



Annual Report
2022–23
(Report of Operations)



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Mine Land Rehabilitation Authority
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Here at the Mine Land Rehabilitation Authority 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* and section 84AZH of the *Mineral Resources (Sustainable Development) Act 1990*, I am pleased to present the Mine Land Rehabilitation Authority's annual report for the year ending 30 June 2023.

This annual report is a report of operations prepared in accordance with the *Financial Management Act 1994* as well as a performance report prepared in accordance with the *Mineral Resources (Sustainable Development) Act 1990*.

The financial statements of the Mine Land Rehabilitation Authority for the year ending 30 June 2023 were consolidated with the Annual Reports of both the Department of Energy Environment and Climate Action as well as the Department of Jobs, Skills, Industry and Regions (formerly the Department of Jobs, Precincts and Regions) in accordance with a determination made by the Assistant Treasurer under section 53 of the *Financial Management Act 1994*. In accordance with section 8(3)(d) of the *Financial Management Act 1994* and Standing Direction 1.5, the Assistant Treasurer has exempted the Mine Land Rehabilitation Authority from the requirements of the Standing Directions for the year ending 30 June 2023.



Emeritus Professor Rae Mackay
Chair, Mine Land Rehabilitation Authority

30 June 2023

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01

CHAIR'S FOREWORD



I would like to acknowledge the traditional land of the Brayakaulung people of the Gunaikurnai nation and pay respect to their Elders past and present.

The last year has been an important year for the Mine Land Rehabilitation Authority (the Authority). The confirmation of Dr Jennifer Brereton as the Authority's full time CEO and the consequent consolidation of management has delivered a strong platform for the Authority's ongoing long-term role as a facilitator, coordinator and overseer of rehabilitation and relinquishment of mine land for future beneficial uses. The Authority's Monitoring and Evaluation Framework was published in September 2022 after being completely updated. The update reflects the implementation of the Latrobe Valley Regional Rehabilitation Strategy as well as the substantial timeline changes for rehabilitation of the brown coal mines as Victoria transitions to renewable energy. These changes have underlined how important it is for the Authority to assess, advise and communicate on all aspects of rehabilitation from planning and stakeholder engagement to implementation and regulation.

ENGIE Hazelwood continues to progress its Environment Effects Statement (EES) to allow public assessment of the relevant aspects of its plans for rehabilitation of Hazelwood mine, noting many elements of those plans have already been completed or are outside the scope of the Environment Effects Statement and captured by separate existing regulatory processes. The proposed scope for the EES was released for public consultation with expectation of completion of the EES submission and final assessment within the next two years. The Federal Government also confirmed a requirement to assess and approve aspects of Hazelwood's rehabilitation plans through the *Environment Protection and Biodiversity Conservation Act 1990 (Cth)*. EnergyAustralia has been proactive in involving the MLRA in their rehabilitation planning processes including developing and implementing its five-year study plan to support final rehabilitation plans for Yallourn mine. The notice of early closure of Loy Yang A power station in 2035, more than a decade earlier than originally planned, was also announced

this year alongside a change in the business plans for the power station's owner AGL. The implications of a shorter timeline for decisions around the future of Loy Yang mine and the development of options for mine redesign and final rehabilitation planning are profound. The timelines for approvals and access to resources to support rehabilitation at all three mines are now concentrated into a much shorter period.

There have been regulatory amendments to the *Mineral Resources (Sustainable Development) Act 1990* that are necessary to support final rehabilitation of all three declared mines. In September 2022, the amended regulations for declared mines were published. The new regulations establish the requirements for detailed rehabilitation planning and set out a timeline of three-years for the mine operators to develop and submit their detailed rehabilitation plans. Finally, the Latrobe Valley Regional Rehabilitation Strategy has been in place for three years and has been under review. These developments have demanded considerable investments of time and effort from the Authority's technical staff. The team has performed well on all aspects of their oversight of the rehabilitation planning by mine licensees and government as well as delivering timely advice to stakeholders. This has been made possible by the embedding of excellent management and recording practices.

Alongside the technical program, considerable advances have been made in community engagement and education. A major effort has been made by the Authority's engagement team to provide clear and reliable information about the practical reasons and requirements for mine rehabilitation and to provide wider awareness of mine rehabilitation issues regionally, nationally, and internationally. Informative factsheets have been developed that sit alongside a suite of short videos and other resources accessible through the Authority's recently refreshed website. Links to schools have developed substantially

and the educational resources being developed are engaging young people with the social and economic transitions underway across the region. This work is not only essential to ensure that the community are well informed, but also that there is a high level of trust in the work of the Authority.

It has been particularly pleasing to see the Authority's partnerships with the Gunaikurnai Land and Waters Aboriginal Corporation and the regional and national rehabilitation research communities through the Cooperative Research Centre for Transformations in Mining Economies (CRC-TiME). The Authority can rightly be pleased with the progress it has made across these spheres of activity.

Each development provides a snapshot of the challenging work that has been underway. Importantly, they provide clear perspectives of the effort needed going forward to deliver the functions of the Authority. The provision of a clear, reliable platform for meaningful consultation and engagement will remain key to the success of rehabilitation planning and delivery for the region.

The Board has been delighted both with the progress that has been made by the Authority's staff in meeting their objectives and their sense of purpose and direction while carrying out their duties.

This Annual Report provides a brief overview of the work completed this year to meet the Authority's statutory obligations. The work has been completed within the annual budget provided to the Authority by Government.

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



Emeritus Professor Rae Mackay
Chair

30 June 2023

02

ABOUT THE MINE LAND REHABILITATION AUTHORITY

The Mine Land Rehabilitation Authority (the Authority) is an independent statutory body established on 30 June 2020 under amendments to the *Mineral Resources (Sustainable Development) Act* (MRSDA). These amendments gave effect to the recommendation in the *Hazelwood Mine Fire Inquiry Report 2015–16* that the Victorian Government establish an independent statutory body to provide greater coordination and oversight of mine rehabilitation.

The Authority oversees the rehabilitation of declared mine land and ensures its transition to safe, stable and sustainable post-mining landforms. It achieves this by facilitating equitable, informed mine rehabilitation outcomes for all, working with community, industry and government. Mine rehabilitation means returning land disturbed by mining to a safe, stable, and self-sustaining condition that enables beneficial uses of the land.

The Authority is tasked with providing assurance to the Victorian community of the planning for the rehabilitation of declared mine land and the effective implementation of the regional rehabilitation strategy.

As a statutory authority we are accountable to the Victorian Government through the Minister for Energy and Resources in line with the MRSDA.



OUR GOAL

In planning for the management of declared mine land the MLRA will facilitate mine rehabilitation and long-term stewardship to maximise benefits and minimise potential long-term costs (environmental, social and financial) to the Victorian community.



WHAT WE DO

We facilitate equitable, informed mine rehabilitation outcomes for all by providing rigorous, clear and independent advice within a framework of collaboration, education and engagement.

2.1 Vision (Our goal)

In planning for the management of declared mine land the Authority will facilitate mine rehabilitation and long-term stewardship to maximise benefits and minimise potential long-term environmental, social and financial costs to the Victorian community.

2.2 Mission (What we do)

We facilitate equitable, informed mine rehabilitation outcomes for all by providing rigorous, clear and independent advice within a framework of collaboration, education and engagement.

2.3 Values

The Authority is:

- honest
- reliable
- transparent
- rigorous
- unbiassed
- accessible

in all its operations.

2.4 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.

Under the MRSDA, the Authority acts as a coordinating body for mine rehabilitation of Victoria's Declared Mines 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 Energy and Resources (formerly the Minister for Resources)
- future management of landform post mining
- mining license relinquishment and
- residual risk post-rehabilitation.

The Authority reports through a Board of Directors to the Victorian Minister for Energy and Resources. The Hon. Lily D'Ambrosio MP is the responsible Minister since December 2022. The Hon. Jaala Pulford MP was the preceding Minister for Resources.

2.5 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 by the Minister for Energy and Resources to pose a significant risk to safety, the environment, or infrastructure because of geotechnical, hydrogeological, hydrological or water quality factors within the mine (MRSDA, section 7C). 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 Energy and 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, notably the Minister for Energy and Resources, the Department of Energy, Environment and Climate Action (DEECA) Resources Victoria group – the Earth Resources Regulator and Earth Resources Policy and Programs (ERPP) team, and the Declared Mine Licensees – ENGIE (Hazelwood), EnergyAustralia (Yallourn), and AGL Energy (Loy Yang) concerning mine rehabilitation planning and outcomes. The Authority also provides and gathers information and advice from other interested parties, as appropriate, including Alinta Energy who operate Loy Yang B power station, Latrobe City Council and the Latrobe Valley Authority.

The Authority is required to assist the Government in assessing the amounts to be paid by declared mine licensees or landowners into the Declared Mine Fund based on the Declared Mine Rehabilitation Plan (DMRP). 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 no declared mine licensee is 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.

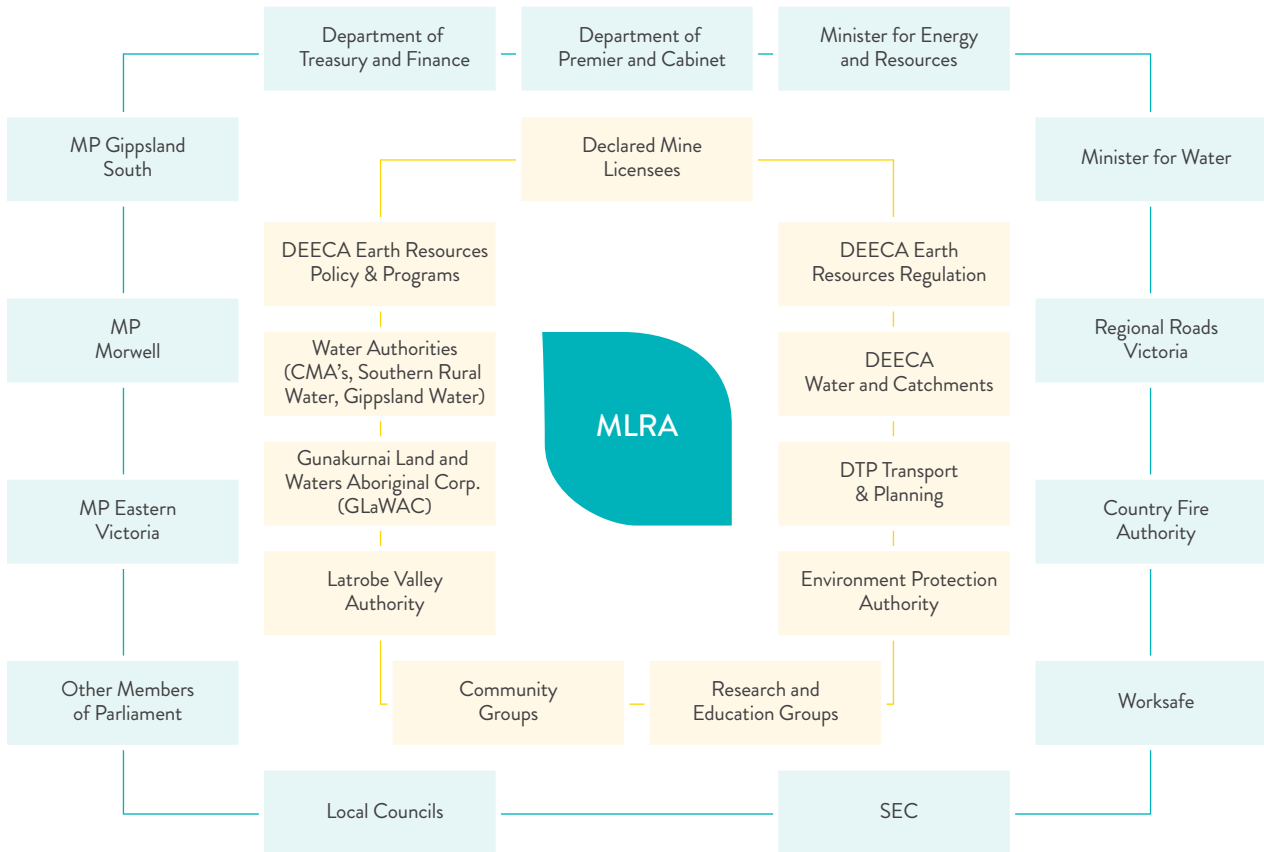
The Authority's relationships to stakeholders are shown in the diagram below (Figure 1). The Authority principally acts as a conduit and facilitator, providing information to stakeholders and listening to and addressing their concerns. Establishing strong, two-way communications is essential to performing our role well and to building trust in the rehabilitation processes and outcomes.

The Authority leads and facilitates community and stakeholder engagement activities, ensuring that communities have an opportunity to provide input into 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 also provides advice to Resources Victoria responsible for the implementation and updating of the LVRRS as well as reviewing the outputs of the implementation actions required as part of the strategy.



Figure 1. The Authority's primary stakeholder connections



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LATROBE VALLEY REGIONAL REHABILITATION STRATEGY (LVRRS)

For most mines in Australia, rehabilitation is managed on an individual basis. However, the proximity of the three Latrobe Valley brown coal mines to each other, and their size relative to the connecting landscape, means that their collective impacts on the environment and on future socio-economic development of the region must be addressed as part of rehabilitation and closure planning for each mine. The objective of the LVRRS is to ensure the collective impacts are appropriately addressed. The LVRRS was developed between 2017 and 2020 and published in June 2020.



The LVRRS provides guidance to the mine licensees, government, the community and other key stakeholders on issues that need to be considered in planning for and undertaking rehabilitation of the Latrobe Valley's three brown coal mines. The LVRRS is clear that mine rehabilitation must plan for a drying climate and that the rights of existing water users, including farmers, towns, industry and the environment, must be protected during any rehabilitation process. The LVRRS identified six Implementation Actions (IA), namely:

- IA1.** Provide guidance on the use of climate change scenarios for water resource planning for mine rehabilitation
- IA2.** Develop new Declared Mine Regulations
- IA3.** Guidance on potential water sources and access arrangements for mine licensees to undertake rehabilitation
- IA4.** Further assess the feasibility of alternative water sources that could be used for mine rehabilitation
- IA5.** Identify alternative/contingency rehabilitation options to manage land stability and fire risks if sufficient water is not available
- IA6.** Support Integrated Mines Research Group.

Since the strategy's release considerable work has been completed on these actions involving a range of government departments and stakeholders. Importantly, this year the new Declared Mine Regulations were released. In the first half of this year, the Authority provided extensive review and feedback on the regulations during their preparation. The regulations provide for a significant enhancement to the requirements for mine closure and relinquishment of declared mine land and provide greater clarity for stakeholders on the expectations for consultation and reporting required for approval of rehabilitation plans.

The MRSDA requires that the Strategy is reviewed at least once every three years after it is published, with the first review due to have been completed by the end of June 2023. The Authority has contributed to the review process through regular engagement with the Resources Victoria ERPP team assigned to undertake the review. This engagement has taken the form of fortnightly meetings, scope reviews, review of technical documents, participation in workshops and the contribution of approaches for consideration for amendments to the strategy for the forthcoming three years.

As part of the review process, it is anticipated that the outcomes of studies completed for IA 3, 4 and 5 will be published during the next annual reporting period.



04

OTHER AUTHORITY ACTIVITIES



The Authority has been engaged in a broad spectrum of other activities directly associated with its remit including:

- ongoing engagement with mine licensees on all matters related to their current closure plans and ongoing rehabilitation studies, investigations, and works
- assisting Resources Victoria ERPP team with policy analysis and guideline development in relation to the implementation of the new Declared Mine Regulations
- attendance and contributing to national and international conferences to gain new insights into leading practice in mine closure and to promote the extensive work on rehabilitation underway in Victoria
- participating in closure and mine rehabilitation research projects of relevance to declared mine closure and rehabilitation in Victoria, notably through the ten-year cooperative research program, CRC-TiME, which is focused on the transformation in mining economies across Australia and is co-funded by the Australian Federal Government and industry
- quarterly meetings with the Minister for Energy and Resources and more frequent meetings with the Minister's Resources Advisor and other ministerial staff
- facilitating dialogue between licensees and water authorities at quarterly intervals to ensure that any options for water for rehabilitation that might eventually be adopted are properly discussed and the costs and benefits are identified and understood
- community engagement through a range of social media outlets, through community meetings and via the recently redeveloped Authority website.

To ensure the effectiveness of the activities of the Authority, significant effort has also been devoted to updating and strengthening the Authority's governance systems as well as planning for future activities. This is not only related to the current remit of the Authority within the Latrobe Valley, but also more widely in relation to abandoned and legacy mines across the state that might require long term management.



05

OBJECTIVES, FUNCTIONS AND POWERS OF THE AUTHORITY



5.1 Objectives

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

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

5.2 Powers and functions

Under section 84AL of the MRSDA the Authority is responsible for:

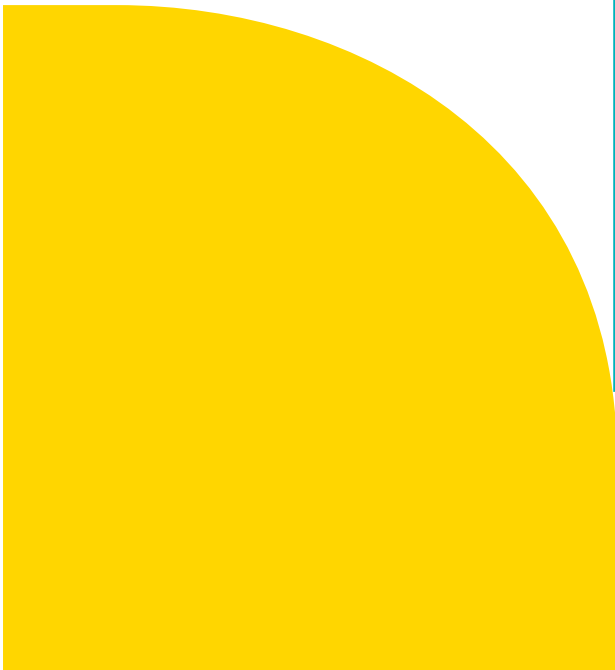
- coordinating rehabilitation planning activities
- monitoring and evaluating the implementation of the Latrobe Valley Regional Rehabilitation Strategy
- auditing public sector bodies and declared mine licensee's rehabilitation planning activities
- engaging, educating, and informing the community about rehabilitation of declared mine land and the Latrobe Valley Regional Rehabilitation Strategy
- monitoring and evaluating geotechnical and other risks for declared mine land in relation to public safety, the environment and relevant infrastructure
- advising the Minister for Energy and Resources on the Latrobe Valley Regional Rehabilitation Strategy and post-closure maintenance of declared mine land
- carrying out investigations referred by the Minister for Energy and Resources
- purchasing, acquiring and disposing of declared mine land or land in the proximity
- preserving relevant records and information relating to registered mine land
- commenting on applications for work plan variations and rehabilitation plans for the declared mines
- assessing the amount of contribution to be paid by declared mine operators into the Declared Mine Fund upon mine closure to be applied to the monitoring, maintenance, and rehabilitation of registered mine land
- providing advice and recommendations to the Minister on matters related to the exercise of the Authority's powers and functions.

The MRSDA grants the Authority all powers necessary or convenient to perform these functions.

06

PERFORMANCE REPORT

This report describes the activities of the Authority from July 2022 to June 2023. It reports against objectives captured in the Corporate Plan. The Authority's current Corporate Plan has been drafted and is with the Authority's Board for review. It covers the reporting period and the future period to 2027.



6.1 Strategic Objectives

Based on its functions and powers as defined in the MRSDA, the Authority focused on three strategic objectives for the period 1 July 2022 to 30 June 2023. These are summarised in Table 1. The table shows not only the objectives, but their purpose and the contributions needed to deliver outcomes relevant to each objective. All the delivery components noted in the table below have been achieved during this financial year.

Strategic objectives	Implementation purpose	Delivery Components
1. Meaningful Engagement	Develop strong relationships between partners, stakeholders and community Listen, participate and empower all to achieve an informed outcome	<ul style="list-style-type: none"> ■ Engagement and Education Plan ■ Co-design projects ■ Community and school education ■ Open dialogues ■ Knowledge sharing ■ Structured meetings ■ Networking ■ Inter-departmental engagement activities ■ Collaboration ■ Digital communication ■ Stakeholder Register ■ Maintaining records of meetings
2. Evaluate, Facilitate, Advise	Evaluate reports, information and data; facilitate the distribution of information to relevant parties and provide robust, science based, independent advice to our stakeholders	<ul style="list-style-type: none"> ■ Monitoring and Evaluation Framework ■ Monitoring and Evaluation Implementation Plan ■ Meeting timeframes and expectations for delivery of advice ■ Social Media and Website updates
3. Technical Expertise/Research	Facilitate rehabilitation outcomes underpinned by independent, robust and transparent science-based information in a timely manner	<ul style="list-style-type: none"> ■ Evolving Program of Work ■ Research Framework ■ Research Project Plans ■ Achieving timeframes for requested advice ■ Projects (other)

6.2 The Authority's Board

Board Activities

The Board met four times across the reporting period and also attended the 15th International Conference on Mine Closure in Brisbane from 4 to 6 October 2022. The Board maintained the Authority's Strategy and Risk Register in addition to providing comment to the organisation on various plans, procedures and public facing documents. During the period the Board also:

- visited Alcoa Anglesea Mine and received a presentation on the current state of rehabilitation followed by an offsite Board Meeting in Torquay (August 2022)
- attended the official launch of the Authority's Series 1 Videos about Mine Rehabilitation at the Cinema complex in Traralgon (October 2022)
- toured the Morwell River Diversion with EnergyAustralia (November 2022)
- met with the West Gippsland Catchment Management Authority and conducted a tour of specific parts of the Morwell and Latrobe Rivers (November 2022)
- received an update from Resources Victoria ERPP team on the Bendigo Mine Water Management Program (March 2023)
- received an update on the LVRRS (May 2023)
- attended the inaugural Latrobe Valley Festival of Big Ideas (June 2023).

The Board also undertook an internal review to assess its performance over the year and to identify areas for improvement. The review showed that each member of the Board was performing according to their skill set and experience allowing the Board to operate effectively.

Following the Machinery of Government (MoG) changes which came into effect on 1 January 2023, the Authority is currently administratively located within Resources Victoria, DEECA. Prior to the MoG changes on 1 January 2023, the Authority was similarly administratively located within the Resources group of the Department of Jobs Precincts and Regions (DJPR). The Authority is statutory body corporate that operates independently from Victorian government departments and is currently supported by public service staff from Resources Victoria (formerly part of DJPR and now part of DEECA). The staff and range of services (e.g. IT, finance, etc.) and office space are supplied to the Authority by the relevant departments (DEECA and DJPR) by agreement. The Authority has adopted many departmental policies and procedures as its own. The Board has developed Authority 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 four times during the year (July 2022, October 2022, April 2023 and June 2023).

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 (September 2022 and April 2023).

CEO Appointment:

After a six-month period as interim CEO, Dr Jennifer Brereton was appointed as the permanent CEO of the Authority in October 2022.

6.3 Financial Performance

The Authority operates as a cost centre within Earth Resources Policy and Program. Funding received is allocated across relevant areas including Board fees, salaries, operational requirements and projects. The MLRA receives financial reports from DEECA (previously DJPR) finance and uses these reports to report to the Board and to track costs. This is shown in the Summary of the financial results for the year Table 2 below.

It is important to note the Authority's is in receipt of a Determination under the *Financial Management Act 1994* and Standing Directions



Exemption which states that “that the report of operations and financial statements of the MLRA may be consolidated with those of DJPR for the 2021–22 and 2022–23 financial years.”¹ In addition, the MLRA is exempted from the requirements of the Standing Directions for the 2022–23 financial years.

The Authority delivered its agreed program of works within budget.

There have been no significant changes in the Authority’s financial position. The Authority is unaware of any subsequent events that may significantly affect the Authority’s operations in the subsequent reporting period.

Table 2: Summary of the financial results for the year

Expense Type	Full Year Actual	
	2021–22	2022–23
Salaries and Oncosts	1,195,087	1,363,557
Grants to Private Sector Businesses and Non Profit		345,000
Interest Expense	-456	395
Labour Hire	110,167	
IT Expenses	69,945	55,809
General Expenses	96,187	96,423
Communications	87,919	40,271
Office Expenses	23,297	12,734
Personal & Travel Costs	6,403	49,003
Occupancy and Property Holding Costs	807	
Staff Related Expenses	110,533	66,860
Departmental Events Receptions and Meetings	5,118	35,389
Vehicle Equipment and Marine Vessel Expenses	917	1,650
Telecommunications	7,686	3,626
Laboratory Farm & Livestock Expenses	8	
Hospitality	412	1,778
Professional Services	674,463	343,344
Purchase of Services from Government	51,629	123,289
State Taxes	946	867
	2,441,068	2,539,995

6.4 Operational Program

Planning

The Authority’s Corporate Plan is updated annually and looks forward over a four-year period. The plan guides specific actions for the Annual Report period. It 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. The plan is published on the Authority’s website.

Risk registers

The Authority maintains both a strategic risk register and an operational risk register. The strategic risk register is reviewed by the Board’s Audit, Risk and Finance Committee who then provide feedback before recommending adoption of any updates to the full Board. A full review is performed annually. This year’s review was undertaken in November 2022. The operational risk register is reviewed regularly by the Authority’s staff in response to changes in the operating environment that occur over time.

Prior to declared mine relinquishment, the Authority is projecting that its oversight and engagement functions are low to medium risks. 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 (MEF)

The MRSDA requires the Authority to have a framework in place for the monitoring and evaluation of the implementation and effectiveness of both rehabilitation planning activities as well as the LVRRS. The Authority’s Monitoring and Evaluation Framework (MEF) is designed to provide clarity and guidance to key stakeholder groups and the wider community on the Authority’s role in declared mine rehabilitation planning, oversight and outcomes.

The MEF was published on the Authority’s website in September 2022 following an extensive period of consultation with stakeholders and community members of the Latrobe Valley region, public sector bodies, and mine licensees (as required by the MRSDA, section 84AZ(3)). The design of the current MEF reflects the implementation of the LVRRS and recognises the importance of monitoring rehabilitation outcomes, the Authority’s additional functions related to the management of declared mine land, and residual risks after mine licenses are relinquished. The MEF has been implemented through a range of actions including regular progress and review meetings with the mine licensees and government authorities as described in section 6.5.

1 Letter reference D22-35035

6.5 Functions and exercise of powers

Engagement

The Authority implemented its Engagement and Education Plan across the period through a dedicated workplan addressing the needs of the community and stakeholders, comprising Traditional Owners, public bodies, mine licensees, industry, community and research groups. In future this plan will be part of an overarching implementation plan allowing the Authority to better address the needs of stakeholders through integrated programs of work that draw across the breadth of resources available to the Authority.

Community

Over the year, the Authority conducted a broad range of community engagement activities including:

- **open houses (2)** – informal and interactive sessions where participants could ask questions and give opinions on matters relating to the rehabilitation of the Latrobe Valley’s brown coal mines. This year’s Open Houses focused on the Authority’s Monitoring and Evaluation Framework (July & August 2022)
- **webinar (1)** – an opportunity for people to interact online. The focus of this webinar was the Authority’s Monitoring and Evaluation Framework (July 2022)
- **educational videos (4)** – development of a series of videos titled ‘A Changing Landscape’ to inform the community about mine rehabilitation (November 2022)
- **meetings with community members (numerous)** – one-on-one meetings with individual community members as we encourage people to come and talk to us and share their views on mine rehabilitation (Feb, March April 2023)
- **presentations and Q&A sessions at community festivals (2)** – presentations including an extended in-depth Q&A session at the inaugural *Festival of Big Ideas* in Traralgon, intended to share ideas with the local community to help shape the future of the Gippsland region (June 2023)
- **mural (1)** – sponsorship of a live progressive mural at the Festival of Big Ideas in which participants could see ideas and conversations from the Festival come to life (June 2023)
- **a community group presentation including in-depth Q&A session** (September 2022)
- **radio interviews (2)** (October 2022, June 2023)
- **social media posts (400+)** – over four hundred social media posts spanning a wide variety of topics relating to mine rehabilitation and transition, that received hundreds of reactions and invoked many discussions
- **factsheets (4)** – accessible to a broad audience (via the Authority’s website) and providing key information relevant to mine rehabilitation, the Authority has published the following factsheets: ‘Who is the Mine Land Rehabilitation Authority?’ (January 2023); ‘What is Mine Rehabilitation?’ (March 2023); ‘Why should the community care?’ (April 2023); and ‘Pit Lakes’ (June 2023)
- **consultation report (1)** – a report on what a number of community members who spoke directly with the Authority about mine rehabilitation issues told us, both as part of formal events and in one-on-one meetings in the first quarter of 2023 (April 2023)
- **mailouts (6 to over 250+ subscribers)** – six mailouts to the Authority’s over 250 subscribers covering a broad range of topics.
- **newsletter (1)** – publication of the Authority’s newsletter, ‘The Mine Land Post’ Spring 2022 issue (October 2022)
- **news items (10)** – website news items sharing news about what’s happening at the Authority
- **cinema launch (1)** – a cinema launch for our video series ‘A Changing Landscape’ (October 2022)
- **university design studios (2)** including stakeholder forums where community members discussed mine rehabilitation from various perspectives (August 2022, March 2023)
- **university open day (1)** speaking with people, including young people, about mine rehabilitation and career options
- **visits and presentations to schools (8)**; connecting with approximately 300 students
- **collaborative education events (4)** as part of the Baw Baw Latrobe Local Learning & Employment Network’s New Energy Technology (NET) program, enabling young people to learn more about emerging industries and technologies.

Stakeholder Engagement

The Authority plays an important role in connecting Traditional Owners and the community in ongoing discussions about mine rehabilitation and the future use of mine land areas. The involvement of the Gunaikurnai Land and Waters Aboriginal Corporation (GLaWAC) in the rehabilitation process is very important to this. The Authority collaborates with GLaWAC on various initiatives built upon GLaWAC's cultural knowledge and values. An exciting partnership announced in May 2023 by the Minister for Energy and Resources, the Hon. Lily D'Ambrosio MP was the establishment of the Gippsland Seed Bank with GLaWAC and local Gippsland nursery and ecological contractor Habitat Creations. The Gippsland Seed Bank furthers the aim of mine rehabilitation by paving the way for native flora seeds to be planted on Latrobe Valley former mining land. This initiative will establish and support the future demand for endemic species to be grown on former mining land.

The Authority meets regularly with mine licensees and water authorities to discuss issues and concerns; and has put in place a regular forum to work through and resolve them. Connecting stakeholders and ensuring open and constructive discussion and deliberation is central to the Authority's facilitation role and will be an essential component of the way in which the Authority will work going forward. Involvement with individual organisations under the MEF are discussed in section 6.6.

Public Bodies and Government Departments

In addition to providing the Minister for Energy and Resources' 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 DEECA, formerly the Department of Environment, Land, Water and Planning (DELWP), on the LVRRS water actions covering climate predictions, water availability and manufactured water
- engagement with Resources Victoria ERPP team on mine rehabilitation legislation, regulations and guidance, with particular focus on the new regulations 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
- providing technical advice to various government departments on mine rehabilitation when requested
- meetings 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. This collaboration offers important benefits to the region and the long-term economic and social prosperity of the community.

6.6 Oversight and Advice

LVRRS

Throughout the year, the Authority maintained close communications with both DEECA (formerly DELWP) and DJSIR (formerly DJPR) on stakeholder feedback and refinement of the work under each of the implementation actions. Meetings have been held regularly, typically fortnightly, with both departments to provide both oversight and to support the completion of the final reports. 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.

Mine Licensees

The Authority engaged with each declared mine licensee and provided advice on their rehabilitation and closure plans. Each of the mine licensees were invited to provide input into the Authority's MEF and this input was considered as part of the review process. The licensees were also invited to take part in the broader consultation into the framework and related community engagement events.

In addition to the combined licensee and water authority forums facilitated by the Authority, the authority carries out work with each licensee under its MEF and connects with the licensees through their individual community forums. The Authority also holds quarterly meetings with each licensee. These meetings ensure the Authority understands the issues and concerns raised by mine licensees and can work collaboratively with the individual licensees to resolve these.

Each licensee is required to develop a Declared Mine Rehabilitation Plan by 2025.

AGL — Loy Yang

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

Authority staff have attended and provided input into meetings of the AGL Loy Yang's Community Dialogue Group and Environmental Review Committee.

Following the decision by AGL Loy Yang to cease power generation in 2035 (approximately 12 years earlier than originally planned) the timeline for commencement of final rehabilitation has been significantly compressed. The company has a dedicated rehabilitation team to address all issues related to preparing for and gaining approval for their rehabilitation plans under the new Declared Mine Rehabilitation Regulations.

Alinta — Loy Yang B power station

Although not directly involved in the rehabilitation process at Loy Yang mine, Alinta Loy Yang B has a direct interest in the rehabilitation works proposed by AGL Loy Yang A through its commercial agreements with AGL. The Authority has quarterly meetings scheduled with Alinta Loy Yang B to understand any issues or concerns that they may have and work collaboratively to resolve these.

ENGIE — Hazelwood

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

The Authority is represented on the Technical Review Group for the Hazelwood Rehabilitation Project – Environment Effects Statement referral process and has met with ENGIE Hazelwood as part of the consultation process around the Environment Effects Statement process.

ENGIE Hazelwood's Rehabilitation Project continues to progress its field programs as they develop their Environment Effects Statement submission and staff of the Authority have maintained detailed oversight of these programs. ENGIE Hazelwood's rehabilitation plans have also been referred under the Environment Protection and Biodiversity Conservation Act 1990 (Cth) in relation to impacts on regional water resources.

EnergyAustralia — Yallourn

A number of meetings have been held with EnergyAustralia Yallourn to discuss rehabilitation planning, monitoring and evaluation, and engagement. In November 2022 EnergyAustralia Yallourn provided the Authority with a detailed briefing on its progress on rehabilitation works at the Yallourn site to date. A wide range of studies to support its rehabilitation plans are underway.

EnergyAustralia Yallourn have completed their work on the repair of the Morwell River Diversion to allow for continuation of mining until the expected end date for power generation in 2028. Assessments will be required to establish the role of the diversion in final rehabilitation of the mine. The Authority has maintained its oversight of this work over the year through site visits and quarterly meetings.

The Authority attended and contributed to discussions at two 'options assessments' workshops with EnergyAustralia over the course of the year.

EnergyAustralia has proactively involved the Authority in rehabilitation planning through inviting the Authority to technical options assessment workshops. EnergyAustralia has also assisted the MLRA in delivering its educational outreach program by hosting both Lowanna Secondary's VCE environmental science students for a field work exercise as well as the Baw Baw Latrobe LLEN.

Ministerial Referral on Hazelwood Mine Rehabilitation

In 2021, the then Minister for Resources, the Hon. Jaala Pulford MP, referred to the Mine Land Rehabilitation Authority five matters for investigation related to rehabilitation planning for Hazelwood mine in the Latrobe Valley, Victoria.

The Hazelwood Rehabilitation Investigation Report describes the findings for all five matters. The report underwent external peer review and was submitted for final comment to Resources Victoria's Earth Resources Regulator and ENGIE Hazelwood, prior to submission of the final report to the Minister for Resources in July 2022. The report presents 28 recommendations covering all five matters for consideration by both the regulator and the mine licensee. The report will be made publicly available on the Authority's website in the third quarter of 2023.

6.7 Projects

The Authority received funds in the 2022/2023 Budget to support a range of projects. The breadth of these projects is largely based on past reviews of knowledge gaps relevant to the brown coal mines and the Latrobe Valley region where they are situated.

The Authority supports the Cooperative Research Centre for Transformations in Mining Economies, which is part of the Australian Government's Cooperative Research Program. It brings together mining and mining service companies, regional development organisations, State, Territory and Commonwealth governments and research partners to bring coordinated investment into research that addresses the challenges underpinning mine closure and relinquishment.

In Victoria, EnergyAustralia, Federation University and DEECA are partners of CRC-TiME.

CRC-TiME aims to support 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. The Authority provides organisational support for this engagement.

The Authority commenced work on four projects co-funded with CRC-TiME across the reporting period:

- Collaborative planning for post-mine land use in the Latrobe Valley
- Limitations and issues associated with using the Net Present Value (NPV) method for valuations of mine closure and post-mine closure
- Evaluating residual risks
- Mine pit lake assessment and management: a national initiative to support mine closure and regional opportunities.

6.8 Strategic Audits and Investigations

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

Strategic Audits

Section 84AL(1)(b) of the MRSDA states that the Authority has the function to 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.

Although no strategic audits were carried out by the Authority in 2022–23, 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 MEF. Strategic audits require large resources and are only undertaken when the situation is such that it is considered appropriate or necessary to do so. The MEF will consider these closely in its implementation planning.

Investigations

Section 84AL(1)(j) of the MRSDA states that the Authority has the function to carry out investigations on the referral of the Minister. Pursuant to section 84AQ(1) of the MRSDA, these investigations may relate to matters to do with the rehabilitation of declared mine land, the regional rehabilitation strategy, or a rehabilitation planning activity. No investigations were conducted during this reporting period.



07

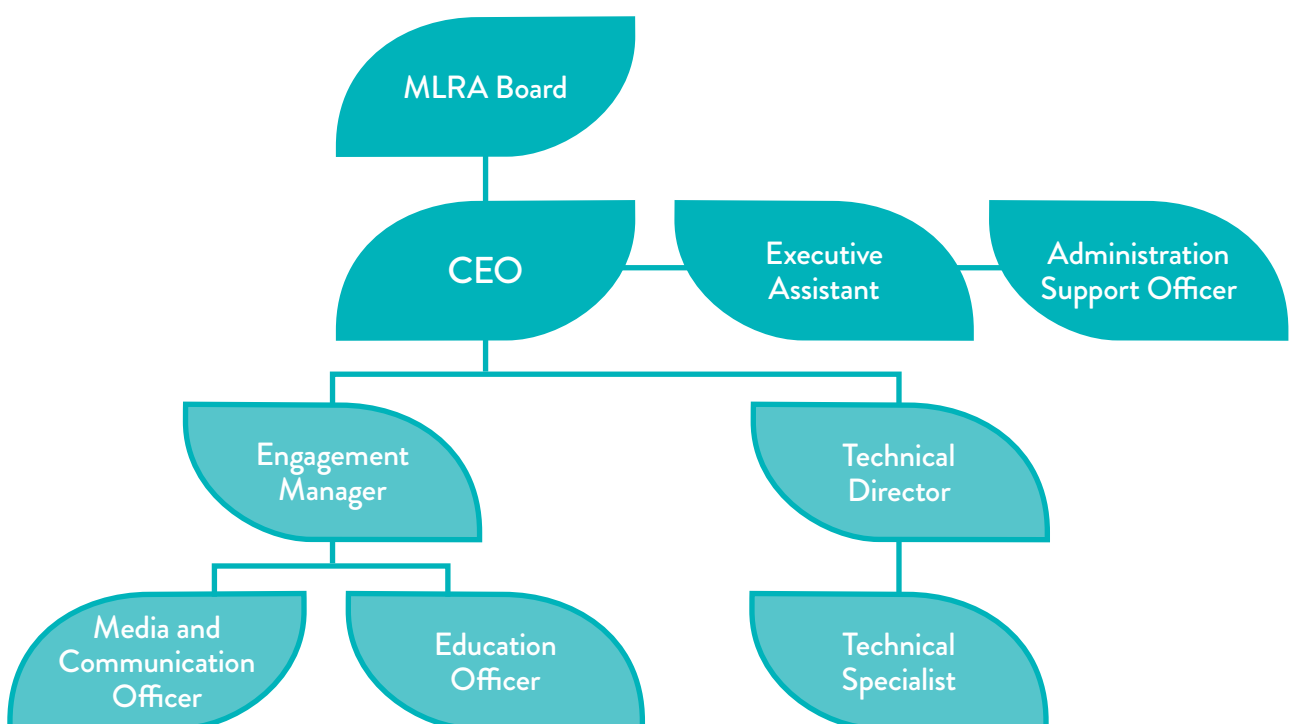
GOVERNANCE AND ORGANISATIONAL STRUCTURE

7.1 The Board

The Board of the Authority is responsible for the governance, general policies, and strategic direction of the Authority, overseeing the Authority's management and performance. Board meetings are arranged around the annual calendar of events and reporting program.

The Authority's Board is appointed by the Governor in Council on the recommendation of the Minister under section 84AH of the MRSDA.

There are six members of the Board who were reappointed by Governor in Council on 27 June 2023, with their terms having commenced on 30 June 2023. This followed their initial appointments which commenced on 30 June 2020 (alongside the establishment of the Authority), as the MLRA board's inaugural members. Table 3 (below) specifies the terms of the Authority's six-member Board.



As of 30 June 2023, 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 including deep geological disposal of nuclear waste arid zone groundwater resource and agricultural development, spanning many countries around the world.



Christine Trotman – Deputy Chair

Mrs Chris Trotman has extensive board experience spanning 15 years, serving as Chair and member of a range of boards and audit & risk committees in the not-for-profit sector, including Chair of the Lower Yarra Ministerial Advisory Committee. Chris is the Board Chair of the Royal Botanic Gardens Victoria, and a Board member of Parks Victoria where she Chairs the People and Safety Committee. From July 1 2023, she is also a Board Director of TAFE Gippsland.

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 public hospital in Gippsland. Chris has extensive experience in the areas of corporate governance, public sector administration, audit and risk management, and financial and strategic planning.



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 spans local government, regional development and tertiary education. He is currently a sessional member at Planning Panels Victoria, is an Industry Placement Advisor at Federation University and chairs the Community Advisory Group at the Star of the South offshore wind farm.



Claire Miller

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

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



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.



Dr Corinne Unger

Corinne is a Research Fellow at The University of Queensland Business School having completed her PhD in organisational processes of risk management. She has more than 30 years' knowledge and experience in managing and researching mine rehabilitation and closure and is currently the Project Lead developing an ISO Standard for Managing Mining Legacies.

Having studied earth sciences, Corinne managed mine rehabilitation, closure and related research in Australia and overseas. Her industry experience includes rehabilitation at Energy Resources of Australia's Ranger Mine in the Northern Territory before working in government for the Department of Mines and Energy in central Queensland. There she established a project team to develop a rehabilitation plan for the historic Mount Morgan Minesite. After this, Corinne won a Churchill Fellowship to study 'leading practice abandoned mine rehabilitation and post-mining land use' in Austria, Germany, UK and Canada. Next Corinne joined the Centre for Mined Land Rehabilitation, at the University of Queensland's Sustainable Minerals Institute where she undertook research examining the maturity of state and territory abandoned mine programs in Australia.

Corinne was inaugural chair of the Community and Environment (now Social and Environment) Society of AusIMM in 2017 and was a recipient of an AusIMM Excellence Award in 2018.

Table 3. Details of each member's appointment and attendance for the 2022–23 period

Name	Date appointed	End of current term	Board Meetings Attended	Meetings eligible to attend
Rae Mackay (Chair)	30 June 2020	31 December 2023	4	4
Christine Trotman (Deputy Chair)	30 June 2020	31 December 2023	4	4
Ian Gibson	30 June 2020	29 June 2025	4	4
Claire Miller	30 June 2020	29 June 2025	4	4
Ian Nethercote	30 June 2020	29 June 2027	4	4
Corinne Unger	30 June 2020	29 June 2027	4	4

Board Committees

There are currently two Committees established by the Board: the Audit and Finance Committee; and the People, Safety and Culture Committee. Both committees comprise select Board Members and operate under charters approved by the Board. As Board members are not involved in the day-to-day management of the Authority, the members of the Committee are independent.

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. All members of this committee during the reporting period are 'independent'.

Table 4. Committee membership

Name	Term	Subcommittee meetings attended	Meetings eligible to attend
Ian Nethercote (Committee Chair)	30 June 2020 to 29 June 2023	3	4
Claire Miller	30 June 2020 to 29 June 2023	3	4
Corinne Unger	30 June 2020 to 29 June 2023	4	4

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, oversight of workforce strategy, people related policies, organisational culture and worker health and safety for all Authority staff and contractors.

Table 5. Membership of the People and Culture Committee

Name	Term	Subcommittee meetings attended	Meetings eligible to attend
Christine Trotman (Committee Chair)	30 June 2020 to 30 June 2023	2	2
Ian Gibson	30 June 2020 to 29 June 2023	2	2
Rae Mackay	30 June 2020 to 29 June 2023	2	2

08

WORKFORCE DATA AND OFFICE

The Authority does not employ any staff.

Section 84AN of the Act provides that the head of the Department must ensure that the Authority is provided with any public sector employees that are necessary to assist the Authority in performing its' functions.

As at 30 June 2023, DEECA's Secretary provided the Authority with the use of the public service employees described in the Workforce data disclosure below. These staff are employees of DEECA, and they are therefore included in the workforce data disclosure contained in DEECA's annual report 2022–23, which also discloses their gender composition.

As these staff remain employees of DEECA, many of DEECA's policies and procedures continue to apply to those employees, and DEECA's Secretary, as the 'Public service body head' remains responsible for those employees in accordance with the *Public Administration Act 2004*.

Public Sector Values and Employment Principles

DEECA's Secretary is a public service body head and responsible for ensuring the public sector employment principles and public sector values enshrined in sections 7 and 8 of the *Public Administration Act 2004* are applied within the department.

Occupational Health and Safety

DEECA reports on the occupational health and safety programs and systems that apply to its employees in its annual report.



Workforce working remotely

During the period in accordance with the requirements set out by the Victorian Government VPS flexible work policy, staff continued working from the office from two to three days per week.

Workforce data

As the Authority does not employ any staff, it is not required to make a workforce data disclosure in its report. The DEECA public service employees used by the Authority are included in the broader workforce data disclosure made by DEECA in its annual report.

Note that a Technical Director commenced working with the Authority in October 2022. A fixed-term Finance and Accounts Officer was also employed for six months during which a review of duties was undertaken. Subsequently this position was replaced by an Administration Support Officer who commenced in an ongoing full-time capacity in March 2023. A Research Officer was engaged on a part-time (0.6 FTE) fixed term contract from November 2022 until 30 June 2023.

Table 4 below contains information about the composition of the DEECA staff that support the Authority, as of 30 June 2023 for greater transparency. Employees have been correctly classified in workforce data collections.

Table 6. Workforce Data

Classification	2022–2023	
	Employees (head count)	FTE
CEO (SES-1)	1	1
Technical Director (VPS-7)	1	1
Technical Specialists (VPS-6)	1.2	1.2
Executive Assistant (VPS-4)	1	1
Administration Support Officer (VPS-3)	1	1
Engagement Manager (VPS-6)	1	1
Education Officer (VPS-5)	1	1
Research Officer (VPS-5)	1	0.6
Total	9	7.8
Under 25	0	
25–34	1	
35–44	2	
45–54	3	
55–64	2	
Over 64	1	
Total	9	

Notes:

FTE = Full time equivalent

All figures reflect employment levels during the last full pay period in June 2023.

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.

The CEO of the Authority who is a DEECA executive employed under Part 3 of the *Public Administration Act 2004* and is also appointed by the Authority's board as the CEO.

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OTHER DISCLOSURES

Major Contracts

The Authority did not enter into any major contracts during 2022–23.

A ‘major contract’ is a contract entered into during the reporting period valued at \$10 million or more.

Compliance with building and maintenance provisions of *Building Act 1993*

The MLRA does not own or control any government buildings and consequently is exempt from notifying its compliance with the building and maintenance provisions of the *Building Act 1993*.

Statement on National Competition Policy

The MLRA, where applicable, continues to comply with the requirements of the National Competition Policy.

Application and operation of the *Public Interest Disclosures Act 2012*

The Authority is a public body subject to the *Public Interest Disclosure Act 2012* (PID Act). The purpose of the PID is to encourage and facilitate the making of disclosures of corrupt or improper conduct by public officers and public bodies, including the GMA, its employees, and directors, without the fear of reprisal.

The Authority recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal improper conduct. It does not tolerate improper conduct by the organisation, its employees, officers or directors, nor the taking of detrimental action in reprisal against those who come forward to disclose such conduct.

What is a public interest disclosure?

A public interest disclosure is a complaint of corrupt or improper conduct or detrimental action by a public officer or a public body.

‘Improper or corrupt conduct’ involves substantial mismanagement of public resources, risk to public health or safety or the environment, or corruption.

‘Detrimental action’ is action taken against a person in reprisal for making a public interest disclosure.

How do I make a public interest disclosure?

You can make a public interest disclosure about the Authority or its board members, officers or employees by contacting IBAC (details below).

The Authority is not able to receive public interest disclosures.

The Authority relies on established procedures as provided by DEECA for the protection of persons from detrimental action in reprisal for making a public interest disclosure about The Authority, its board members, officers or employees. You can access these procedures through the DEECA website.

Independent Broad-Based Anti-Corruption Commission (IBAC) Victoria

Address: Level 1, North Tower, 459 Collins Street, Melbourne Victoria 3000.

Mail: IBAC, GPO Box 24234, Melbourne Victoria 3001

Internet: www.ibac.vic.gov.au

Phone: 1300 735 135

Email: See the website above for the secure email disclosure process, which also provides for anonymous disclosures

Disclosure of government advertising expenditure

Nil report. MLRA's expenditure in the 2022–23 reporting period on government campaign expenditure did not exceed \$100,000.

Procurement

The Authority utilises DEECA's procurement systems, policies and procedures for the procurement of goods and services, and therefore any such procurement is captured in the Social Procurement, Emergency Procurement, Local Jobs First and government advertising expenditure disclosures contained in DEECA's 2022–23 annual report.

Information and Communication Technology (ICT) expenditure

The Authority has had nil expenditure on ICT during the period

Statement of availability of other information

- a statement that **declarations of pecuniary interests** have been duly completed by all relevant officers
- details of **shares** held by a senior officer as nominee, or held beneficially in a statutory authority or subsidiary
- details of **publications** produced by the agency about itself, and how these can be obtained
- details of **changes** in prices, fees, charges, rates and levies charged by the agency
- details of any major **external reviews** carried out on the agency
- details of **major research** and **development activities** undertaken by the agency
- details of **overseas visits** undertaken, including a summary of the objectives and outcomes of each visit
- details of major **promotional**, public relations and marketing **activities** undertaken by the agency to develop community awareness of the agency and its services
- details of assessments and measures undertaken to improve the **occupational health and safety** of employees
- a general statement on **industrial relations** within the agency, and details of time lost through industrial accidents and disputes
- a list of the agency's **major committees**, the purposes of each committee, and the extent to which the purposes have been achieved
- details of all consultancies and contractors, including consultants/contractors engaged, services provided, and expenditure committed for each engagement



10

FREEDOM OF INFORMATION



The *Freedom of Information Act 1982* (the Act) allows the public a right of access to documents held by the Authority. The purpose of the Act is to extend as far as possible the right of the community to access information held by government departments, local councils, Ministers and other bodies subject to the Act. [FRD 22H]

An applicant has a right to apply for access to documents held by the Authority. This comprises documents both created by the Authority or supplied to the Authority by an external organisation or individual, and may also include maps, films, microfiche, photographs, computer printouts, computer discs, tape recordings and videotapes.

Information about the type of material produced by the Authority is available on the Authority's website.

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

The Act was amended on 1 September 2017 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 by post or email (see details below). An application fee of **\$31.80** 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

Via post
65 Church Street
Morwell VIC 3840

Via email
contactus@mineland.vic.gov.au

FOI statistics/timeliness

During 2022–2023, the Authority received 0 applications. Applications received by DEECA in relation to the Authority are disclosed in the DEECA 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

Appendix 1:

DISCLOSURE INDEX

Legislation	Requirement	Page reference
<i>Mineral Resources (Sustainable Development) Act 1990</i>		
<i>Financial Management Act 1994</i>		
Standing Directions and Financial Reporting Directions		
Report of operations		
FRD 22	Manner of establishment and the relevant Ministers	04
FRD 22	Purpose, functions, powers and duties	05–06, 12–13
FRD 22	Key initiatives and projects	08–11
FRD 22	Nature and range of services provided	06–07
Management and structure		
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Financial and other information		
FRD 10	Disclosure index	Appendix 1
FRD 12	Disclosure of major contracts	28
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FRD 22	Significant changes in financial position during the year	17
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Compliance attestation and declaration		
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MINE LAND
REHABILITATION
AUTHORITY

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Morwell, VIC 3840
1800 571 966

mineland.vic.gov.au