



**Latrobe Valley
Mine Rehabilitation
Commissioner**

LVMRC Webinar 2: Introducing the Mine Land Rehabilitation Authority

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TRANSCRIPT

Rhonda Hastie, Technical Advisor, office of the Latrobe Valley Mine Rehabilitation Commissioner:

Good afternoon everybody and welcome to the Latrobe Valley Mine Rehabilitation Commissioner's second webcast and our final public event. I am Rhonda Hastie, and I am a technical advisor in the office of the Latrobe Valley Mine Rehabilitation Commissioner. Tomorrow myself and the rest of my colleagues will all be team members for the Mine Land Rehabilitation Authority.

Before we go any further I'd like to start our session today by acknowledging that we are hosting this webinar on the traditional lands of the Briakaulaung people of the Gunaikurnai Nation and pay our respects to their elders past and present. We also recognize that some of you may be joining us from different parts of Victoria. I know several of our presenters are in various suburbs of Melbourne so we would also like to extend our respect to elders of those countries upon which you are located. You may be online with us today.

Before we move over to the main event a little bit of housekeeping. As a participant you'll not be able to turn on your camera and microphone but obviously you can hear us, including all of our microphone testing that goes on. I would also like to remind everyone that we have Slido, which is at [slido.com](https://www.slido.com), open for questions and the meeting code is LVMRC2. You can post your questions or you can also vote for questions that you'd like prioritized. Thanks for those who already submitted questions. If you are unable to access Slido there is also a Q and A function in the Microsoft teams App we are using and we will also be monitoring those questions as well. If for some reason you can't get today's technology to work properly, we are actually recording today's webinar and will be posting a copy of that soon.

Finally, it's worth mentioning that our remit is focused on the mining licenses of the coal mines in the Valley, soon to be declared mines. The power station blocks and the Hazelwood Pondage are excluded from those areas. So we won't be specifically answering questions related to them.

I would like to welcome to Rae MacKay who will tell you a bit more about today's event. This is his last day as Latrobe Valley Mine Rehabilitation Commissioner.

Professor Rae Mackay, Latrobe Valley Mine Rehabilitation Commissioner:

Thank you Rhonda. We actually have two presentations today. The first is in relation to the Mine Land Rehabilitation Authority and the second is in relation to the Latrobe Valley Regional Rehabilitation Strategy that has just been announced.

Laura Cronin has very kindly agreed to present the Mine Land Rehabilitation Authority. Laura is the manager for Policy and Legislation at the Department of Jobs Precincts and Regions and has been heavily involved in the development of the authority's statute. She is here to tell you all about it.

Immediately following Laura's presentation Anthony Feigl, who is the current Acting Director of Coal Resource Victoria and has also been Project Manager over the last four years for the LVRS, will present the strategy overview.

Immediately after the presentations we will move to a question and answer session. I will join Laura and Anthony and also we are delighted to have along with us Anna May who is the Director for Water Resources Assessment and Planning at the Department of Environment Land Water and Planning. She will be joining us to help answer those questions that are very particular to the water story in relation to the strategy.

So Laura. Welcome and it's over to you to start the ball rolling. Thank you.

Laura Cronin, Manager Legislation Reform, Department of Jobs, Precincts and Regions:

The Hazelwood Mine Fire Inquiry began after the terrible 45-day Hazelwood mine fire. Having looked into the specific circumstances of the fire the Labor government when it came into power in 2014 decided to hold a second inquiry to look at Rehabilitation and it looked broadly at how the mines could be rehabilitated and made recommendations for the future. Some of those recommendations were establishing Latrobe Valley Mine Rehabilitation Commissioner, of whom you see Rae now before you; establishing a Latrobe Valley Mine Rehabilitation Authority by 2026 or earlier if mine closure occurred earlier and establishing a Post Closure Trust Fund.

The reason why the inquiry was so interested in the idea of a long term authority and fund was because they believed that the mine voids, being so large and presenting so many complicated issues, would continue to need work even after rehabilitation occurred to be safe, stable and sustainable. You need money in order to do that work. The inquiry also considered that the government should amend mine rehabilitation legislation to provide criteria about when mines can close and to clarify how plans for rehabilitation would be consulted on. In 2017 we worked on the legislative amendments which established the Latrobe Valley Mine Rehabilitation Commissioner and in 2019 we've made amendments which established the authority and also changed how rehabilitation works.

So, why did the inquiry think there should be a mine land rehabilitation authority? The inquiry found that rehabilitating the mines is going to be a long term and complex problem and it felt that, as the mines near closure, there will be greater complexities and priorities that will need to be addressed. The board considered that it will require an increase in coordination and oversight. So the Commissioner began by overseeing the Latrobe Valley Rehabilitation Strategy. The idea of the authority is that it can oversee the coordination of future rehabilitation. The inquiry said that the authority should be established for the long term as the rehabilitation of the mines would happen over decades and that the rehabilitated sites

might still present issues to the community over many years. So the inquiry said that the authority should have ongoing tenure until all the mines are successfully rehabilitated and no monitoring or maintenance is required. And this could be decades after the last mine has closed, so the idea of the authority is very much about making sure that there is a voice that understands the complexity of rehabilitating the Latrobe Valley coal mines over the long term and how they will be rehabilitated.

The authority is a public sector body. It's been established as an independent entity and therefore it's got its own board to manage its affairs and it's going to have six members including the chair and deputy chair. The chair is going to have expertise in mine rehabilitation and each member of the board is going to have a three-year term.

Professor Emeritus Rae MacKay who was the Latrobe Valley Mine Rehabilitation Commissioner is now the chair of the authority board. He's joined as deputy chair by Christine Trotman who has been a long-term Valley resident and who has a long history of governance activities. She is joined by Christine Unger who's an expert in mine land rehabilitation. They are joined by Ian Nethercote and Ian Gibson. And finally, Claire Miller.

So we are in the transition from the Commissioner to the Authority. The authority will take over the Commissioner's functions and objectives as well as their own. So all of the things the Commissioner was doing the authority will be doing but it will also have a bunch of new activities and objectives. It's overarching objective will be to assure the Victorian community that all public sector bodies like the Department of Environment Land Water and Planning and the Latrobe Valley mine licensees are implementing the Latrobe Valley Regional Rehabilitation Strategy.

The authority is going to continue to promote the sustainable and beneficial use of coal mine land in accordance with the strategy and that means all the land which is under the coal mine licenses. It's also going to cover declared mines and promote the effective and consistent rehabilitation of declared mine land in accordance with any ministerial directions. The authority is going to cover the declared Latrobe Valley mines and is going to be consulted when the minister makes a decision about whether or not mines can be closed. It's going to monitor any mine land after the closure to make sure that it remains safe, stable and sustainable. The authority can also potentially own land and rehabilitate, maintain and manage land if it's needed.

The idea of the authority in the way that it is set up is that the authority is not the regulator of mine rehabilitation. Earth Resources Regulation continues as the mine regulator. It's not the creator of the Regional Rehabilitation Strategy. The role of the authority, as was the role of the commissioner, is to coordinate between all of the numerous bodies that are involved in rehabilitating complex mines and to provide independence and authority of advice to the minister for resources when making difficult decisions about those mines, particularly in approving the plan for how those mines will be rehabilitated. They will also be involved in making a decision about whether a mine is rehabilitated to a sufficiently safe and stable position to be closed.

The role of the authority is to coordinate rehabilitation and inform the decisions of the minister and to help in making those decisions. This is partly because the inquiry said that without a coordinating body such as the Commissioner and prior to recent legislation changes and the inquiring different decision makers, water catchment authorities, planners. The Earth Resources regulator might make decisions which were inconsistent and

the inquiry was particularly concerned about decisions being inconsistent, for example decisions about using water when water hadn't been approved or wasn't available.

So this is the reason why the authority's function during rehabilitation is to coordinate, to communicate and to advise. And in order to assist that coordinating, communicating and advising the authority will be monitoring evaluating and reporting on how the licensees and public bodies like the Earth Resources regulator, like the Department of Environment Land Water and Planning, like Councils and Catchment Management Authorities are carrying out activities that support rehabilitation. Also how the approval of plans is going and how the actual work on the rehabilitation is going.

Now that the Latrobe Valley Regional Rehabilitation Strategy has been approved and released and will be in place from 1 July 2020 the Authority will also monitor whether or not work under that strategy is being carried out effectively. Those of you who have had the opportunity to engage with the strategy since its release on Friday will see that there's a very significant implementation plan for this strategy which is going to require activities across government to coordinate how water is going to work and to think about how that will feed through into rehabilitation planning. The authority is now going to play a role in making sure that implementation plan is carried through in an effective way. The authority also has quite a lot of powers to investigate matters relating to rehabilitation and the strategy. On the request of the minister, if some adverse event were to occur or if there was to be a dispute between the regulated parties, the minister can call upon the authority to investigate that matter, to use the inspector powers at it's disposal to potentially get information and materials so that the minister can make decisions about how to resolve the impasse or address the adverse event.

One of the other things that the authority does to enable them to be as informed as possible in advising rehabilitation is to review research plans and to support research and information gathering about rehabilitation. I've often heard it said by people working on the Latrobe Valley Regional Rehabilitation Strategy that rehabilitating Latrobe Valley coal mines is a giant experiment. Because these are some of the largest and most complex open cut mines that have ever come up for rehabilitation and also so close to human habitation and infrastructure, the mines find themselves having to rehabilitate areas not covered by existing standards or protocols new research has to happen and the authority plays a role in coordinating that research and ensuring that information is shared and used effectively. And as I've already said the authority during rehabilitation is going to be consulted during approval of declared mine rehabilitation and during the decision on whether closure criteria is satisfied and obviously all the work that the authority is doing now. Informing and monitoring rehabilitation will put it in a good position when decisions have to be made about rehabilitation plans and closure.

What does the new legislation do? The Authority has all the functions that the commissioner had during rehabilitation and now they will go to the authority but the authority also has new functions which will happen after declared mines are closed. This is in recognition of the fact that the rehabilitated states of the Latrobe Valley mine may be only be safe, stable and sustainable with ongoing maintenance, monitoring and oversight and management. If that is the case then the authority will be in place to monitor that is done correctly and what the amendments we've made to the mineral resources act do is to enable a post closure plan to be prepared which the authority can manage once the land is registered. No not necessarily All the land under license will be registered . Some of the land under a license. Maybe? Some of the land under the license may be rehabilitated to a state where it doesn't need ongoing monitoring and maintenance and maybe even before the license might be

transferred back into private ownership or to some beneficial public use. So where the land is registered and that needs ongoing monitoring and maintenance that the authority will do. The authority can own mine land after closure or land close to the mine needed for a buffer and that could occur in circumstances where a decision is made that the land should be transferred to the state and that the . And the landlords read the monitoring and maintenance should be in the hands of a body such as the authority. The legislation is also basically providing for worst case scenarios of potential default where the authority might come to own the land but we really hope that wouldn't happen, but in that worst case is the act contains a power for the minister to take the bond from the defaulting party, to cancel the license, to transfer the bond into the post closure fund and then the authority may rehabilitate, maintain and manage that registered mine land.

You'll notice that during my presentation I've mostly been talking about the Latrobe Valley mines but I've also been talking about declared mines. Why did the government decide that the authority should cover that Latrobe Valley coal mines and other declared mines? The reason is that, although the Latrobe Valley coal mines are the only declared mines at the moment, they were declared because they presented ongoing and complicated risks. And they are not the only mines in Victoria that may possibly present ongoing and complicated risks. Some kinds of mining for metals such as gold can lead to the gathering of contaminated tailings in dams on sites that contain heavy metals s and potentially those kinds of sites might be declared. So the minister for resources has the power to declare other mine if they present significant risk to public safety, infrastructure or the environment and this could happen if other mines present significant and ongoing risks. Part of the idea is that if the state is going to develop an entity that has the capacity to look after and monitor and maintain and be involved in the approval of rehabilitation plans for the Latrobe Valley then that experience and evidence will be useful to the state in managing other complicated rehabilitation. So that's the reason why there are declared mine plans.

And then one of the other things which I've talked about, in order to support the ongoing rehabilitation of these mines with complicated history and with complicated sites is to amend the legislation to require, and you'll see this and hear this talked about in the Latrobe Valley Regional Rehabilitation Strategy, to require a declared mine rehabilitation plan and approvals process. Those rehabilitation plans require things that are not required in ordinary rehabilitation plans. They require a specific post closure plan to be developed so that any ongoing monitoring and maintenance happens. Explicit closure criteria is to be developed so that it's absolutely explicit and publicly known in what circumstances the mine will be rehabilitated and closed. The legislation changes the approvals process so that the approval of a declared mine rehabilitation plan will involve other ministers for water for the environment, for planning and the environment protection authority. And also potentially referrals and consultation in addition to what normally happens for straight rehabilitation plans recognizing the complexity and the impact on the community that these declared mine may have.

Also established is the registry for post closure land maintenance which means that any land that has been rehabilitated from a declared mine that requires ongoing support, that ongoing support is properly monitored. And it also establishes a declared mine fund for post closure maintenance. Effectively what it says is if you are a declared mine and you want to close and, say that rehabilitation is complete but you've got some elements of post closure ongoing monitoring and maintenance, the Minister can require you to contribute to the fund for that ongoing monitoring and maintenance and also to make some contribution against potential adverse events that can occur. Because the risks posed by the land are complex

and sometimes adverse events can occur. That's the reason you'll hear about all of those things.

Also in my colleague's presentation they will be talking about the Regional Rehabilitation Strategy. Now I know that there will be people on the line from the community in the Latrobe Valley and one of the things which is most important is what does it mean that land is going to be registered and that land might be registered after closure? Does that mean that activities can't be carried out on the land that the government's going to own and that the land couldn't be used for recreation? What's going to happen is that declared mine land will be registered with the authority but it may not be all the land that was in a mining license. So land which was in the license because it was needed for things to move through but which is able to be fully rehabilitated may not, unless it's needed for a buffer, be registered with the authority and subject to the closure plan. It will be for the owner of the land to manage the declared mine in accordance with the plan and the owner could be a private person or the authority. The rehabilitation plan will say what the land form is and the use of the land can be. Rehabilitation the land doesn't require a particular use or form. What it is going to require, what we're going to require as regulators, is that the land is safe, stable and sustainable for the use to which it is put. That could be a beneficial economic use, it could be a recreational use or there could be parts of the land which might not be able to have very much use at all. Or it might be underwater. The authority will monitor compliance with the post closure plan if it doesn't own the land.

I'm going to finish talking now because I'm conscious that my colleagues also have to speak. To reiterate what I said and to apologize slightly for perhaps being a little more tentative than I might otherwise have been given that I wasn't entirely sure which of my various slides and materials you could see. To summarize, the authority will start from tomorrow. It's new role is in relation to the rehabilitation of declared mines. The authority will have functions to monitor, coordinate, oversee and advise about the rehabilitation of those mines during that period before rehabilitation is finished. And the authority will have the powers to monitor and oversee or own rehabilitated land once mines are closed.

I hope that gives you kind of an introduction to the idea of the authority and of course we will have the panel and I'd be very happy to answer any questions and clear up any potential confusion. Thank you very much for your patience.

Rhonda Hastie:

Thanks very much Laura. Apologies everyone, it looks like technology is not our friend today and we are unable to load slides. We will keep trying so please bear with us. We will send out copies of the slides post the presentation though.

I'd like to welcome Anthony Feigl who's Acting Director of Coal Resources with the Department of Jobs Precincts and Regions and he will present on the Latrobe Valley Regional Rehabilitation Strategy. Thank you, Anthony.

Anthony Feigl, Acting Director, Coal Resources Victoria, Department of Jobs, Precincts and Regions:

Good afternoon everyone and thank you for your time. As Rhonda said my name is Anthony Feigl. I'm from the Department of Jobs Precincts and Regions and I'll be joined in the QA session by my colleague Anna May from Department of the Environment Land Water and Planning who we have prepared this strategy in partnership with.

So what I will talk about now is the main findings of the studies that informed the Latrobe Valley Regional Rehabilitation Strategy or LVRS S as I might call it, to save my breath a bit. I will talk about what we've heard from the community and stakeholders including yourselves. And last thing to talk about is the main components of what's in the document itself? This should be around about 10 minutes of me talking. I will try and make it fairly quick.

So as many of you would know the Latrobe Valleys brown coal mines are inherently unstable and fire prone. They require a range of active controls to prevent harm to human life and the environment. Failures at these sites over the last two decades, such as ground movements and fires, have cost government, industry and community hundreds of millions of dollars. The regional geotechnical study that was undertaken as part of the LVRRS found that if sufficient quantities of water were available then water-based rehabilitation approaches could achieve safe and stable landforms, thereby minimizing post closure instability to adjacent communities and minimizing risks to adjacent water bodies and infrastructure.

The regional water study that was completed as part of the LVRRS found that since 1997 we've seen a step change in water availability in the Latrobe River system from around 800 gigalitres per year to currently around 600 gigalitres per year. These changes have also been observed across other parts of the state. Approximately 2,800 gigalitres would be needed to fill all the mine voids with water to their crests and approximately 15 gigalitres per year would be needed to account for evaporative and seepage losses once those mines were filled, if they were filled. To put that into perspective, in 2017/18 Gippsland Water supplied towns excluding industry with around 13 gigalitres of water in that year and current allocation for irrigators from the Latrobe is around also 13 gigalitres per year. This means that rehabilitation plans will need to ensure that they plan for a drying climate. The Minister for water has stated that the entitlements of existing users and the environment should be protected. This means that conditions on water supply arrangements for mine rehabilitation, if any, would need to protect other users on the environment.

I'm now going to talk a little bit about the themes that emerged from consultation with stakeholders in communities such as yourselves. What essentially have we heard? Firstly, the main theme that emerged from stakeholder in community consultation was a desire to see a range of rehabilitation options explored through including options that do not involve water. Those sentiments have been expressed by community members the Latrobe City Council and a range of other stakeholder groups. Latrobe Valley based stakeholders including Latrobe City have highlighted the primacy of addressing the significant risk that these sites present in a rigorous and expedient manner. This is clearly understandable given that it's the people of the Valley that have lived through recent mine fires. The mine licensees or operators have been clear about it from their perspective. Water is the only practical option to achieve safe and stable landforms. Power generators have also requested an opportunity to further explore the feasibility of new or alternative water sources in collaboration with government, stakeholders and community. Community including council have expressed a desire for the rehabilitated mine sites to offer productive uses and have an amenity value.

And the last key theme I'd like to raise is that a number of stakeholders have expressed doubts that use of water for mine rehabilitation would be the best use for the region's valuable water resources in the context of a drying climate, particularly when that water might otherwise be used for agricultural expansion and the jobs and food security that it might provide. Or providing for the health of the major river system and Ramsar listed areas.

I'll now talk about what the strategy itself contains. So what it does is it provides guidance to progressive planning for the rehabilitation of the regions mines. Based on those findings from the regional studies that I've mentioned and from the stakeholder engagement that I mentioned the Strategy sets out principles to guide planning within a regional context. Each of these principles the Strategy sets out. They have some context around them in Australia in terms in why they are important and what are the technical issues behind those were the stakeholder issues behind that is and then each of those principles also includes a threshold statement or a test to guide planners and decision makers. Given that you can't see the actual slides it's probably worthwhile if I just briefly go through those eight principles. So the fire risk of rehabilitated land should be no greater than that of the surrounding environment. Traditional owner involvement in rehabilitation planning should be developed in consultation with Gunaikunai Land and Waters Aboriginal Corporation. Requirements for ongoing management to sustain a safe and stable landform should be minimized as far as practicable. Community should be consulted on rehabilitation proposals, the potential impacts of those proposals and have the opportunity to express their views. Rehabilitation should plan for drying climate. Rehabilitation activities in final landforms should be climate resilient. Mine rehabilitation and regional land use planning should be integrated, and the rehabilitated sites should be suitable for their intended uses. Any water used for mine rehabilitation should not negatively impact on traditional owner's values, environmental values of the Latrobe River system or the rights of other existing water users. And ground stability and ground movement risks and impacts in the long term should be minimized as far as practicable.

The strategy is also clear that those principles that I just mentioned should be considered in the context of the principles of sustainable development as set out in the Mineral Resources (Sustainable Development) Act and the strategy document sets out how it supports planning and decision making around those principles, in particular that those principles provide guidance and that includes implementation actions to address the remaining knowledge gaps and issues of regional significance. So I'll talk now very briefly about those actions. The strategy sets out to address remaining regional issues and these actions are to provide mine licensees, stakeholders and community with further clarity on the available rehabilitation options. There are six sections in total in the strategy. I won't talk through all six in the interest of time. I'll just highlight two key actions, being firstly that government is committed to further addressing the feasibility of alternative water sources that could be used for mine rehabilitation with work through a whole of government process with community to further explore potential alternative water sources such as recycled water or desalinated water. And the second action I'd like to mention is that government is also committed in the strategy to working with community, licensees, stakeholders and industry to identify alternative or contingency rehabilitation options to manage lands and fire risks. As part of this industry are encouraged to collaborate with government stakeholders and community to identify those alternative options and the risks, costs and impacts around those options.

Hopefully you can see we've sought to really respond to the key feedback that's been apparent through the stakeholder engagement process as well as addressing the key findings of the technical studies that have been completed to prepare this strategy. So the

only thing left to do is thank you for your time. I can direct you to our website to actually download a copy of the strategy and the website is Earth Resource, one word, dot vic dot gov dot au. Inside that website you'll find the strategy itself which you can download along with Factsheets, technical reports and so forth. Also, if you were to type in LVRRS into your web browser it should be the first hit that you find. So, thanks again and I will hand back over at that point.

Rhonda:

Thanks very much Anthony. I'd like to start off by asking Laura a couple of questions because she was first in best dressed. So we've got a great question here from Thomas, Thanks Thomas. So as the authority is also looking beyond a Latrobe Valley, is it managing and monitoring historic mines as declared mines and potential issues. So does our remit for declared mines expand past Latrobe Valley.

Laura:

The remit mines are currently in the Latrobe Valley because those are the declared mines. The government recognized that it is possible that an authority with these kinds of skills and experience could in the future look at abandoned or historic mines but there would need to be different legislation and extra funding. The way we bring the declared mines in they have to be working for the alleged the law to bring them into the authority's remit and under our control. For abandoned mines, the government would have to really do more policy work to bring them in but it's definitely been recognized that an authority of this sort may develop the sorts of skills and experience that would enable it to deal with some of the historic mines and the issues that they continue to pose.

Rhonda:

Thanks very much Laura. I'm going to ask you another question because it's so hard to switch between people. Someone's asked us about when will the declare mine regulations be available and when will they be available to view and where can people access them from?

Laura:

The regulations will be available in draft in September or October. We're hoping to have the regulations in force by 1 January 2020. We had originally planned to consult on the regulations before the Act came into force and the strategy was developed but it became apparent that the implementation plan and the strategy itself is something that we ought to be taking into account in the regulations and it would help the community to be able to see those when they were looking at the regulations and commenting on them. So we plan to use the engage Victoria Forum to consult on regulations. We've used that before and everybody can find drafts of the of regulations on that site relatively quickly. And will also provide links and so forth for the authority to publicize and run some communications around that. So yes the regulations will be publicly available once we go out to consultation. We've taking a bit of extra time so that we can take into account the Regional Rehabilitation

Strategy and make sure that the regulations and our understanding of the impact of the regulations is consistent with the strategy.

Rhonda:

Thanks very much Laura. Now I'm going to throw to Rae for this one, as you are our new Executive Chair for the Authority. This question from Brenda is how will traditional owners be engaged?

Rae:

The engagement that we've had to date with GLAWAC in particular has been extremely good and we're planning to increase that engagement as we go forward. It's a very important part of the conversation as you will see in the LVRRS. If you were listening closely to Anthony, Engagement with the Aboriginal community and actually working with the community to make sure that their voices are heard is part of the necessary conversation that we will be having going forwards and we're looking forward to working very closely with them.

Rhonda:

Thanks Rae. Another question for you before we head to someone else. Will the Mine Land Authority monitor and manage assets like dams and landfills on mine land and if so, what is the current baseline or status integrity of these structures?

Rae:

Again very good question. The actual overarching monitoring for the current landfills on the mine land sites very much falls within the remit of the Environment Protection Authority. The MLRA will maintain a very strong interest and it's very important for us to understand the current condition and the potential future condition of the landfills. And if there seems to be risks associated with those landfills we will need to actually manage those. And whether that is isolating them, whether that is actually putting leachate trapping systems in to prevent leachate migrating into nearby water sources, each of these things will have to be looked at along the way. We wouldn't plan to move any landfill unless it was absolutely necessary, so we would actually start with the position that we would expect things to stay where they are at the moment. But as the authority we will take a very close interest in making sure that we do not leave unregulated, uncontrolled risks into the future.

Rhonda:

Thanks Rae. Now I'd like to welcome Anna May from DELWP. I'm going to throw a question so I can just throw you straight into the hot seat. Now the question is, it's a good question, Why does the water study in the LVRRS document only include Latrobe flows to 2015? Have flows increased or decreased since 2015?

Anna May, Director Water Resource Assessment and Planning, Department of Environment, Land, Water and Planning:

That's a very good question. Part of the regional water study was looking at trends in water availability and because of the timing of when we did the Latrobe Valley regional water study it did go to 2015 because that was what data was available and we're really looking at those longterm trends because mine rehabilitation will take a long period of time. So what we did find as part of the Rehabilitation Strategy is that water availability has reduced from around that 800 Gigaliters per year to around 600 Gigaliters per year over the last 20 years and that step change in water availability is something that we've seen across the state. It's not anything specific for the Latrobe River System but it did definitely really reinforce that step change that we've seen across the state. And the new information that we will have over the last few years will just maybe slightly change that step change trend. But we are talking about those long term averages, rather than year to year when we know we do have those seasonal variations.

Rhonda:

Thanks Anna. I'm going to ask you another one keeping on my doubling up theme here. Lisa Gooding has asked us - We all want more water. What do you think are the best options available to make more water available to irrigators, the mines, rivers and the community?

Anna:

It's true we all want more water but I can't make it rain, I'm sorry, and as I said we have seen that step change in water availability in the literature of a system and with those local water sources that are available in the valley. We also know that mine rehabilitation will take a fair amount of water. It's a large volume, around 2,800 gigaliters of water might be required to fill to fill those three mines. Mine rehabilitation really needs to plan for that dry future, which means seriously exploring approaches that don't rely on water in those large volumes from local sources such as the Latrobe River system. So alternate water sources such as recycled water or desalination could provide a reliable source for mine rehabilitation even in dry years and through the strategy, we are really encouraging mine operators to collaborate with government to further explore the use of alternate water for mine rehabilitation. And this work will really look at the costs the other potential regional development opportunities such as agriculture, new industries, job opportunities that could come from a climate resilient water supply. A key principle of the strategy is really to make sure that we're protecting the rights of existing users, including farmers, towns and industry through that mine rehabilitation process. But in terms of those broader opportunities for use of water and how that is shared within the Latrobe River system and across the Gippsland region I'd really like to encourage people in the region to engage with the water catchments group when will be kicking off our sustainable water strategy.

For the central and Gippsland region the community engagement phase of that is starting in early 2021 so that's a real opportunity to get involved in how water is shared and made available to those different users in the region.

Rhonda

Thanks very much Anna. I'm actually going to ask you one more question. You're gonna get the triple whammy. But before I do that I'm just going to say we did say that we would be finishing this at 2.30 PM but, because we have had a few technical issues and we still have a few outstanding questions, if people can please hold on for another 5 or 10 minutes. If not it will be recorded so you can download presentation at a later date. So Anna, last question for you. This question is if there isn't enough water available for mine rehabilitation how is Angie saying they'll start filling Hazelwood with water as early as 2021?

Anna:

Another good question. I guess any rehabilitation plan needs to go through the process. So mine operators need to develop their rehabilitation plans that do plan for that Drying climate and specify how they will deliver those safe, stable and sustainable landforms. So any rehabilitation process would need to be approved by the relevant authorities. In this case it will be the Minister for Resources and, as part of that process, would need to engage with other relevant departments. So if it was a water based mine rehabilitation which is being planned at Hazelwood, which I understand is the case, then the Minister for Resources would need to engage with the water part of portfolio and the Water Minister to make sure that they are planning for water availability, both now and into the future, and that appropriate access arrangements are in place and that the mine rehabilitation plan is really robust. We know that relying on water from Latrobe River system presents some risks and through the strategy we are really encouraging mine operators including Engie to engage with government and stakeholders to further assess the feasibility of alternate water sources such as recycled water or desalination, so that we know that a safe, stable and sustainable landform can be achieved.

Rhonda:

Thanks Anna. I'm going take the spotlight off you now and I think this might be a Laura question. Someone just asked will the work plans that you were just talking about Anna, that the mines prepare, will they be made available for the public to comment on?

Laura:

The public can currently only get work plans after when it's registered. One of the things that we are considering in one of the options that we're going to look at for the regulations for declared mines is that there be a specific consultation or submission process for work plans. It should be noted that work in rehabilitation plans are heavy, technically complicated documents but we certainly are going to look at the option of what can be made available to the public, so that they are able to be consulted on and to comment, knowing that the decisions on these mines will impact on the community over the long term.

Rhonda:

Thanks very much Laura. Now I'm going to throw back to Rae and I think this might be our final question because we are running a little bit overtime now. Rae, this is something that we spend a lot of time musing on in the office and the question is - If there is not enough water available what is Plan B to make the mines safe and stable?

Rae:

It's a very important question and one that should have put to Anthony actually because the issue is very much around building up the concepts around alternatives that can be developed but also as importantly contingencies. So let's take Hazelwood for example. At the moment we believe that there is enough water in the Latrobe Valley system to be able to supply water to meet a full pit lake. However, climate is no respecter of what we believe and there is a possibility, maybe even a probability, that we would have to say after a period of time that actually it is not possible to actually deliver a full pit lake and then we would need to go either for a lowered lake form or we might have to reverse engineer what we've started in rehabilitation.

If we go for a lower lake form we need to know that we can achieve safe, stable and sustainable but that is problematic for a lowered lake form because we know that we would have to engage in additional monitoring, we'd have to engage in additional maintenance. We would potentially have to accept a greater degree of risk of movements going forward and at the moment we are going through the process, which is part of the additional work that the strategy is requiring, of actually assessing what those additional risks, what those additional needs and those additional costs might be so that we can actually define what reasonable, practicable, acceptable alternatives are for Plan B if you like. Engie currently have a Plan B in place which is called their staging post and they have identified a position at which water levels they could stop at but it would lead to a land form which would have very, very limited uses and we would like to see that made more accessible, more useful going forward. So, there is still conversations around what Plan B should actually look like. But as you will see in the strategy, alternatives Plan B's are now very much the order of the day. We are no longer wedded to purely going it must be a full pit lake, supplied with water from the Latrobe Valley and as was very clearly said, there are risks attached to that. Anthony is very clearly said there are alternatives and that's what we need to be looking at.

Rhonda:

Thanks very much. Sorry Anthony for not throwing that question to you because I know we've also been talking about this a lot recently. He's giving me the thumbs up. I'd like to just quickly say thank you everyone, to Anthony, Laura, Anna and Rae for your time and for answering all of the questions. I know that we haven't gotten to all the questions but time is not our friend. I'd like to quickly throw back to Rae to say a few words before we wrap everything up.

Rae:

I would also like to express my thanks to our presenters and Anna for joining us for the Q&A. I think it's been extremely valuable. I am a little disappointed that the slide shows didn't work. We're not entirely sure why our systems decided to fail is today. We did very well the first webinar we had but obviously there was a gremlin in our system this is time around. So really all I want to say is thank you very much for the conversations that we've had over the last three years. For those people who have been engaged with this right the way throughout this period we are looking forward to continuing that engagement as we go forwards over the next few years. This is a very longterm project. We won't be out of this project for decades and the conversations will need to continue over that period of time. As you will have seen the strategy actually pronounces that there should be a significant amount of work that will

need to be done in the next two to three years and, Laura as very kindly shown us, the mines regulations will have a lot of work associated with those going forwards. So this is my last formal engagement as the Commissioner. I might have an informal engagement over a cup of coffee and a cake but I would like to thank everybody. I've had a great time for the last three years and I'm very much looking forward to being the Executive Chair of the board of the Mine Land Rehabilitation Authority for the next three years. I had to boosting continuing engagement and keeping Anthony and Anna are on their toes because they know that I quite like to challenge the decisions and the issues that are raised. So I will continue to do that on behalf of the community and we do want the community to talk to us as much as possible. You will see that the community has had quite a year and influence on the strategy to date, and we'd like to see that continue. So, thank you very much and we look forward to a speaking to you in my new guise after tomorrow.

Rhonda:

Thanks Rae. I just like to say a personal thankyou to Rae, working with me for the past two years. Despite what I tell you I actually do enjoy working with you and I'm really looking forward to the next few years together. I'd also like to thank everybody for attending and participating today and I'd like to thank you all for persevering with our technical difficulties. Our recording will be available on our new website, which is live tomorrow, mineland dot vic dot gov dot au. We will also be sending out a short survey for any feedback on this event. We are expecting it to be scathing, so please don't hold back. Slido will also be available if you have any questions you want to post after the event, please do, and we will be answering those questions and putting them up on the website. We will also put up a link to the LVRRS on our website in case you can't find it on the Earth Resources website.

So thank you very much once again and we look forward to seeing you again soon.

**Note: This transcript has been edited to remove the commentary regarding the technical difficulties experienced during the live session.*