences is not fragmented and development opportunities lost as a result of this.

### Local Aboriginal views regarding mine rehabilitation (Meeting 14)

The views and insights of Traditional Owners are crucial in informing the mine rehabilitation planning process. At meeting 14, representatives from the Gunaikurnai Land and Water Aboriginal Land and Waters Aboriginal Corporation (GLaWAC) explained to Committee members their views regarding mine rehabilitation, particularly the desire of the local Aboriginal community to be involved in mine rehabilitation planning. GLaWAC's insights and advice regarding how to most appropriately engage with Traditional Owners were particularly valued by Committee



*From left to right: Latrobe Valley Mine Rehabilitation Advisory Committee Members James Faithful, Gail Gatt and Ron Mether.*

members. GLaWAC also shared its views regarding how it would expect cultural heritage issues to be considered in the future ownership and management arrangements for the mines sites as well as the importance of ensuring that potential downstream impacts on cultural heritage are identified, understood and addressed.

### Principles for preparation of the LVRRS – towards the final Strategy (Meetings 13 and 14)

The focus of the Committee in late 2018/19 shifted into providing advice on the preparation of the final Strategy, with the Project Team sharing its early work on this based on the technical studies undertaken to date. The Committee was provided with the opportunity to provide input and advice on the principles that will underpin the development of the final Strategy (including the outcomes sought) and on the definition of success for the final Strategy that had been prepared by

the Project Team. The Committee discussed how the LVRRS may best enable the transformation of the coal mine voids and adjacent land to the next beneficial use and the need for the set of key principles to outline how this may occur. In addition, the Committee discussed the term 'beneficial use' and the strong community desire and expectation for the rehabilitated mine voids to be publicly accessible and offer amenity value.

## KEY ISSUES NOTED BY THE COMMITTEE TO DATE

As part of meeting deliberations, the Committee has identified and discussed a number of issues and challenges relating to mine rehabilitation in the Latrobe Valley and the LVRRS Project. These include:

### **The challenges of community engagement in the Latrobe Valley**

Committee members recognise the challenges associated with designing and delivering community engagement activities in the Latrobe Valley given the range of competing events being delivered by government departments and agencies and other large organisations (including the mine operators). The need for a coordinated approach to delivering these activities has been identified. In addition, members have noted the challenges associated with engaging the local community regarding the LVRRS Project, which is a highly complex, technical Project where the outcomes will not be realised for decades to come. Despite this, Committee members felt it important that the Project Team is openly and actively sharing information about the findings of its studies and the preparation of the Strategy and is sufficiently equipped to be able to do this in a timely manner. The Committee noted that there have been instances where the Project Team has demonstrated a preference for all of the information to provide it with certainty, rather than sharing what it has progressively and indicating where the knowledge gaps still remain and are being addressed. The Committee has noted a need for clear communication and visible engagement on the LVRRS Project in 2019/20.

### **The desire and expectation of the Latrobe Valley community that the rehabilitated mines will be publicly accessible and offer amenity value**

The Committee has noted on several occasions that there is, amongst many stakeholders within the Latrobe Valley, a pre-existing expectation (and desire) that the rehabilitated mine voids will be publicly accessible and offer amenity value. At the same time, the Committee is cognizant of a number of Latrobe Valley stakeholders who believe that the rehabilitated mine voids should maintain the ability for coal winning activities in the future to support low emissions projects and uses such as hydrogen production. The need to manage expectations regarding this will be crucial to the success of the Project. Open and transparent communication with stakeholders that clearly articulates that the final land uses for the rehabilitated mine voids and surrounding areas (and their level of amenity value) is yet to be determined will be important in achieving this. It is important that this information sharing occurs as a matter of priority during Stage Four to support this.

### **Clarity regarding final land uses**

The LVRRS is delivering the framework that will enable the next beneficial uses of the mine voids and the surrounding areas. At the same time, the Committee has noted that there is a community expectation that the LVRRS will articulate what those specific uses will be and where in particular they will occur. It will be important that expectations are managed in the lead up to release of the LVRS to ensure stakeholders understand, and are prepared for the release of the final LVRRS and what it will and will not deliver.



**From left to right:** Latrobe Valley Mine Rehabilitation Advisory Committee Members Rae Mackay (Latrobe Valley Mine Rehabilitation Commissioner (observer)), Gail Gatt (Latrobe City Council), James Faithful (ENGIE Hazelwood), Sarah Gilbert (AGL Loy Yang), Jane Burton (Department of Jobs, Precincts and Regions), Alan Freitag (Department of Environment, Land, Water and Planning), Susan Lloyd (Latrobe Valley Community), Trevor Williams (Gippsland Trades and Labour Council) and Ron Mether (Energy Australia Yallourn).

**Not pictured:** Graeme Middlemiss (Latrobe City Councillor), Angelo Saridis (Gippsland Water), Terry Flynn (Southern Rural Water), Troy McDonald (Aboriginal community), Anthony Feigl (Department of Jobs, Precincts and Regions) and Anna May (Department of Environment, Land, Water and Planning).

### **The need for clarity for the mine operators regarding access to water**

The Committee welcomes the work being undertaken by the LVRRS Project Team to provide clarity regarding access to water for mine rehabilitation. The Committee recognises that the full range of issues regarding water for mine rehabilitation, including climate change projections, water availability and the needs of other waters users must be carefully considered and commends the Project Team for its work on this. Clarity is needed by the mine operators regarding a pathway for them to access water for mine rehabilitation. This should be provided as soon as practicable so as the mine operators can develop their rehabilitation and closure plans with a clear understanding of the available pathways to access water.

The Committee keeps track of project issues and risks as it identifies them through an issues register that is provided as a standing document with Committee papers and updated as project issues or risks are identified.

## THE LATROBE VALLEY MINE REHABILITATION ADVISORY COMMITTEE IN 2019/20 AND FINAL COMMENDATION

The Committee in its final year will focus on providing advice on the preparation of the Strategy, based on technical information, community views and stakeholder feedback collected through the LVRRS. The Strategy is due to be delivered in June 2020.

In particular, the Committee will be looking for opportunities to support the delivery of community and stakeholder engagement activities to inform the development of the final strategy and supporting the Project Team to deliver these activities in a timely manner. The Committee can provide a useful mechanism to help in ensuring that stakeholder expectations are managed and the Strategy is understood by the Latrobe Valley community.

The Committee acknowledges that the LVRRS is a challenging and complex Project, particularly as it enters what will undoubtedly be a busy 12 months ahead.

Members look forward to continuing to engage in robust discussions where the full range of issues related to the LVRRS can be discussed and worked through and these discussions to date have resulted in the provision of sage advice to the Project Team.

I thank the Minister for Resources for continuing to support positive mine rehabilitation outcomes in the Latrobe Valley through this Committee and I, on behalf on the Committee, look forward to this continuing in the year ahead

**Susan Lloyd**

Chairperson

Latrobe Valley Mine Rehabilitation Advisory Committee