



Annual Report
(Report of Operations)
2021–22



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*Here at the MLRA we
acknowledge the Traditional
Custodians of Country and
recognise their continuing
connection to land, sea, culture
and community.*

*We pay our respects to Elders
past and present.*

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 2022.



Professor R Mackay
Chair
Mine Land Rehabilitation Authority
30 June 2022

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01

CHAIR'S FOREWORD



As Chair of the Mine Land Rehabilitation Authority, it is my pleasure to present this second Annual Report that describes the work of the Authority from 30 June 2021 to 30 June 2022.

It has been a busy year. Significant changes have taken place both within the Latrobe Valley and within the Authority over the reporting period. EnergyAustralia has undertaken repairs to the Morwell River Diversion in response to the storms that occurred June 2021 and have commenced a major program of work on rehabilitation investigations and planning in connection with the announced closure of the Yallourn power station and mine in 2028. ENGIE, in support of the work to repair the Morwell River Diversion, has commenced receiving water into Hazelwood mine at times of high flows in the Morwell River and now have a small lake in the base of the mine. ENGIE is also at the start of preparing an Environmental Effects Statement (EES) relating to the planned rehabilitation of Hazelwood mine. The scope of the EES is in preparation by the Government. AGL moved towards separating its business and placing Loy Yang power station and mine under a new business, Accel Energy. That move has now been shelved and AGL Loy Yang power station and mine are working through the implications of the change of direction as a business and its potential impact on Loy Yang mine's rehabilitation. The Government's Implementation Actions under the Latrobe Valley Regional Rehabilitation Strategy continue to progress.

The Board has watched the regional developments closely and in addition to meeting regularly throughout the year to discuss operational and strategic matters, has also been widely briefed on relevant areas of development such as the Sustainable Water Strategy and the new mining regulations.

Internally within the Authority, we have seen a few staff changes this year. We now have an interim CEO, Jenny Brereton, who is leading the work of the Authority and is building a strong team spanning engagement, education and advice. Jenny has been ably supported by her executive assistant, Suzanne Fussell, our long-standing technical specialist,

Rhonda Hastie, and recent appointments, technical specialist, Nathan Gardiner, senior engagement officer, Rosemary Joiner, education officer, Andrew Mains and finance and accounts officer, Bimal Batra. The team is making great strides in delivering the underpinning work required for the Authority to deliver its role and functions.

An exciting development is the Latrobe Valley Hub created under the Collaborative Research Centre for Transformation in Mining Economies (CRC-TiME). CRC-TiME is a large national research program funded by the Federal Government, Industry and Academia and the Hub is a great way for the region to benefit from the research that is being undertaken both within the Latrobe Valley and across Australia under CRC-TiME. The Authority is supporting the Hub's operations alongside Federation University and EnergyAustralia, who are both partners in the program. I am delighted to be a member of the CRC-TiME research committee.

The Authority has been working closely with stakeholders, particularly on the Latrobe Valley Regional Rehabilitation Strategy (LVRRS) Implementation Actions, and has provided regular advice and feedback on a wide range of matters relevant to achieving good outcomes for the region.

The Authority has been developing its strategy to meet the needs of the region for knowledge acquisition, sharing and collaboration on all rehabilitation matters. The development of the Authority's Monitoring and Evaluation Framework over the year provides the foundations for much of the Authority's oversight and advisory contributions. Once community consultations on the Framework are completed it will be implemented in full, early in the coming year.

The Authority's senior engagement officer, with full support of 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. It is wonderful to see the community's level of commitment and engagement.

A series of four informative videos about mine rehabilitation have also been developed this year.

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*, I present the Authority's Annual Report for the year ending 30 June 2022.



Rae Mackay
Chair

30 June 2022

02

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) Act 1990 (MRSDA)*.

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 pursues 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.

In the fourth quarter of this year we completed significant work on our strategy and vision which will be reflected in the coming 12 months.







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; and
-  promote and lead community and stakeholder engagement on rehabilitation and management of declared mine land.

Values

The Authority is

-  honest
 -  reliable
 -  transparent
 -  rigorous
 -  unbiassed and
 -  accessible
- in all its operations.

Background

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.

Recommendation 15 of the 2015 Hazelwood Mine Fire 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*, 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 acts as a coordinating body for mine rehabilitation within the Latrobe Valley and has a number of functions including:

- ensuring that declared Mines are monitored and evaluated;
- encouraging Engagement and Participation across our stakeholders;
- evaluating and, if required, conducting Research;
- reporting to the Minister for Resources;
- future management of landform post mining;
- mining license relinquishment; and
- residual risk post-rehabilitation.

The Authority reports through its Board to the Victorian Minister for Resources, the Hon. Jaala Pulford MP is the responsible Minister since 23 August 2021. the Hon. Jaclyn Symes MP was the preceding Minister for Resources.

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 centered in the Latrobe Valley.

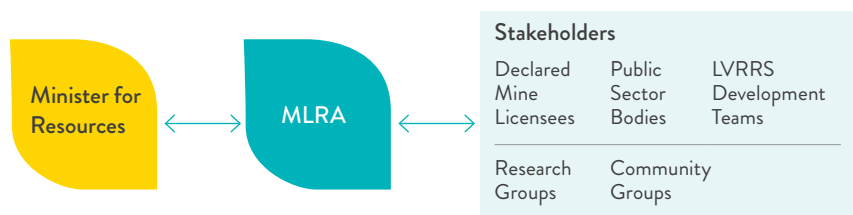
The Authority is accountable to the Victorian Government, through the Minister for Resources, for fulfilling its statutory responsibilities in line with government policy and within an appropriate governance framework.

These responsibilities include providing evidence-based advice and recommendations directly to stakeholders such as the Minister for Resources, the Department of Jobs Precincts and Regions (DJPR), 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.

The LVRRS (2020-2023) 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 MRSDA 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.

Work is currently underway on the LVRRS which is due for review by mid-2023.

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. Guidance on potential water sources and access arrangements for mine licensees to undertake rehabilitation.
4. Further 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 MRSDA, the objectives of the Rehabilitation Authority are to provide assurance to the Victorian community;

- a. that public sector bodies and the Latrobe Valley licensees are implementing the regional rehabilitation strategy;
- b. that public sector bodies and the declared mine licensees are planning for the rehabilitation and ongoing management of declared mine land;
- c. to promote the participation of the community and stakeholders from the Latrobe Valley, in the implementation of the regional rehabilitation strategy;
- d. to promote the effective and consistent rehabilitation of coal mine land in accordance with the regional rehabilitation strategy;
- e. to promote the sustainable and beneficial use of coal mine land in accordance with the regional rehabilitation strategy; and
- f. 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 MRSDA, and 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;
- engaging with and conducting meetings between relevant groups and persons;
- 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 MRSDA granted the Authority all powers necessary or convenient to perform these functions.

05

PERFORMANCE REPORT

This report describes the activities of the Authority from June 2021 to June 2022. It reports against the strategic plan objectives captured in the Corporate Plan. The second corporate plan for the Authority has been drafted and is with DJPR for review. It covers the reporting period and the future period to 2026.



Strategic Objectives

Based on its functions and powers as defined in the MRSDA, the Authority adopted four strategic objectives for the 2021 to 2022 period.

Strategic objectives	Implementation Actions	Delivery
Establish administrative, staffing, and policy framework for the organisation	Recruit and develop staff for proposed structure.	Complete staff recruitment by Q4 2021 – an interim CEO, Technical Specialist, Senior Engagement Officer, Education Officer, and Finance and Accounts Officer were recruited in the period
	Staff and operational performance reviews undertaken.	<ul style="list-style-type: none"> • Semi-annually, per individual • Annual report published
Engage with the community and stakeholders in relation to the rehabilitation of declared mine land	Continue to implement the current Communications and Engagement Strategy, including maintaining communications schedule of webinars, newsletters, media communication.	See Community Engagement Section
	Review and update the strategy when the new Senior Engagement and Education Officers are in place.	Strategy reviewed – to be reviewed annually
Provide advice to the Minister as defined in the MRSDA and key stakeholders	Review outputs of the LVRRS Implementation Actions	<ul style="list-style-type: none"> • Completion of technical reviews for LVRRS Implementation Actions
	Provide input to and assist in the review and update of the LVRRS once Implementation Actions are complete.	<ul style="list-style-type: none"> • LVRRS update due in 2023 when technical reviews will occur
	Provide timely advice to the Minister on the status of declared mine rehabilitation and activity-level advice for each stakeholder.	<ul style="list-style-type: none"> • Finalise and implement Monitoring and Evaluation Framework • Meet statutory review timeframes for Rehabilitation Plans. • Ongoing advice and oversight of declared mines' and public body rehabilitation activities as part of Monitoring and Evaluation Framework. • Develop and internally publish Data Management Framework – Q4 2022 • Undertake annual Data Management and Monitoring and Evaluation Framework reviews.
To facilitate research in relation to the rehabilitation of declared mine land, particularly regarding public safety, the environment and relevant infrastructure	To develop a strategy and policy relating to Authority's role in research which relates to mine rehabilitation, considering all other relevant rehabilitation research activities.	<p>Develop and internally publish research framework – Q4 2022</p> <p>Annual research framework review</p>
	Participate in establishment and operation of CRC-TiME Regional Hub.	Hub established by Q4 2021

Governance

Board Activities

The Board met five times across the reporting period. The Board participated in a risk assessment workshop from 4-6 October 2021 as well as a Strategic planning day in January 2022. The Board maintained detailed oversight of the work of the Authority during the period covering preparation of the Monitoring and Evaluation Framework, the Ministerial Referral for Hazelwood, the Authority's Engagement Strategy and the preparation of the Authority's Research Framework. The Board received introductions to the Sustainable Water Strategy, activities of the Latrobe Valley Irrigators, the new CEO of the Latrobe Valley Authority, Chris Buckingham, as well as updates from DJPR's Resources division including Earth Resources Regulation and Earth Resources Policy and Programs.

While the MLRA operates independently from other government departments, it is administratively located within the Forestry, Resources and Climate Change group, DJPR and uses all applicable DJPR policies and processes. Where appropriate, the Board has developed MLRA specific governance covering charters, functions, delegations, media and performance.

Board committees:

The Audit Finance and Risk Committee oversees and advises the Board on matters of accountability relating to financial accounting practices, risk management, internal control systems and external financial reporting. The Committee met three times during the year.

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. The Committee met twice during the year.

CEO Appointments:

Following the departure of the Authority's inaugural CEO, David Salmon, in September 2021, Rhonda Hastie was appointed as Acting CEO of the Authority to allow time for recruitment to the CEO position. The Authority appointed an Interim CEO, Jenny Brereton, in April 2022.

Operational Program

Staffing

During the period under review an Interim CEO, a Technical Specialist, a Senior Engagement Officer, an Education Officer and a Finance and Accounts Officer were appointed.

Planning

The MLRA's first Corporate Plan covering the period from 1 July 2021 to 30 June 2025 was endorsed by the Minister in October 2021. The plan has been updated this year for the period to 30 June 2026 and to guide specific actions for the next annual report period 1 July 2022 to 30 June 2023. The Corporate Plan sets strategic goals, including actions to enable the Authority to undertake its future functions with respect to declared mine license relinquishment and the management of residual risks.

Risk register

The Authority maintains a strategic risk register that accompanies the Corporate Plan. Three facilitated workshops were held between the 4 October 2021 and 18 October 2021 to refine, expand and update the risk areas identified in the 2021-2025 Corporate Plan. Annual updating of the risk register is required with the next review scheduled for the third quarter of 2022.

Prior to declared mine relinquishment, the Authority is projecting that its oversight and engagement functions will only be subject to low to medium risks and very low liabilities. This risk profile will only change if additional mines are declared and additional Authority resources are not available, or if those mines are close to relinquishment, which would bring forward the Authority's role as a land manager.

Monitoring and Evaluation Framework

Over the last year the Authority has been working on the development of a new Monitoring and Evaluation Framework. In its first year of operation the Authority continued to use the Commissioner's Monitoring and Evaluation Framework and this has continued during the current annual period. 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 license is relinquished.

Consultation on the development of the framework is required by statute. The draft framework was shared with all three mine Licensees in October/November 2021 for communication and feedback. Following detailed comments from the Licensees as well as from the Board, updates were made to the framework and a final draft was prepared and completed in June 2022. Public consultation on the framework commenced in late June 2022, will be open for a month, and will include a factsheet, newsletter items, website and social media updates, in addition to a webinar and two open house sessions. It is expected that the new Framework will be published and implemented early in the next reporting period.

Functions and exercise of powers

Engagement

The Authority implemented its Engagement Strategy across the period through a dedicated workplan addressing the needs of the community and stakeholders, comprising Traditional Owners, public bodies, mine operators, industry, and research groups.

Community

The Authority conducted a broad range of community engagement activities:

- Five webinars; four Mineland Chats, informal and interactive chats where participants could ask questions and give opinions on matters relating to the rehabilitation of the Latrobe Valley's brown coal mines, and one webinar on the theme of *Mine rehabilitation: an inter-generational process*.
- One community event; on the theme of *Integrating values in post-mining transitions – the experience of Lusatia, Germany*.
- Three newsletters; our quarterly newsletter *the Mine Land Post* keeps the community updated on what's happening in mine rehabilitation and transition, and at the MLRA.
- One competition; a chance for young people to think about rehabilitated landforms as building blocks for the future.
- 168 Social media posts spanning a wide variety of topics relating to mine rehabilitation and transition.
- Four presentations to community groups; including opportunities for meaningful Q&A.
- One school visit; involving young people in the mine rehabilitation conversation.
- Three Radio interviews.
- In March the Authority's Board Chair, Emeritus Professor Rae Mackay, presented as a witness to the Inquiry into the Closure of the Hazelwood and Yallourn Power Stations, speaking on topics such as land use transition, community preferences for rehabilitated land and water security.

Stakeholder Engagement

Traditional Owners

MLRA has engaged with Gunaikurnia Land and Waters Aboriginal Corporation (GLaWAC) in several forums. The MLRA has provided information and assistance in arranging on Country tours for GLaWAC, being an external tour hosting the Victorian Environmental Water Holder, and a mine site tour to AGL for GLaWAC staff.

Public Bodies and Government Departments

In addition to providing the Minister's office with updates on Authority functions and actions and to discuss issues affecting rehabilitation planning and implementation, regular engagement was undertaken with key public bodies and government departments including:

- Regular updates and discussions with the Water and Catchments Group of the Department of Land, Water and Planning (DELWP) on the LVRRS water actions covering climate predictions, water availability and manufactured water.
- Engagement with DJPR Earth Resources Policy and Programs on mine rehabilitation legislation, regulations and guidance, with particular interests in the LVRRS regulation action covering Declared Mine Rehabilitation Plans.
- Discussions with Southern Rural Water (SRW) on the forthcoming groundwater licence renewal for each of the declared mine licensees.
- Liaising with Gippsland Water and the West Gippsland Catchment Management Authority on matters of water management and supply across the Latrobe River network.
- Provide technical advice to government departments on mine rehabilitation when requested.
- Meetings were held with the Latrobe Valley Authority (LVA) to discuss aligned opportunities around mine rehabilitation and issues around transition for the Latrobe Valley region. Connecting short and near term objectives for economic transition support by the LVA with the longer term objectives of mine rehabilitation, and post closure beneficial uses of mine land supported by the Authority. Offers important benefits to the region and the long-term economic and social prosperity of the community.

Oversight and Advice

Latrobe Valley Regional Rehabilitation Strategy

Throughout the year, the Authority has maintained close communications with both the DELWP and DJPR on the stakeholder feedback and refinement of the work under each of the Implementation Actions. Meetings have been held regularly with both Departments. In addition, the Authority attended, as an observer, the DJPR and DELWP led meetings with key stakeholders where the preliminary technical findings of the LVRRS Implementation Actions were presented and discussed. In addition to general oversight of the Implementation Actions, specific activities on each of the actions are considered below.

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

- Guidelines for assessing the impact of climate change on water availability in Victoria were published on DELWP's website (<https://www.water.vic.gov.au/climate-change/adaptation/guidelines>) and workshops were held on the application of the guidelines in the mine rehabilitation context with Mine Licensees, their consultants, DJPR and MLRA following the completion of this action in late 2020. No further work has been undertaken on this matter during this annual reporting period.

IA2 Develop new Declared Mine Regulations

- The development of the regulations covering Declared Mine Rehabilitation Plans was deferred by Earth Resources Policy and Programs until this year.
- A draft copy of the Mineral Resources (Sustainable Development) (Mineral Industries) Amendment Regulations 2022 relating to Declared Mine Rehabilitation Plans was provided to the Authority in February 2022. These draft regulations were reviewed, and comments returned in March 2022. A series of online workshops were initiated at the end of June between Earth Resources Policy and Programs and the Authority to discuss and clarify some aspects of the regulations.
- Further, written comments were provided on the draft Regulatory Impact Statement (RIS), which supports the draft Regulations, in April 2022.

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

- In July 2021, written feedback was provided to DELWP and the West Gippsland Catchment Management Authority (WGCMA) on a draft report on water access for mine rehabilitation and associated risks and benefits. The aim of the report was to assist both DELWP and WGCMA to understand the implication of water access conditions that may be placed on future water entitlement and access.
- MLRA attended, as an observer, briefings with key stakeholders on the preliminary technical analysis from November 2021 – January 2022, feedback from which will be used to refine the draft technical assessments and Guidance

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

- During the reporting period, DELWP continued to refine manufactured water options. In support of DELWP's investigations, comments were provided by the Authority on the technical work completed to assess manufactured water options for mine rehabilitation in the Latrobe Valley.
- MLRA attended, as an observer, briefings with key stakeholders on the preliminary technical analysis from November 2021 – January 2022, feedback from which will be used to refine the manufactured water options assessment.

IA5 Alternative and contingency rehabilitation options

- DJPR continued in this annual report period to improve the technical basis for its assessment of alternative rehabilitation options. In support of the assessments being undertaken, the Authority technical team met approximately fortnightly with DJPR's team to review the outputs from the modelling being undertaken and to provide advice on the future direction of the studies.
- Authority staff attended a number of focused workshops during the year and also commented on the reports generated through this Implementation Action.

IA6 Support Integrated Mines Research Group

The Authority technical staff attended Integrated Mine Research Group meetings during the year to review progress on research programs and future plans. The Authority technical staff also reviewed research funded through the LVRRS covering aspects of mine slope stability above and below a final lake level.

Mine Licensees

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

AGL – Loy Yang

A number of meetings have been held with AGL Loy Yang to discuss rehabilitation, closure plans, monitoring and evaluation, and engagement.

The MLRA provided input and attended a Rehabilitation Risk Assessment workshop in July 2021. The MLRA provided a review of preliminary LVRRS findings on water and participated in a workshop, delivered by DELWP in October 2021. The MLRA was hosted by AGL for a site tour in November 2021.

AGL Loy Yang were invited to provide input into the Authority's Monitoring and Evaluation Framework and this input was considered as part of the review process. AGL Loy Yang were also invited to take part into the broader consultation into the framework and the related events.

MLRA team members continue to attend and provide input into meetings of the AGL Loy Yang's Community Dialogue group and Environmental Review Committee.

ENGIE – Hazelwood

The Authority has held a number of meetings with ENGIE Hazelwood to discuss rehabilitation, closure plans, monitoring and evaluation, and engagement.

The Authority invited ENGIE Hazelwood to provide input into its Monitoring and Evaluation Framework and this input was considered as part of a review process. ENGIE Hazelwood were also invited to take part into the broader consultation into the framework and the related events.

In March 2022, when the Queensland Mine Rehabilitation Commissioner James Purtill visited the Latrobe Valley, the Authority facilitated a visit from the Commissioner to ENGIE Hazelwood. The MLRA attended quarterly meetings of ENGIE's Environmental Review Committee (ERC).

The Authority are represented on Technical Review Guide Hazelwood Rehabilitation Project – Environment Effects Statement referral process and have met with ENGIE Hazelwood as part of the consultation process around the Environment Effects Statement process.

EnergyAustralia – Yallourn

A number of meetings have been held with EnergyAustralia to discuss rehabilitation, closure plans, monitoring and evaluation, and engagement. In November EnergyAustralia provided the MLRA with a detailed briefing on its progression on Rehabilitation works at the Yallourn site to date, and detailed planning for upcoming works.

EnergyAustralia provided input into the Authority's Monitoring and Evaluation Framework and this input was considered as part of a review process. EnergyAustralia were also invited to take part into the broader consultation into the framework and related events.

In May 2022, the MLRA team met with the Aurecon group to provide feedback into EnergyAustralia's Community Engagement plan.

Ministerial Referral on Hazelwood Mine Rehabilitation

The Minister for Resources, the Hon. Jaala Pulford MP, referred five matters for investigation related to rehabilitation planning for Hazelwood mine to the Authority on 30 September 2021. The five matters covered are:

- recommended methods for geotechnical assessments;
- defined reference water fill levels;
- rehabilitation risks;
- rehabilitation planning; and
- post rehabilitation risk management.

The referral was published in the Government Gazette G.39. A final report is currently being prepared.

Research

The Authority received funds in the November 2021 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.

The MLRA will develop a research framework by end of 2022 to ensure appropriate fund allocation and to encourage relevant research be carried out on mine rehabilitation by research organisations.

The Mine operators jointly manage research and share research findings through the Integrated Mines Research Group (IMRG). The Authority attends meetings of the IMRG by invitation and provides advice.

The Authority supports the Latrobe Hub of the Federal and Industry funded Cooperative Research Centre for Transformations in Mining Economies (CRC-TiME). CRC-TiME brings together mining and mining service companies, regional development organisations, State and Commonwealth Governments and research partners to bring coordinated investment into research that addresses the challenges underpinning mine closure and relinquishment. EnergyAustralia, Federation University and DJPR are partners in CRC-TiME.

CRC-TiME's Latrobe Hub is a community of practice comprised of local organisations, who share knowledge and develop ideas to support the development and ongoing sustainability of the Latrobe City region.

In November 2021, the Authority partnered with Federation University to present a community event; on the theme of *Integrating values in post-mining transitions – the experience of Lusatia, Germany*. This event was co-hosted by the MLRA, Federation University and CRC-TiME.

In March 2022, the Authority hosted the CRC-TiME Latrobe Hub meeting at its offices at the Latrobe Valley GovHub in Morwell. This meeting brought together Latrobe Hub members including representatives from mine licensees, Federation University, CSIRO, Latrobe City Council, West Gippsland Catchment Management Authority and Latrobe Health Assembly.

The Authority's Board Chair continues to hold a role as a member of CRC-TiME's Research Committee.

Strategic Audits and Investigations

Under the MRSDA, 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 2021–22. 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.

Investigations

Paragraph 84AL(1)(j) states that the Authority will 'carry out investigations on the referral of the Minister'. An example of this is the Hazelwood mine investigation relating to the stability of the mine, particularly areas adjacent to the Princes Freeway in the north-east.




06

GOVERNANCE AND ORGANISATIONAL STRUCTURE

The six member Board of the Authority was appointed by the Minister for Resources. Each member holds office for a term of three years with the current Board term completing in June 2023.

The Board sets strategic direction and oversees the organisation's management and performance. Board meetings are held every second month.



At 30 June 2022 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.

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

Corinne has more than 30 years' knowledge and experience in managing and researching mine rehabilitation and closure.

Corinne's recently completed PhD in social science examined how slow growing inconspicuous 'insidious' risks are managed as typified by mine rehabilitation and closure, building upon her qualifications and expertise in environmental science. Corinne understands mine rehabilitation and closure and related stakeholder roles from multiple perspectives: from within the mining industry, government and as a researcher. She is a Chartered Professional (Env), was inaugural Chair of the AusIMM's Community and Environment Society, plus recipient of an AusIMM Excellence Award in 2018. Corinne completed a [Churchill Fellowship](#) study on 'leading practice abandoned mine rehabilitation and post-mining land use' in Austria, Germany, UK and Canada then developed a jurisdictional maturity model for managing and evaluating abandoned mine programs in Australia. Corinne understands brown coal mine rehabilitation, closure and post-mining use from direct experience in Germany and in her role as Board Member on the Technical Review Board for the Victorian Government. Corinne leads an ISO working group developing an international standard on 'Managing Mining Legacies', and is currently a Postdoctoral Research Fellow at the University of Queensland Business School.



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, works part-time at Federation University and chairs the Community Advisory Group at the Star of the South offshore wind farm.

Table 1. Details of each member's appointment and attendance for the 2021–22 period

Name	Date appointed	End of current term	Board Meetings Attended	Meetings eligible to attend
Rae Mackay (Chair)	30 June 2020	29 June 2023	5	5
Christine Trotman (Deputy Chair)	30 June 2020	29 June 2023	5	5
Ian Nethercote	30 June 2020	29 June 2023	5	5
Claire Miller	30 June 2020	29 June 2023	4	5
Corinne Unger	30 June 2020	29 June 2023	5	5
Ian Gibson	30 June 2020	29 June 2023	5	5

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	3	3
Corinne Unger	Y	30 June 2020 to 29 June 2023	2	3
Claire Miller	Y	30 June 2020 to 29 June 2023	3	3

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	2	2
Ian Gibson	Y	30 June 2020 to 29 June 2023	2	2
Rae Mackay	Y	30 June 2020 to 29 June 2023	2	2

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. Staff returned to the office in 2022 and have continued to work flexibly.

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 Specialists (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 previous 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. Upon David's departure, the Authority firstly appointed Rhonda Hastie as Acting CEO and subsequently appointed Interim CEO, Jenny Brereton in April 2022.

The composition of the Authority's workforce as at 30 June 2022 is tabulated and represented in the figure below. As the Authority has only been in existence since 30 June 2020, only two year of data is presented. Employees have been correctly classified in workforce data collections.

Classification	2021–2022	
	Employees (head count)	FTE
CEO	1	1
Technical Specialists (VPS-6)	3	2.6
Executive Assistant (VPS-4)	1	1
Finance and Accounts Officer (VPS-3)	1	0.4
Senior Engagement Officer (VPS-5)	1	1
Education Officer (VPS-4)	1	1
Graduate (VPS-2)	1	1
Total	9	8
Men	4	4
Women	5	5
Self-described	0	0
Total	9	9
Under 25	1	
25-34	0	
35-44	2	
45-54	2	
55-64	3	
Over 64	1	
Total	9	

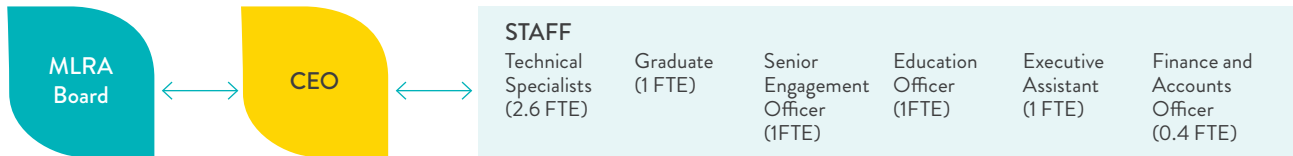
Notes:

FTE = Full time equivalent

All figures reflect employment levels during the last full pay period in June 2022.

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 2022

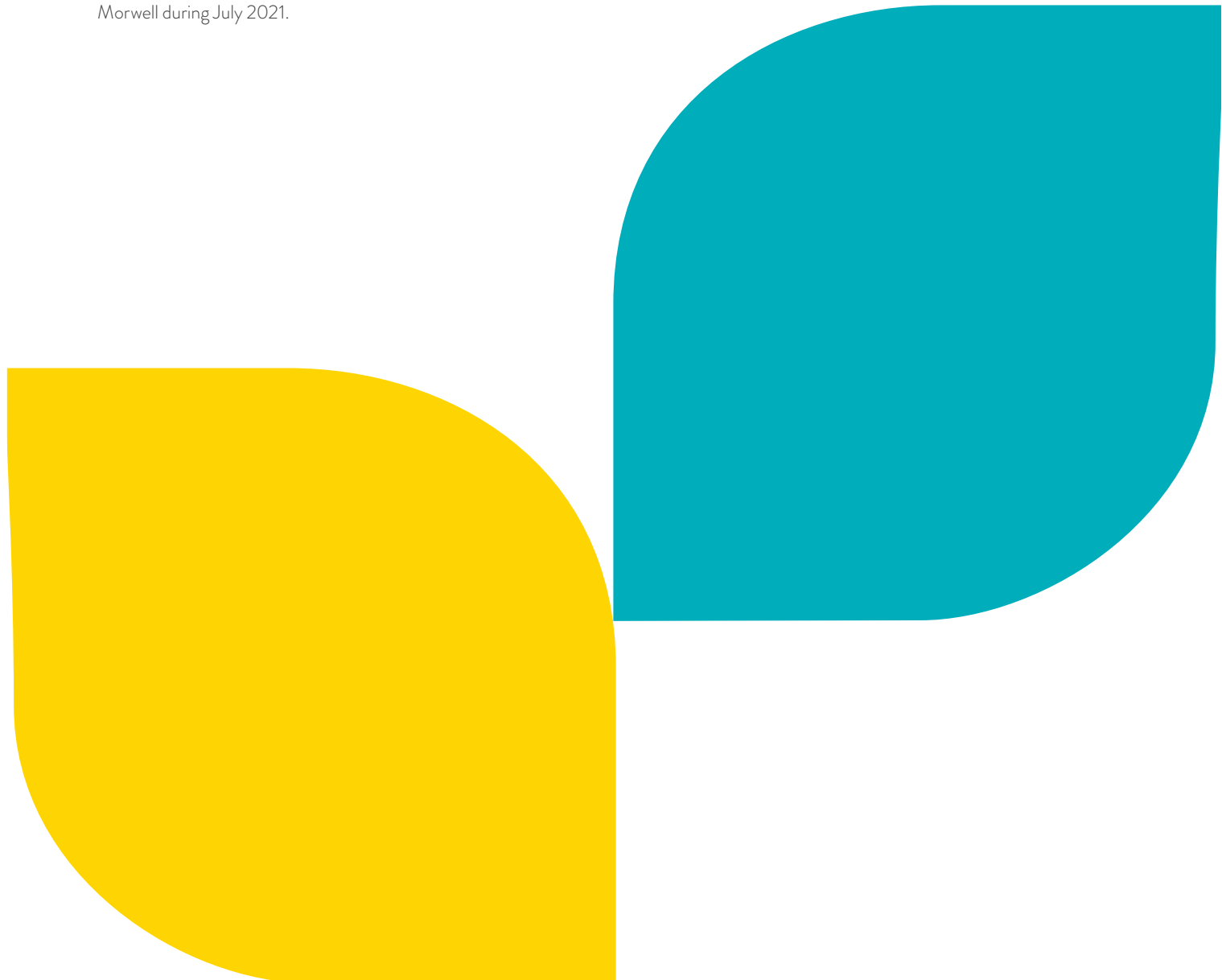


Other Disclosures

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

Office relocation

The Authority moved to the GovHub at 65 Church Street, Morwell during July 2021.



FREEDOM OF INFORMATION

The *Freedom of Information 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 \$30.60 applies. Access charges may also be payable if the document pool is large, and the search for material time consuming.

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:

Chief Executive Officer
Mine Land Rehabilitation Authority
65 Church Street
Morwell VIC 3840

FOI statistics/timeliness

During 2021 - 2022, 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



MINE LAND
REHABILITATION
AUTHORITY

Mine Land Rehabilitation Authority
65 Church Street
Morwell, VIC 3840
1800 571 966

mineland.vic.gov.au