



Annual Report
(Report of Operations)
2020–21



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We acknowledge the Traditional
Owners of the land on which our
office sits, and pay our respects
to their Elders; past, present and
emerging.

Disclosure statement

In accordance with the Financial Management Act 1994,
I am pleased to present the Mine Land Rehabilitation Authority
Annual Report for the year ending 30 June 2021.



Professor R Mackay
Chair
Mine Land Rehabilitation Authority

30 June 2021

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01

CHAIR'S FOREWORD



As Chair of the Mine Land Rehabilitation Authority, it is my pleasure to present this first Annual Report that describes the work of the Authority since its establishment at the end of June 2020.

The Authority's work currently covers oversight of the rehabilitation planning for Victoria's declared mines. The existing three declared mines comprise the Latrobe Valley brown coal mines of Hazelwood, Yallourn and Loy Yang. This number may increase in future years if new or other existing mines are identified to be sufficiently environmentally complex to warrant declaration.

The Authority has succeeded the Latrobe Valley Mine Rehabilitation Commissioner and the staff of the Commissioner's office transitioned into the Authority. This allowed the Authority to take over the work of the Commissioner's office with minimal disruption. While the role of the Authority is much wider than the role of the Commissioner's office, the requirement to provide assurance to the Victorian community of the planning for rehabilitation and closure of the Latrobe Valley mines remains the same and is a core focus for the next few years.

At the time of commencement of the Authority, a governing Board was created to manage the affairs of the Authority. The Board, comprising myself, Chris Trotman (Deputy Chair), Ian Gibson, Claire Miller, Ian Nethercote and Corinne Unger have been actively developing the Authority's governance arrangements, assessing the progress of the Authority's work program and, importantly, recruiting our Chief Executive Officer, David Salmon. Since joining us at the start of 2021, David has been learning a great deal about the Latrobe Valley, the major stakeholders and the community as well as commencing the recruitment of new staff for the Authority and developing the plans for the next three years.

The Authority's establishment occurred at the same time as the publication of the Latrobe Valley Regional Rehabilitation Strategy (LVRRS). The LVRRS supports integrated planning and decision-making for the rehabilitation of the Latrobe Valley coal mines and provides guidance to the

community, mine licensees, public sector bodies and other stakeholders on matters to be considered during the planning for, and undertaking of, rehabilitation of the three coal mines. The strategy also outlined a series of further actions to be undertaken following the original feasibility studies. These actions were targeted to ensure that planning for Latrobe Valley mine rehabilitation is informed by a robust evidence base covering topics such as climate change, conditions for access to surface water for rehabilitation, options for non-water based rehabilitation and the possible development of alternative water sources. Development of new Declared Mine Regulations was included to support new requirements for declared mine rehabilitation and closure plans, including post closure monitoring and maintenance. The Authority has been kept very busy overseeing and reviewing all the work that has been undertaken on each of these actions. The outcomes can be expected to contribute significantly to decisions by Government and the Mine licensees affecting regional rehabilitation planning.

While overseeing the implementation of the LVRRS, the Authority has also been hard at work on technical reviews of the mine's work plans and the provision of advice to Earth Resources Regulation on matters relevant to rehabilitation planning for individual mines. Technical activity has also included contributions to research programs being undertaken both through the Integrated Mines Research Group and through national cooperative research programs. There is a wide range of research that is underway that is strongly relevant to the Latrobe Valley community and rehabilitation stakeholders. The Authority has a clear remit to both be aware of all the research underway and to contribute to its development through guidance and support.

Alongside the Authority's technical oversight role, there has been a busy engagement program to share information with the community and to learn from

the community about its aspirations and hopes for the region. The Authority's engagement officer, with the full backup of the Authority staff, has provided a vibrant and enjoyable stream of information to the community through social media, newsletters, advertorials, community webinars and meetings. The Authority's Mine Land Post has covered diverse topics of interest and is an excellent source of new information. The Authority's website gives access to all the information that has been prepared over the year. The webinars have been particularly valuable in getting feedback from the community as well as answering the many important questions that are raised by community members.

I have enjoyed reading everything that has been produced and occasionally providing a piece for inclusion in the newsletter.

The Authority was created at a time of substantial activity for the region and it has worked hard to deliver on its statutory role and functions. It has been a pleasure to watch and support the Authority's growth from a fledgling organisation throughout the year and I very much look forward to seeing its continuing growth in the coming years as the region moves towards delivering rehabilitation outcomes that will add economically and socially to the health and wellbeing of the Latrobe Valley.

I trust you will enjoy reading this annual report and will gain insight into the work that we do and why we do it.

In accordance with section 84AZH of the Mineral Resources (Sustainable Development) Act 1990 (Vic), I present the Authority's Annual Report for the year ending 30 June 2021.



Rae Mackay
Chair

30 June 2021

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ABOUT THE MINE LAND REHABILITATION AUTHORITY

The Mine Land Rehabilitation Authority (the Authority) is a statutory authority responsible for oversight of declared mine land rehabilitation to ensure safe, stable and sustainable post-mining landforms and land uses in Victoria. The Authority works with and provides assurance to the community, industry, and government by overseeing the rehabilitation of declared mine land.

As a statutory authority we are accountable to the Victorian Government through the Minister for Resources in line with the *Mineral Resources Sustainable Development (MRSDA) Act 1990*.

Vision

The key components of our vision are:

- oversight of declared mine rehabilitation and closure planning and delivery through to relinquishment, focusing on reducing residual risks for the final landform;
- broad-based and transparent stakeholder engagement, including with traditional owners; and
- community education about mine rehabilitation.

The Authority will pursue its role in mine rehabilitation in a transparent, responsible, and objective manner, promoting rigour and professionalism in technical matters and openness in stakeholder interaction to provide long term confidence in and value of mine rehabilitation and closure outcomes for Victorian communities and government.

Mission

The Authority's objectives are to:

- provide assurance to the Victorian community that the Latrobe Valley Regional Rehabilitation Strategy is being implemented by public sector bodies and Latrobe Valley mine licensees.
- ensure public sector bodies and declared mine licensees are planning for the rehabilitation and ongoing management of declared mines.
- promote sustainable and beneficial use outcomes from declared mine land rehabilitation.
- promote and lead community and stakeholder engagement on rehabilitation and management of declared mine land.

Values

The Authority is

- honest
 - reliable
 - transparent
 - rigorous
 - unbiased
 - accessible
- in all its operations.

Establishment

The Authority was founded on 30 June 2020 with the establishment of its Board and in line with the MRSDA which defines the Authority’s role and functions.

The Authority supersedes the Latrobe Valley Mine Rehabilitation Commissioner and continues and expands on the Commissioner’s work. The Commissioner was created in 2017 after the 2015 Hazelwood Mine Fire Inquiry recognised the need for greater oversight of rehabilitation planning and implementation and of long-term management of risks following mining lease relinquishment. Recommendation 15 of the inquiry proposed the establishment of an independent Latrobe Valley Mine Rehabilitation Authority, as a statutory body by amendment to the Mineral Resources (Sustainable Development) Act 1990 (Vic), to commence no later than 2026, or earlier in the event of premature closure of one of the Latrobe Valley mines. Under the MRSDA, the Authority has additional functions to those of the former Commissioner and these focus on the future management of landform post mining and mining license relinquishment and residual risk post-rehabilitation.

The Authority reports through its Board to the Victorian Minister for Resources.

Jaclyn Symes MP was the responsible Minister from 1 July 2020 to 30 June 2021.

Nature and range of services provided

The Authority works with community, industry, and government to oversee the rehabilitation of declared mine land to ensure transition to safe, stable, and sustainable post-mining landforms in Victoria.

A declared mine is a mine that is deemed to pose significant risk to public safety, infrastructure, and/or the environment because of complex geotechnical, hydrogeological, hydrological or water quality issues. Currently the only declared mines are the Latrobe Valley’s three brown coal mines: Hazelwood, Loy Yang and Yallourn. As such, the Authority’s activities are currently centred in the Latrobe Valley.

The Authority is accountable to the Victorian Government, through the Minister for Resources, for fulfilling its statutory responsibilities in line with government policy and within an appropriate governance framework.

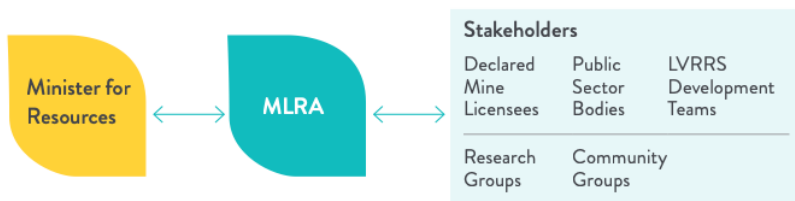
These responsibilities include providing evidence-based advice and recommendations directly to stakeholders such as the Minister for Resources, Earth Resources Regulations (ERR), and declared mine licensees, ENGIE (Hazelwood), EnergyAustralia (Yallourn) and AGL Energy (Loy Yang) concerning mine rehabilitation planning and outcomes.

The Authority assesses the amounts to be paid by declared mine licensees or landowners into the Declared Mine Fund. When rehabilitation has been completed at a declared mine the Authority may become a landowner on behalf of the State and will have a long-term environmental monitoring and assessment role.

As none of the declared mine licensees are nearing completion of their rehabilitation and closure works, these functions are yet to be undertaken by the Authority, but organisational preparation for implementing these functions is underway.

The Authority’s relationships to stakeholders are shown in the diagram below (Figure 1). We act as a conduit, providing feedback to stakeholders and listening to and addressing their concerns.

Figure 1. The Authority’s relationships to stakeholders



The Authority leads and facilitates community and stakeholder engagement activities, ensuring that communities have an opportunity to provide input to the future rehabilitation and management of declared mine land. This includes working in partnership with the Latrobe Valley Mine Rehabilitation Advisory Committee (LVMRAC), which comprises representation from a broad range of stakeholders and acts as a conduit for engagement, particularly regarding the activities and findings of the Latrobe Valley Regional Rehabilitation Strategy (LVRRS).

The Authority provides oversight and advice to the inter-departmental teams undertaking the development of the LVRRS’s implementation action studies and ensures that other stakeholders are implementing the strategy appropriately.

03

LATROBE VALLEY REGIONAL REHABILITATION STRATEGY (LVRRS)

Normally, rehabilitation is considered for each mine on an individual basis. However, the closeness of the three Latrobe Valley brown coal mines and their size relative to the surrounding landscape means that their collective impacts on the environment and on future socio-economic development of the region must be considered together. The LVRRS provides the framework for assessing the combined plans for the three brown coal mines and for coordinating responses to the collective impacts. The Authority has provided independent assurance to the Minister, the mine licensees and the community of the effective development of the LVRRS Implementation Actions.



The LVRRS is underpinned by the following concepts:

- All three Latrobe Valley brown coal mines are on privately owned land, and the rights and obligations of landholders apply.
- The Act places responsibility for rehabilitation of individual mine sites on mine licensees, including planning, rehabilitation works and associated costs.
- The government's role is to provide policy and guidance, and to facilitate or support investment by industry where there is a clear community benefit. Its role should not constrain the ability of industry to find new and innovative solutions to mine rehabilitation.
- There are social, cultural, environmental and economic factors that may change the feasibility of rehabilitation options available at future points in time, including significant uncertainties associated with climate change and water availability.
- Rehabilitation is likely to take decades after the cessation of mining at each site, and the community should have the opportunity to be involved over this time.

The published LVRRS sets out principles to guide the planning associated with mine rehabilitation and the monitoring and evaluation of mine land after rehabilitation is complete.

The principles are:

1. The fire risk of the rehabilitated land should be no greater than that of the surrounding environment.
2. Ground instability and ground movement risks and impacts during rehabilitation and in the long term, and requirements for ongoing management to sustain a safe and stable landform, should be minimised as far as reasonably practicable.
3. Mine rehabilitation should plan for a drying climate. Rehabilitation activities and final landforms should be climate resilient.
4. Any water used for mine rehabilitation should not negatively impact on Traditional Owners' values, environmental values in the Latrobe River system, or the rights of other existing water users.
5. Traditional owners should be involved in rehabilitation planning, assessment and decision-making.
6. The community should be consulted on rehabilitation proposals, the potential impacts, and have the opportunity to express their views
7. Mine rehabilitation and regional land use planning should be integrated, and the rehabilitated sites should be suitable for their intended uses.

The LVRRS also recognises and embeds the key legislative changes that form part of the overarching implementation of mine rehabilitation. This includes the development and implementation of the Declared Mine Regulations that will define the requirements for the Latrobe Valley brown coal mines for rehabilitation planning and post closure monitoring and maintenance of mine land.

A key theme in the LVRRS is the acknowledgement of risks arising from the use of water for mine rehabilitation over extended time periods as the predictions for water availability in the Latrobe Valley suggest a progressive decline in the flows of the Latrobe River system. This aspect of mine rehabilitation has created the most concern for the community and has been a major focus of community conversations.

Implementation Actions

The Government's plan for implementing the LVRRS included undertaking the following six implementation actions, which have been progressed over the past year:

1. Provide guidance on the use of climate change scenarios for water resource planning for mine rehabilitation.
2. Develop new Declared Mine Regulations.
3. Produce guidance on potential water sources and access arrangements for mine licensees to undertake rehabilitation.
4. Assess the feasibility of alternative water sources that could be used for mine rehabilitation.
5. Identify alternative/contingency rehabilitation options to manage land stability and fire risks if sufficient water is not available.
6. Support the Integrated Mines Research Group.

04

OBJECTIVES, FUNCTIONS AND POWERS OF THE AUTHORITY



Objectives

Under section 84AE of the Act, the objectives of the Rehabilitation Authority are:

- a. to provide assurance to the Victorian community —
 - i. that public sector bodies and the Latrobe Valley licensees are implementing the regional rehabilitation strategy; and
 - ii. that public sector bodies and the declared mine licensees are planning for the rehabilitation and ongoing management of declared mine land; and
- b. to promote the participation of the community and stakeholders from the Latrobe Valley, in the implementation of the regional rehabilitation strategy; and
- c. to promote the effective and consistent rehabilitation of coal mine land in accordance with the regional rehabilitation strategy; and
- d. to promote the sustainable and beneficial use of coal mine land in accordance with the regional rehabilitation strategy; and
- e. to promote the effective and consistent rehabilitation of declared mine land in accordance with any Ministerial direction.

Powers and functions

The Authority's powers and functions are defined by section 84AL of the Act. Functions consistent with the former Commissioner's role include:

- developing and maintaining a framework for the monitoring of rehabilitation planning activities;
- carrying out strategic audits of declared mine licensees and public sector bodies in relation to rehabilitation planning activities;
- monitoring and evaluating rehabilitation planning activities in accordance with the framework;
- reviewing research plans in relation to the rehabilitation of coal mine land prepared by declared mine licensees;
- coordinating rehabilitation planning activities; and
- engaging with and conducting meetings between relevant groups and persons.

Additional functions established with the Authority include:

- providing advice to the Minister on the conditions that should apply to mine land post-rehabilitation, including monitoring and maintenance programs, and the associated funding requirements;
- establishing a register of declared mine land;
- ensuring that landowners undertake all prescribed maintenance and management works registered for the land title; and
- where appropriate owning or acquiring declared mine land to ensure that its ongoing maintenance and management programs are implemented, particularly for areas of higher residual risk.

The Authority's powers also include providing information and education to the Victorian community about declared mine land rehabilitation and the LVRRS, carrying out investigations on the referral of the Minister, and providing advice and recommendations to the Minister on matters related to the exercise of the Authority's powers and functions.

The Act granted the Authority all powers necessary or convenient to perform these functions.

05

PERFORMANCE REPORT

This report describes the activities of the Authority over the first year of its existence. It reports against the initial strategic plan objectives carried forward from the Latrobe Valley Mine Rehabilitation Commissioner. The first corporate plan for the Authority has been drafted and is under review. It covers the reporting period and the future period to 2025.



Achievements and key initiatives

Board Activities

Charters have been produced for the Board and for the Board Committees. The Board is producing policies and has completed delegations.

To learn and understand the issues involved in rehabilitating the State's declared (brown coal) mines, the Board undertook site visits at each mine: Hazelwood in July 2020; Yallourn in February 2021, and Loy Yang in April 2021.

The Board has established two committees:

1. The Audit, Finance and Risk Committee, designed to oversee and advise the Board on matters of accountability relating to financial accounting practices, risk management, internal control systems, external financial reporting, and internal and external audit functions.
2. The People, Safety and Culture Committee assists the Board to fulfill its oversight responsibilities in relation to the corporate culture and the health, wellbeing, and safety of Authority staff and its contractors.

Appointment of the CEO

After an extensive recruitment process in the fourth quarter of 2020, the Authority appointed David Salmon as Chief Executive Officer in January 2021.

Community Engagement

The Authority commenced the period with the implementation of a stakeholder and community *Communications and Engagement Strategy*. The strategy builds on the former Commissioner's communications and engagement activities, and aims to educate and increase awareness about the Authority's role and the role of industry and government in declared mine rehabilitation.

It also assists the community in building an understanding of the key stakeholder activities for declared mine rehabilitation planning and the major outputs from these.

This strategy is supported by an action plan to:

- facilitate and influence community and stakeholder engagement activities related to mine rehabilitation;
- build relationships and engage with members of the Latrobe Valley community and encourage them to share their views and ask questions on mine rehabilitation; and
- be the source of truth – maintain a social media presence supported by additional promotional materials to deliver factual, timely, valuable and relevant information to stakeholders and communities.

Community Group Presentations

The Authority aimed to continue the momentum developed by the Commissioner with respect to frequent meetings with community groups. During the period, however, meeting opportunities were limited due to the stay at home orders resulting from the COVID-19 pandemic, which interrupted most groups' meeting schedules.

The Authority successfully undertook eight community meetings (online or in-person - when allowed) with sustainability, environmental, commercial and university groups.

The aims of these conversations were:

- to introduce the Authority and its functions.
- to provide up-to-date information on the progress of rehabilitation planning for declared mines, including since the publication of the LVRRS.
- to gain a better understanding of the key concerns of the community members.
- to discuss the key issues affecting rehabilitation planning – in particular, the approaches to managing safety and stability and the availability of water for mine rehabilitation.

Community Webinars

The Authority held two webinars in February 2021 in lieu of in-person forums. The focus was to inform stakeholders on the rationale and scope of the LVRRS implementation actions.

For webinar 1, hosted on 7 February, two presenters from the Department of Environment, Land, Water and Planning (DELWP) discussed Implementation Action 1, Climate Change Guidance, and Implementation Action 3, Water Sharing in the Latrobe Valley.

Webinar 2, hosted on 14 February, a presenter from DELWP discussed Implementation Action 4, Feasibility of alternative water for mine rehabilitation, and a presenter from the Department of Jobs Precincts and Regions (DJPR) presented on Implementation Action 5, Identification of non-water and contingency rehabilitation options to manage land stability and fire risks if sufficient water is not available.

Following presentations, the Authority facilitated a Question and Answer session.

Over 170 audience members logged in to the events.

Webinar recordings, transcripts and the question and answer responses are available to be viewed on the Authority website at mineland.vic.gov.au/webinar/lvrrs-implementation

The Mine Land Post Newsletter

The Authority commenced publication of a quarterly newsletter, the Mine Land Post, with three editions published during the reporting period:

- Spring 2020, published in September 2020 provided an overview of “who does what in mine rehabilitation” and the next steps for the LVRRS;
- Summer 2020, published in December 2020, showcased important ongoing research into mine rehabilitation, and the many organisations and partnerships focused on delivering new knowledge needed to develop safe, stable, and sustainable landforms benefiting the Latrobe Valley community into the future; and
- Autumn 2021, published April 2021, connected with the World Water Day theme of raising awareness about the importance of water and focused on water quality and quantity in mine rehabilitation, and also featured Yallourn North Extension Open Cut as a local mine rehabilitation example.

The newsletters are distributed to community members on our email database and published on our website, with announcements made on our Facebook and LinkedIn social media channels. Copies of the newsletter are available from: mineand.vic.gov.au/news/publications

Social media

Social media is a prominent feature of the Authority’s Communications and Engagement Strategy, particularly with COVID-19 restrictions preventing in-person engagement activities.

Through social media, the Authority has:

- shared information about mine rehabilitation planning in the Latrobe Valley;
- encouraged people to contribute to conversations and share our content;
- improved the quality and reach of the Authority’s engagement and communications with the Latrobe Valley and greater Gippsland communities. Our audience will extend to other Victorian communities as more mines are declared; and
- increased engagement with segments of the community that have been underrepresented in conversations on declared mine rehabilitation, including younger people and culturally and linguistically diverse (CALD) communities.

To provide continuity on engagement and reach, the Commissioner’s Facebook page was rebranded as the Authority’s with, on average, two posts published per week, covering a wide range of subject matter relevant to the Latrobe Valley on both economic transition and mine rehabilitation. The page had almost 700 followers in June 2021. facebook.com/MLRAVictoria

The Authority also launched a LinkedIn page in September 2020 to expand our networks and engagement with mine rehabilitation professionals. On average, we post once per week to the channel and as of June 2021 have over 400 followers. The channel can be viewed at: linkedin.com/company/mlravictoria

Our YouTube channel hosts the video recordings of our webinars. In September we published a video introducing the Authority and its role. All videos are available from: youtube.com/channel/UCejXyuOwYZQzLFaFn5nzEIQ/featured

One Year Anniversary Advertorial

To inform the Latrobe Valley community of the Authority’s role and its achievements over its first year of operations, we published a One Year Anniversary advertorial in the 24 June 2021 edition of the Latrobe Valley Express. We also disseminated it via our email distribution list and placed it on the website.



Page 10 – The Latrobe Valley Express, Thursday, 24 June, 2021

Website

The Authority launched its website (mineland.vic.gov.au) on 30 June 2020. The website provides valuable access for the community to contact the Authority and to download information and reports generated by the Authority and by other organisations.

These publications include Authority-prepared fact sheets on declared mine rehabilitation topics, such as The Mechanics of Mine Stability and Mine Rehabilitation Milestones.

Education

Education, particularly of school-age children, is another key component of the Communications and Engagement Strategy. The Authority has developed educational materials that could be integrated into school curricula to support students' learning across a wide range of subject areas. They have been developed to raise awareness among school age children of the transition that is taking place in the Latrobe Valley, as declared mines close and mine land is returned to safe, stable and sustainable landforms.

During the year, COVID-19 restrictions impacted these activities as schools had to adjust to online delivery and in-person school visits were not possible.

We have maintained engagement, however, with Broadening Horizons, a Gippsland-based initiative that partners industry with schools to undertake design challenges focussed on solving real world problems.

The planned recruitment of an Education Officer in 2021 will enable the Authority to recommence school-aged education activities in late 2021 / early 2022.

The Authority also delivered online educational seminars to university and professional interest groups on declared mine rehabilitation stability issues.

Promoting better practice

The Authority Board Chair and one of our Technical Advisors attended online the Australasian Institute of Mining and Metallurgy (AusIMM) Life of Mine Conference. They presented individual papers entitled: Overseeing Latrobe Valley Mine Rehabilitation, and Coal Hole: community engagement using experimental art. Attendance enabled them to gain greater understanding of developments in mine rehabilitation practices and technologies across Australia.

Working with stakeholders

Work with the Latrobe Valley mine licensees has continued over the year through the Integrated Mine Research Group's activities and through direct engagement on the studies and work plans developed for rehabilitation and closure planning.

AGL Loy Yang submitted a new Work Plan detailing future mining operations including rehabilitation for the mine void. Additionally, a Work Plan Variation for an amendment to the external overburden dump was also submitted. The Authority reviewed both documents and supporting technical studies as part of the statutory referral process and returned detailed comments to Earth Resources Regulation (ERR) for consideration as part of its assessment.

The Authority also sat in as an observer on a rehabilitation Audit for Loy Yang mine conducted by ERR.

The Authority provided advice to both ENGIE and ERR on the ongoing approvals process for the Hazelwood mine rehabilitation and closure plan.

EnergyAustralia announced in March 2021 that it will bring forward the closure of the Yallourn mine and power station to 2028. They have continued to progress their plans for mine rehabilitation with this adjusted closure timeframe and actively engaged with the Authority on the scope and content of the investigations and studies required to prepare a full rehabilitation and closure plan for the mine.

The Authority participated in Environmental Review Committees for each of the licensees and attended other community meetings hosted by them.



Functions and exercise of powers

Under section 84AZH of the Mineral Resources (Sustainable Development) Act 1990 (Vic), the Authority must provide an annual report to the Minister for Resources on the performance of the Authority's functions and the exercise of its powers.

Strategic Objectives

Based on its functions and powers as defined in the Act, the Authority adopted four strategic objectives for the 2020 to 2021 period.

Objective 1. Establish administrative, staffing, structural and policy framework for the organisation.

Objective	Result	Actions for 2021–2022
Establish administrative, staffing, structural and policy framework for the organisation	✓	Finalise the updated Monitoring and Evaluation Framework Complete recruitment according to staffing plan

Staffing

During the period under review a CEO and an Executive Assistant were appointed.

Position descriptions for a Senior Engagement Officer, Technical Advisor, and an Education Officer were produced and advertised. Candidate selection will start early in the new financial year.

Policies and Planning

The Authority, sitting within the Resources portfolio, uses all applicable DJPR policies. MLRA-specific governance covering charters, functions, delegations, media and performance have been developed by the Board.

The first MLRA Corporate Plan has been developed to guide work from 1 July 2021 to 30 June 2022. The Corporate Plan sets strategic goals for the next four years, including actions to enable the Authority to undertake its future functions with respect to declared mine license relinquishment and the management of residual risks.

Monitoring and Evaluation Framework

The Authority continued to implement the former Commissioner's Latrobe Valley Rehabilitation Monitoring Framework 2018–20 during 2020–21, while completing the development of a new framework. The existing framework acted as the basis for overseeing the work of the major stakeholders covering the LVRRS, the mine licensees, the Integrated Mines Research Group (IMRG) and public sector bodies including DELWP, DJPR and the regulators, ERR and the Environment Protection Authority (EPA).

The design of the new framework recognises the importance of monitoring rehabilitation outcomes, the implementation of the LVRRS and the Authority's additional functions related to the management of declared mine land and residual risks after the mine licence is relinquished. It is expected that the new framework will be published before the end of 2021.

Risk register

The Authority maintains a strategic risk register that accompanies the Corporate Plan. Annual updating of the risk register is required with a review scheduled for the third quarter of 2021 based around a facilitated risk workshop planned in early October 2021.

Objective 2. To engage with the community and stakeholders in relation to the rehabilitation of declared mine land.

Objective	Result	Actions for 2021–2022
To engage with the community and stakeholders in relation to the rehabilitation of declared mine land	✓	Update and continue to implement the <i>Communications and Engagement Strategy</i>

Engagement strategy

In July 2020, the Authority implemented its Communications and Engagement Strategy.

The key components and achievements of this strategy are outlined in the Achievements and Initiatives section of this report.

Engagement with Public Bodies

Regular engagement is undertaken with key public bodies. Examples include:

- Ongoing discussions with DELWP on the development of the Sustainable Water Strategy.
- Engagement with Earth Resources Policy and Programs on mine rehabilitation legislation, regulations and guidance.
- Discussions with Southern Rural Water (SRW) on the forthcoming groundwater licence renewal for each of the declared mine licensees.
- Interacting with Gippsland Water and the West Gippsland Catchment Management Authority via the LVRRS Water Executive Forum convened as part of Implementation Action 4 - 'Further assess the feasibility of alternative water sources that could be used for mine rehabilitation'.
- Provide technical input to support a coordinated approach to rehabilitation work occurring across government.

Engagement with Local Authorities

Quarterly meetings are held with Latrobe City Council. These are information sharing meetings with the Authority giving feedback on its development and future planning and on technical matters such as residual, post-rehabilitation risk profiles. These meetings are undertaken jointly with the Chair of the Mine Land Rehabilitation Authority and Coal Resources Victoria to provide a wide perspective of work being undertaken both on rehabilitation and future coal development.

Community awareness of rehabilitation of declared mine land and Authority activities

- hosting two webinars on the scope of LVRRS Implementation Actions. Webinar recordings are available on the Authority's website;
- meeting either virtually or in-person with community, education and professional organisations;
- publishing and distribution of quarterly newsletters;
- regular dissemination of relevant information via our social media channels (Facebook and LinkedIn);
- published a One Year Anniversary advertorial in the Latrobe Valley Express on the role and achievements of the Authority; and
- attending relevant licensee community forums and environmental review committee meetings.

The Communications and Engagement Strategy is designed to facilitate two-way communication between community groups and the Authority. Representative examples of activities are:

- Weekly media monitoring, including a review of community group social media posts and newsletters is shared with the DELWP and DJPR LVRRS teams.
- Board member Ian Gibson attended a meeting with Friends of Latrobe Water (FLoW).
- Hosting webinars with a question and answer component to understand community concerns and provide targeted information.

Objective 3. To provide advice to the Minister as defined in the Act and to key stakeholders.

Objective	Result	Actions for 2021–2022
To provide advice to the Minister as defined in the Act and to key stakeholders.	✓	Continue to provide advice to key stakeholders and the Minister for Resources

Over the reporting period we provided advice to various major stakeholders.

Government

We provided advice to Earth Resources Policy and Programs on the Works Approvals reforms for non-declared mines and on the new Declared Mine regulations as well as review of the draft regulatory impact statement as part of LVRRS Implementation Action 2.

Technical advice has been provided to Government Departments including Department of Premier and Cabinet and Department of Treasury and Finance around the physical and environmental constraints impacting rehabilitation designs, costs and timelines.

Meetings were held with Minister's advisors to provide updates on Authority functions and actions and to discuss issues affecting rehabilitation planning and implementation.

Latrobe Valley Regional Rehabilitation Strategy

The Authority provided advice on the implementation of the Latrobe Valley Regional Rehabilitation Strategy throughout the year. The Authority provided in-depth and content-led advice to the LVRRS Implementation Action project teams. These activities focussed on the following Implementation Actions (IA):

IA1. Provide guidance on the use of climate change scenarios for water resource planning for mine rehabilitation

DELWP published the document, Guidelines for Assessing the Impact of Climate Change on Water Availability in Victoria in November 2020. The Authority participated in a workshop on the application of these guidelines and provided feedback on workshop outcomes.

IA2. Develop new Declared Mine Regulations.

The Authority reviewed the draft Regulatory Impact Statement for the regulations, as well as provided ongoing advice on the risk-based regulatory framework being developed. Due to a change in LVRRS delivery timeframes, the Authority's involvement in this project will continue into the 2021-2022 period.

IA3. Guidance on potential water sources and access arrangements for mine licensees to undertake rehabilitation.

The Authority held fortnightly conversations with DELWP to monitor progress and outcomes. We provided input into the modelling scenarios and reviewed interim results, as well as acted as an observer on the Technical Working Group.

Authority feedback on the findings completed as part of this Action will continue into the next reporting period.

IA4. Further assess the feasibility of alternative water sources that could be used for mine rehabilitation.

The Authority held fortnightly conversations with DELWP to monitor progress and outcomes. We also provided input into investigation scope and participated in the workshops held with mine licensees on the volume and quality of water required for rehabilitation. Authority review of draft outputs and involvement in ongoing workshops will continue into the next reporting period.

The Authority was a member on the Technical Reference Group for this action and participated as an observer in water industry meetings, involving DELWP, water corporations and catchment management authorities, on matters relating to water and mine rehabilitation.

IA5. Identify alternative/contingency rehabilitation options to manage land stability and fire risks if sufficient water is not available.

The Authority held regular conversations with DJPR to monitor progress and outcomes. We also provided advice on the scope, methodology and timing of this action and participated in the

workshops held with licensees on the key stability and landform risks for their mine void that rehabilitation must address to be successful. The Authority provided comments on the draft report. Our input will continue into the next reporting period.

Mine licensees

The Authority engaged with each declared mine licensee and provided advice on their rehabilitation and closure plans.

AGL – Loy Yang

- AGL Loy Yang submitted a new Work Plan detailing future mining operations including rehabilitation for the mine void. Additionally, a Work Plan Variation for an amendment to the external overburden dump was also submitted. The Authority reviewed both documents and supporting technical studies as part of the statutory referral process and returned detailed comments to Earth Resources Regulation (ERR) for consideration as part of its assessment.
- The Authority provided follow-up advice to AGL on their receipt of ERR's comments on the documents.
- The Authority provided independent advice to AGL during an internal risk assessment process and acted as an observer on a rehabilitation audit undertaken by ERR.
- Continued engagement on regulatory change and the development of rehabilitation completion criteria.

ENGIE – Hazelwood

The Authority has provided formal and informal advice to both ENGIE and ERR on the available options for rehabilitation plan approval and on the technical issues to be resolved as part of rehabilitation plan implementation.

EnergyAustralia – Yallourn

The Authority continued to liaise with EnergyAustralia on their rehabilitation planning activities for Yallourn mine. Reviews of draft technical studies and various meetings were held to discuss the planning process and timeframes.

EnergyAustralia announced in March 2021 the closure of the Yallourn mine and power station in 2028 four years earlier than previously planned. Rehabilitation planning activities are now being revised to meet this timeline.

In June 2021, cracking in the Morwell River Diversion, a man-made river channel which runs along an elevated embankment between the mine's two pits, resulted in a temporary cessation of mining and evacuation of the mine. A State energy emergency has since been declared allowing temporary water management measures to be implemented while repairs of the diversion are undertaken.

The Authority provided advice to ERR on the potential to use Hazelwood mine as a water management facility for the emergency. We will also be monitoring the repair design to ensure that it will enable safe rehabilitation of the mine.

The Authority will continue to work with each licensee over the next reporting period to progress their rehabilitation planning and implementation.

Objective 4. To facilitate research in relation to the rehabilitation of declared mine land, particularly regarding public safety, the environment and relevant infrastructure.

Objective	Result	Actions for 2021–2022
To facilitate research in relation to the rehabilitation of declared mine land, particularly regarding public safety, the environment and relevant infrastructure.	✓	Develop research framework. Continue to work with research organisations and participate in research programs.

The Authority maintained relations with research organisations and overviewed research projects.

Authority Research strategy

The Authority received funds in the November 2020 Budget to support research. The breadth of research needs is largely based on past reviews of knowledge gaps relevant to the brown coal mines and the region. Thus, there is a requirement to develop a strategy and policy relating to the Authority's role in mine rehabilitation research, to appropriately target the most needed research. To ensure appropriate fund allocation we have committed to developing a research framework by the fourth quarter of 2021.

Encourage relevant research carried out on mine rehabilitation by research organisations

Federation University

During 2020–2021, the Geotechnical and Hydrogeological Engineering Research Group (GHERG) at Federation University has been working on two year-long projects assessing:

1. lake water quality on coal strength; and
2. rehabilitated slope coal cover stability.

Both projects are funded by DJPR. In addition to assisting with the design of both projects, the Authority has provided regular reviews and technical advice on the research.

Cooperative Research Centre for Transformations in Mining Economies (CRC TiME)

CRC-TiME is a ten-year research program created through a partnership between the Commonwealth Government, regional communities, the mining sector, and state and local governments. As its title suggests, it is investigating all aspects of mine rehabilitation that impact future outcomes for mining regions. Over the past year, the Authority actively provided advice and commentary to support several of the program's foundation research projects and actively participated in the development of a regional hub that will bring knowledge from CRC-TiME's research program to the Latrobe Valley. Authority staff also participated in research interviews and workshops addressing research impact, harmonising regulations and planning, landform stability, and regional impacts. The Authority Board Chair has been appointed as a member of CRC-TiME's Research Committee for three years.

Integrated Mines Research Group (IMRG)

The IMRG comprises representatives from the three Latrobe Valley mines who co-ordinate and share rehabilitation knowledge and fund research to close identified knowledge gaps and improve rehabilitation outcomes. The Authority has worked with the IMRG to review research plans and contribute advice on direction and outputs for individual IMRG funded research projects.

Strategic Audits and Investigations

Under the Act, the Authority has two functions relating to strategic audits and investigations.

Strategic Audits

Paragraph 84AL(1)(b) states that the Authority will carry out strategic audits of public sector bodies and declared mine licensees in relation to the implementation of rehabilitation planning activities and the regional rehabilitation strategy.

No strategic audits were carried out by the Authority in 2020–21. A high level of oversight is already exercised in relation to mine rehabilitation practices. Comments have been made directly to the relevant stakeholders as part of the regular monitoring and evaluation in accordance with the framework. Strategic audits require large resources and are only undertaken when the situation is such that it is considered appropriate or necessary to do so.

Investigations

Paragraph 84AL(1)(j) states that the Authority will 'carry out investigations on the referral of the Minister'.

During the period, the Authority did not carry out any investigations at the referral of the Minister.

06

GOVERNANCE AND ORGANISATIONAL STRUCTURE

The Authority has appointed six Board members to ensure a balance of skill and experience to enable it to perform its functions. The members were appointed by the Minister for Resources. Each member holds office for a term of three years with the current Board term commencing 30 June 2020.

The Board sets strategic direction and oversees the organisation's management and performance.

Board meetings are held every second month.



At 30 June 2021 the Board comprised the following members.



Emeritus Professor Rae Mackay — Board Chair

Emeritus Professor Rae Mackay held the role of Latrobe Valley Mine Rehabilitation Commissioner from June 2017 to June 2020 before becoming the Chair of the Authority Board.

Rae has extensive mine rehabilitation related expertise, with more than 40 years' experience as a practising engineer, hydrogeologist and academic. He was the Director of the Geotechnical and Hydrogeological Engineering Research Group (GHERG) at Federation University, working on issues of geotechnical stability and risk at the Latrobe Valley brown coal mines from 2011 to 2017. During this time, he was also a member of Victoria's Technical Review Board, which had oversight of stability issues across the state's mines and quarries. He was Head of Hydrogeology at Birmingham University, UK for 15 years before moving to Australia in 2011.

He has worked on and researched a wide range of geotechnical, hydrogeological and water resources problems from deep geological disposal of nuclear waste to arid zone groundwater resource and agricultural development, spanning many countries around the world.



Christine Trotman — Deputy Chair

Mrs Chris Trotman is Deputy Chair of the Authority She also serves as Board Chair of the Royal Botanic Gardens Victoria, and Board Director of TAFE Gippsland and Parks Victoria. Chris has extensive Board experience spanning 15 years, serving as Chair and member of several Boards, Ministerial Advisory Committees and Audit and Risk committees.

Formerly a Registered Nurse (Div. 1), Chris holds undergraduate, postgraduate, and Masters Degrees in Business/Accounting, Health Education and Business Management respectively. Chris is also a graduate of the AICD Company Directors course. She has over 20 years of Executive experience, most recently as CEO of a hospital and aged care facility. Chris has extensive experience in the areas of corporate governance, public sector administration, audit & risk management, and financial and strategic planning.



Ian Nethercote — AM

Ian Nethercote has been involved in the electricity and coal mining industry for almost 40 years and held the role of Chief Executive of Victoria's Largest Power Station and Open Cut Mine for more than 13 years

During this time, he provided oversight and overall business direction and strategy in addition to managing the finances, technical/maintenance aspects, market and human resources. He was also the Chairman of the Loy Yang Marketing Management Company.

Ian has been an active member and chair of many Industry Committees, Boards and Councils at both state and National levels. In 2018 Ian was awarded a "member of the Order of Australia in recognition of his significant contribution to the Energy and Education sectors".

Ian holds Engineering Qualifications and continues to remain an active member of various profit and not for profit organisations. He is a Fellow of the Institution of Engineers Australia, a Fellow of Australian Institute of Company Directors and a Fellow of the Institute of Managers and Leaders.



Claire Miller

Claire has over 10 years of board level experience across the public and commercial sectors with a focus on the utilities, resources, infrastructure and energy industries.

In her executive capacity she has held the role of General Counsel and Company Secretary including managing governance, compliance, risk and audit functions across a range of industry sectors including energy, infrastructure, gas, utilities, resources, and property while in government, ASX and private entities.



Corinne Unger

Having studied geomorphology and climatology, Corinne's career spans more than 30 years starting in soil conservation in New South Wales. Corinne's expertise advanced into mine rehabilitation, closure and related research in Australia and overseas when she coordinated Energy Resources of Australia's Ranger Mine rehabilitation and research program in the Northern Territory.

During this time, she undertook overseas study within Rheinbraun (now RWE) in the lignite mining region near Cologne, Germany, where she observed rehabilitation, post-mining land use and community resettlement processes. Corinne has applied her expertise to legacy mine management, developing a rehabilitation project for the Mount Morgan (historic) mine while employed by the Queensland government.

Corinne has consulted to industry, government and NGOs in mine rehabilitation and closure. In 2009, Corinne won a Churchill Fellowship to study 'leading practice abandoned mine rehabilitation and post-mining land use' in Austria, Germany, UK and Canada.

Corinne joined the Centre for Mined Land Rehabilitation at the University of Queensland where she developed a jurisdictional maturity model for managing abandoned mines. Corinne was inaugural chair of the Community and Environment Society of AusIMM in 2017 and was a recipient of an AusIMM Excellence Award in 2018. Corinne commenced her PhD in 2017 at the University of Queensland's Business School studying organisational risk management.



Ian Gibson

Ian is a long-term resident of Gippsland and has extensive networks in the public sector, community organisations, business, academia and sporting bodies.

He holds qualifications as a Master of Public Policy and Management and in Economics and Arts. He is a member of the Board of East Gippsland Water, and has been a Board member with the State Electricity Commission of Victoria, Coal Corporation, West Gippsland Catchment Management Authority and Latrobe Regional Hospital.

Ian's work experience has been in local government, regional development and tertiary education. He is currently a sessional member at Planning Panels Victoria.

Table 1. Details of each member's appointment and attendance for the 2020–21 period

Name	Date appointed	End of current term	Board Meetings Attended	Meetings eligible to attend
Rae Mackay (Chair)	30 June 2020	29 June 2023	6	6
Christine Trotman (Deputy Chair)	30 June 2020	29 June 2023	6	6
Ian Nethercote	30 June 2020	29 June 2023	6	6
Claire Miller	30 June 2020	29 June 2023	6	6
Corinne Unger	30 June 2020	29 June 2023	6	6
Ian Gibson	30 June 2020	29 June 2023	6	6

Board Committees

There are currently two Committees established by the Board, operating under charters approved by the Board:

The Audit, Finance and Risk Committee

The primary objective of this committee is to oversee and advise the Board on matters of accountability relating to financial accounting practices, risk management, internal control systems, external financial reporting, and internal and external audit function. The members of the Audit Committee are independent as they are not involved in the day to day management of the Authority.

Table 2. Committee membership

Name	Independent	Term	Subcommittee Meetings Attended	Meetings eligible to attend
Ian Nethercote (Committee Chair)	Y	30 June 2020 to 29 June 2023	2	2
Corinne Unger	Y	30 June 2020 to 29 June 2023	2	2
Claire Miller	Y	30 June 2020 to 29 June 2023	2	2

The People, Safety and Culture Committee

The role of this committee is to assist the Board to fulfill its responsibilities in relation to the performance measures and remuneration of the CEO along with oversight of workforce strategy, people related policies, organisational culture and worker health & safety for all staff and contractors.

Table 3. Membership of the People and Culture Committee

Name	Independent	Term	Subcommittee Meetings Attended	Meetings eligible to attend
Christine Trotman (Committee Chair)	Y	30 June 2020 to 30 June 2023	0	0
Ian Gibson	Y	30 June 2020 to 29 June 2023	0	0
Rae Mackay	Y	30 June 2020 to 29 June 2023	0	0

07

WORKFORCE DATA AND OFFICE



Public Sector Values and Employment Principles

The Authority aligns its values and employment principles with DJPR and the Public Administration Act 2004 to provide for fair treatment, career opportunities and the early resolution of workplace issues. The Authority advised its employees on how to avoid conflicts of interest, how to respond to offers of gifts and how it deals with misconduct.

Occupational Health and Safety

The Authority aligns with DJPR occupational health and safety programs and systems and makes use of DJPR resources. The Authority did not have any incidents or lost time claims during the reporting period.

Workforce working remotely

During the period staff were working from home in accordance with the requirements set out by the Victorian Government. The ‘stay at home’ directions were issued under the State of Emergency declared by the Minister for Health on 16 March 2020 under the Public Health and Wellbeing Act 2008 (Vic) and for the series of COVID-19 lockdowns that followed.

When preparing to work from home, all staff undertook ergonomic assessments relating to their ‘workstations’ at home per DJPR guidelines.

Workforce data

Over the period the Authority’s staff complement has changed. At its inception our team comprised two Technical Advisors (2.0 full time equivalent [FTE]) and an engagement officer. The engagement officer left the Authority and was replaced with a contract staff member in November 2020. In January 2021 we appointed our CEO, David Salmon, and the Business Support Officer returned from secondment. An Executive Assistant joined the team at the end of the period in June 2021.

The composition of the Authority’s workforce as at 30 June 2021 is tabulated and represented in the figure below. As the Authority has only been in existence since 30 June 2020, only one year of data is presented. Employees have been correctly classified in workforce data collections.

Classification	2020–2021	
	Employees (head count)	FTE
CEO	1	1
Technical Advisors (VPS-6)	2	1.6
Business Support Officer (VPS-4)	1	1
Executive Assistant (VPS-4)	1	1
Engagement Officer (Contractor)	1	1
Total	6	5.6
Men	2	1.6
Women	4	4
Self-described	0	0
Total	6	5.6
Under 25	0	0
25-34	0	0
35-44	2	2
45-54	2	2
55-64	1	0.6
Over 64	1	1
Total	6	5.6

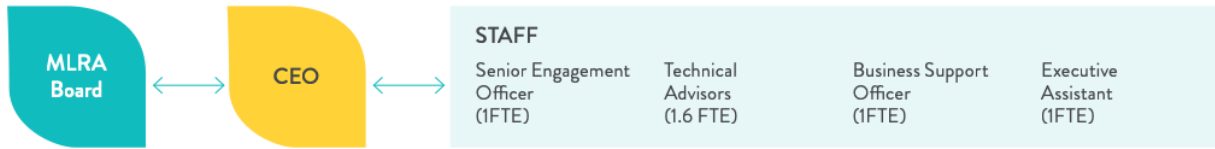
Notes:

FTE = Full time equivalent

All figures reflect employment levels during the last full pay period in June 2021.

Ongoing employees includes people engaged on an open-ended contract of employment and executives engaged on a standard executive contract who were active in the last full pay period of June.

Figure 2. Staff complement as at 30 June 2021



Other Disclosures

All other disclosures for the MLRA are included in the DJPR Annual Report.

Office relocation

The previous office, located at Suite 5, 55 Grey Street, Traralgon, remained closed throughout the period. The Authority moved to the GovHub at 65 Church St, Morwell during July 2021.



FREEDOM OF INFORMATION

The Act allows the public a right of access to documents held by the Authority. The purpose of the Act is to extend as far as possible the right of the community to access information held by government departments, local councils, Ministers and other bodies subject to the Act. [FRD 22H]

An applicant has a right to apply for access to documents held by the Authority. This comprises documents both created by the Authority or supplied to the Authority by an external organisation or individual, and may also include maps, films, microfiche, photographs, computer printouts, computer discs, tape recordings and videotapes. Information about the type of material produced by the Authority is available on the Authority's website.

The Act allows the Authority to refuse access, either fully or partially, to certain documents or information. Examples of documents that may not be accessed include: cabinet documents; some internal working documents; law enforcement documents; documents covered by legal professional privilege, such as legal advice; personal information about other people; and information provided to the Authority in-confidence.

From 1 September 2017, the Act has been amended to reduce the Freedom of Information (FOI) processing time for requests received from 45 to 30 days. However, when external consultation is required under ss29, 29A, 31, 31A, 33, 34 or 35, the processing time automatically reverts to 45 days. Processing time may also be extended by periods of 30 days, in consultation with the applicant. With the applicant's agreement this may occur any number of times. However, obtaining an applicant's agreement for an extension cannot occur after the expiry of the timeframe for deciding a request.

If an applicant is not satisfied by a decision made by the Authority, under section 49A of the Act, they have the right to seek a review by the Office of the Victorian Information Commissioner (OVIC) within 28 days of receiving a decision letter.

Making a request

FOI requests can be lodged online at foi.vic.gov.au. An application fee of \$29.60 applies. Access charges may also be payable if the document pool is large, and the search for material time consuming.

Access to documents can also be obtained through a written request to DJPR's Freedom of Information team, as detailed in s17 of the Act.

When making an FOI request, applicants should ensure requests are in writing, and clearly identify what types of material/ documents are being sought.

Requests for documents in the possession of the Authority should be addressed to:

Freedom of Information Unit
Department of Jobs, Precincts and Regions
GPO Box 4509
Melbourne VIC 3001

FOI statistics/timeliness

During 2020/21, the Authority received 0 applications. Applications received by DJPR in relation to the MLRA are disclosed in the DJPR report.

Further information

Further information regarding the operation and scope of FOI can be obtained from the Act; regulations made under the Act; and foi.vic.gov.au



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1800 571 966

mineland.vic.gov.au