

A stakeholder advisory committee as a mechanism to guide the preparation of a regional mine rehabilitation strategy: two years in, what have we learnt?

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Abstract

As part of the response to the findings and recommendations of the 2015/2016 Hazelwood Mine Fire Inquiry, the Victorian Government committed to preparing a regional rehabilitation strategy for the Latrobe Valley's three brown coal mine voids by June 2020. Mine rehabilitation in a regional context within the Latrobe Valley is a complex issue with a number of stakeholders involved including the mine operators, the local council, water corporations, the local community and various government departments and agencies. Being able to engage all stakeholders through the life of a four-year project such as this can be a challenging task. To help in achieving this, the Victorian Government established the Latrobe Valley Mine Rehabilitation Advisory Committee. The Committee comprises representation from a range of stakeholder groups with a key interest in mine rehabilitation and is responsible for providing advice on the Latrobe Valley Regional Rehabilitation Strategy (LVRRS) to the Victorian Minister for Resources and the LVRRS Project Team. The Committee has been operational for more than two years and has learned many lessons in that time. Susan Lloyd, Chair of the advisory committee highlights some of these.

Keywords: *mine rehabilitation, advisory committee, community engagement, stakeholder engagement, consultation*

1 Introduction

This paper outlines the process of establishing the Latrobe Valley Mine Rehabilitation Advisory Committee and the key learnings from its first two years of meetings. Sections two, three and four provide information about how the Latrobe Valley Mine Rehabilitation Advisory Committee came to be established and the membership of the Committee. Sections five and six highlight some of the issues and matters discussed and considered by the Committee as well as how the Committee has been involved in contributing to the development of the Latrobe Valley Regional Rehabilitation Strategy (LVRRS). Section seven outlines some of the key learnings of the Committee since its establishment in late 2016 and first meeting in early 2017.

2 Background

On Sunday 9 February 2014, embers from a bushfire near ENGIE's Hazelwood Mine in the Latrobe Valley in southeast Victoria sparked a number of fires in the Hazelwood Brown Coal Mine. The fire burned for 45 days and blanketed the town of Morwell in thick smoke for much of that period.

In 2014, the then Victorian Government implemented an independent inquiry into the circumstances of the fire. This included the adequacy and effectiveness of the actions taken by the mine operator to prepare for and respond to the fire as well as the adequacy and effectiveness of regulatory regimes, the response of emergency services and other relevant government agencies.

After a change of State Government in late 2014, the new Victorian Government reopened the inquiry in 2015. The reopened Hazelwood Mine Fire Inquiry was tasked with examining the health impacts that may have been attributable to the fire as well as mine rehabilitation.

The Latrobe Valley has been a hub of mining activity for a number of decades, underpinning the state's economic growth through the production of cheap electricity through brown coal fired power generation. It is currently home to three large brown coal mines, including the largest open cut brown coal mine in Australia. ENGIE's Hazelwood Mine (and adjacent power station) ceased operations in March 2017, while the remaining two mines, AGL's Loy Yang Mine and Energy Australia's Yallourn Mine, continue to provide coal for power generation activities that provide approximately 75% of Victoria's electricity.

Under the *Mineral Resources (Sustainable Development) Act 1990* (Government of Victoria 1990), mine operators in Victoria are required to prepare a mine-scale rehabilitation plan for their site. Some variation of a pit lake landform is currently proposed as the final rehabilitated landform for each of the Latrobe Valley's three brown coal mines. According to the Hazelwood Mine Fire Board of Inquiry (2016, p. 82), 'the pit lake and partial backfill below the water table options are currently the most viable'. The Hazelwood Mine Fire Board of Inquiry (2016) did however acknowledge that there are knowledge gaps associated with these options that need to be addressed.

The LVRRS is seeking to address these knowledge gaps through a series of geotechnical, water and land use planning studies. The LVRRS will set 'a safe, stable and sustainable landform for the Latrobe Valley Coal Mine voids and surrounding areas' (State of Victoria 2016, p. 75).

The Project is being led by the Victorian Department of Jobs, Precincts and Regions (DJPR) in partnership with the Victorian Department of Environment, Land, Water and Planning (DELWP). The LVRRS comprises of a number of parallel workstreams, including: a Regional Geotechnical Study which seeks to address some of the key geotechnical stability knowledge gaps related to mine rehabilitation; a regional water study which is considering water availability for mine rehabilitation on a regional scale as well as potential water quality in a rehabilitated mine pit lake; and a complementary regional land use study to consider the potential future land uses that the rehabilitated mine voids and surrounding land may be able to support.

The LVRRS is due to be completed by June 2020.

In Volume IV of its 2015/2016 Report, the Hazelwood Mine Fire Board of Inquiry (2016) noted the importance of community and stakeholder engagement. The inquiry heard from a number of witnesses that talked about the importance of engaging the community and other key stakeholders on the full range of issues relating to mine rehabilitation, particularly in the Latrobe Valley where the impacts and effects of this activity will be most keenly experienced.

To support community and stakeholder engagement activities for the LVRRS Project, the Victorian Government established the Latrobe Valley Mine Rehabilitation Advisory Committee.

3 The Latrobe Valley Mine Rehabilitation Advisory Committee

The Latrobe Valley Mine Rehabilitation Advisory Committee (the Committee) was formally established in December 2016.

The Committee is tasked with providing expert and strategic advice to the Victorian Minister for Resources and the Department of Jobs, Precincts and Regions regarding the development of a regional rehabilitation strategy for the Latrobe Valley's three brown coal mine voids as part of the Government's response to the Hazelwood Mine Fire Inquiry.

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

- Contribute to the development of the Strategy through the provision of expertise and advice.
- Facilitate interaction and partnerships between industry, the community and other relevant Government agencies and departments.
- Provide advice on policy and legislation development when requested by the Department or the Minister.

- Represent key stakeholders and stakeholder group interests in relation to mine rehabilitation in the Latrobe Valley.
- Act as a conduit to broader stakeholder engagement in the Latrobe Valley.

Members of the Committee are appointed by the Victorian Minister for Resources.

4 Committee membership

Mine rehabilitation in the Latrobe Valley is a complex issue and there are a number of stakeholders all with varying interests in mine rehabilitation. A summary of these stakeholders is provided as Figure 1.

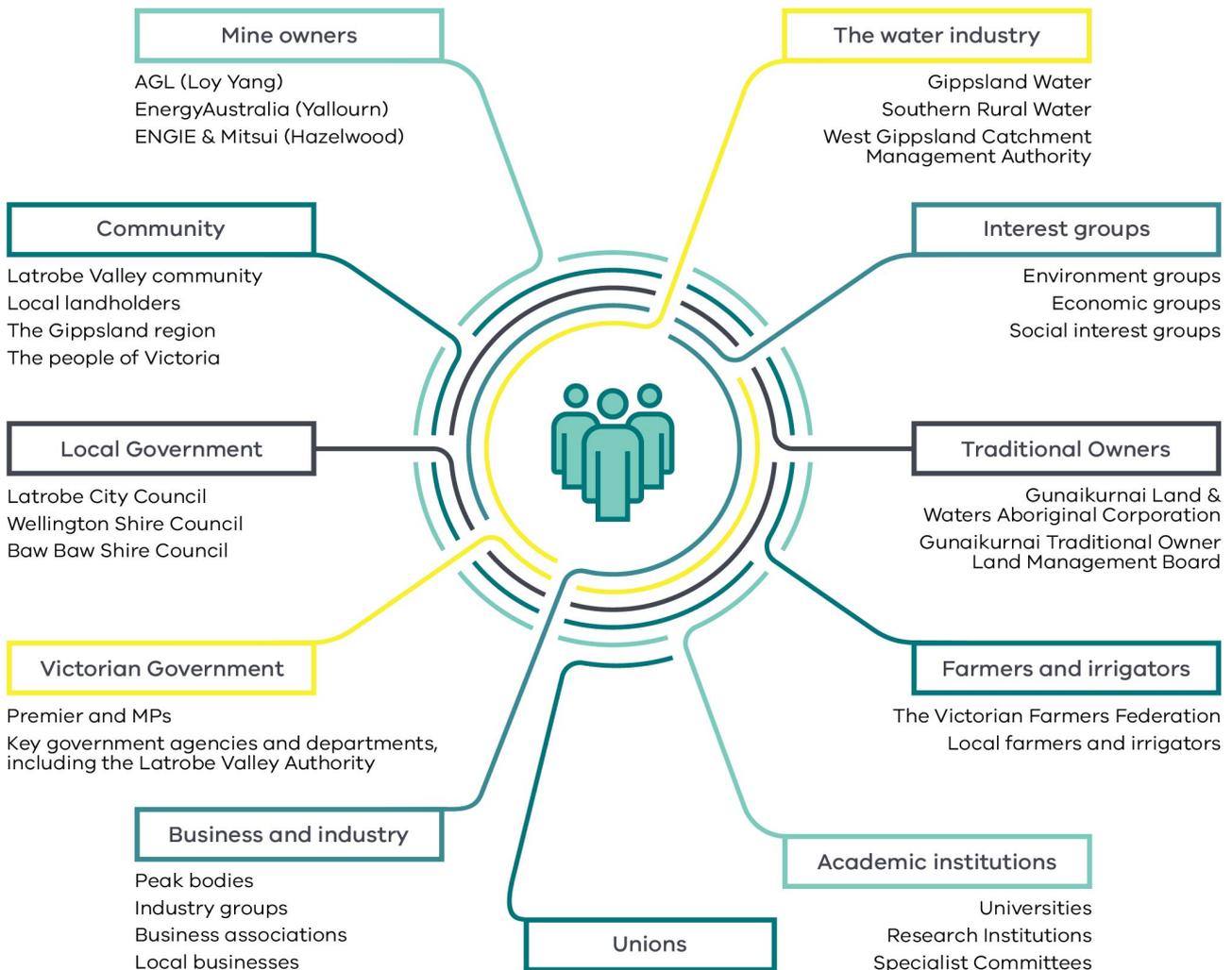


Figure 1 Stakeholders relevant to mine rehabilitation in the Latrobe Valley

In determining the stakeholder groups to be represented on the Committee, the Department of Economic Development, Jobs, Transport and Resources (2017) (now the Department of Jobs, Precincts and Regions) took a local-first focus in line with the LVRRS Community and Stakeholder Engagement Strategy. This Strategy sets the overarching approach to stakeholder and community engagement for the life of the LVRRS Project and recognises ‘first that it’s the people of the Latrobe Valley who have the most to gain or lose from the rehabilitation of the Latrobe Valley’s coal mines’ (Department of Economic Development, Jobs, Transport and Resources 2017, p.13). This meant prioritising those local groups who have the most to gain or lose from mine rehabilitation in the Latrobe Valley when it came to membership of the Committee. While preference has been given to local stakeholders in determining members of the advisory committee, the LVRRS Project

Team is engaging with a range of stakeholders shown in Figure 1 as part of the Project. This includes through Project briefings and consulting with stakeholders to obtain their feedback and inputs at key points through the Project.

The following stakeholder groups have direct representation on the advisory committee:

- Latrobe City Council (one councillor and one council officer nomination).
- Gippsland Trades and Labour Council (one nomination).
- ENGIE Hazelwood (one nomination).
- AGL Loy Yang (one nomination).
- Energy Australia Yallourn (one nomination).
- The Aboriginal community (one nomination sought through the Gunaikurnai Land and Waters Aboriginal Corporation).
- Gippsland Water (one nomination).
- Southern Rural Water (one nomination).

Two nominations were also sought from the Latrobe Valley community. To ensure a fair and transparent selection process, an advertisement was placed in the local newspaper, the Latrobe Valley Express, inviting interested local community members to apply for the vacancies. Applications were then assessed against key selection criteria, before proceeding with interviews for several shortlisted candidates and finally selecting two candidates to appoint to the vacant Latrobe Valley community representative roles on the Committee.

The Committee also comprises four ex-officio representatives; two each from the Departments of Jobs, Precincts and Regions and Environment, Land, Water and Planning.

A full list of committee members at the time of writing:

- S Lloyd (Chairperson), representing the Latrobe Valley community.
- R Davies, representing the Latrobe Valley community.
- G Gatt, representing Latrobe City Council (council officer).
- G Middlemiss, representing Latrobe City Council (councillor).
- T Williams, representing the Gippsland, Trades and Labour Council.
- J Faithful, representing ENGIE Hazelwood.
- S Gilbert, representing AGL Loy Yang.
- R Methel, representing Energy Australia Yallourn.
- T McDonald, representing the Aboriginal community.
- A Saridis, representing Gippsland Water.
- T Flynn, representing Southern Rural Water.
- A Feigl, (Acting) Director Coal Resources Victoria, Department of Jobs, Precincts and Regions (ex-officio member).
- J Burton, (Acting) Executive Director, Earth Resources Policy and Programs, Department of Jobs, Precincts and Regions (ex-officio member).
- A May, Director Water Resource Assessment and Planning, Department of Environment, Land, Water and Planning (ex-officio member).

- A Freitag, Gippsland Manager, Regional Planning Services, Department of Environment, Land, Water and Planning (ex-officio member).

5 Committee proceedings and achievements

The Committee first met formally in March 2017. At its early meetings, a large focus of Committee proceedings was building members' understanding of the LVRRS and the outcomes it's seeking to achieve.

The LVRRS is a complex Project underpinned by a number of technical studies and initial meetings were used for the leaders of each of these studies to provide an overview of their relevant workstream. Complexity within the early stages of the LVRRS was amplified with the closure of the Hazelwood Power Station and Coal Mine at the end of the March 2017. Early planning for the LVRRS Project had commenced at a time when it was assumed that all three mines would continue operating through to their projected end of life dates, which was still a number of years away. The early closure of the Hazelwood Coal Mine and Power Station at the end of March 2017, meant that the preparation of the LVRRS would be now occurring concurrently with the detailed rehabilitation planning for the Hazelwood Mine.

The early meetings provided an opportunity to familiarise members with the region's coal mines through tours at each, including at Hazelwood just days after its closure. These visits provided Committee members with the opportunity to experience firsthand the size and scale of the mines and the rehabilitation challenges facing each of the mine operators. It also provided the members with an opportunity to understand and see for themselves some of the progressive rehabilitation work that had been undertaken by each of the mine operators.

The Committee also visited Alcoa's Anglesea Coal Mine in October 2017, which provided a valuable opportunity to hear from a range of stakeholders who had been involved in the rehabilitation planning activities since its closure in August 2015. This included the Department of Environment, Land, Water and Planning who was tasked with delivering the Anglesea Futures Community Conversation series. The Committee also heard from representatives from Alcoa, the Surf Coast Shire Council and local community members who had been actively involved in the engagement activities to support the closure of the Anglesea Mine. The Anglesea Mine is much smaller in comparison to the Latrobe Valley's coal mines and the region doesn't face the same challenges as the east of the State with three large coal mines in such close proximity. Nonetheless, there were still a number of valuable insights gained from this visit.

One of the key learnings from this visit was the complexity of roles and responsibilities involved in the closure, rehabilitation and remediation of a major industrial asset such as a power station and mine. Several of the representatives who presented to the Committee expressed a sense of confusion regarding who was responsible for various elements of mine rehabilitation and power station demolition, in particular regulatory oversight of this work.

While the Committee's Terms of Reference limits its remit to providing advice on the LVRRS, there are range of other areas relevant to mine rehabilitation that it was important for members to be aware of. This included rehabilitation obligations for mine operators under the *Mineral Resources (Sustainable Development) Act 1990*, the Victorian Government's rehabilitation bond policy and alternative rehabilitation options to the pit lake option. Alternative mine rehabilitation options being put forward by a variety of proponents and local groups include vertical gardens and an eco-tourism facility similar to the Eden Project in Cornwall, United Kingdom. The LVRRS, and thereby the Committee, is tasked with investigating the feasibility of the pit lake option (based on the conclusions of the Hazelwood Mine Fire Inquiry); however, an understanding of these alternative options proved useful to the Committee.

After being appointed to the role in June 2017, the Latrobe Valley Mine Rehabilitation Commissioner Emeritus Professor Rae Mackay joined the Committee as an observer. The appointment of an independent mine rehabilitation Commissioner to oversee planning and monitoring of mine rehabilitation in the Latrobe Valley was recommended by the Hazelwood Mine Fire Inquiry.

6 Providing advice

With the preliminary knowledge building complete, the focus of the Committee throughout 2018 and early 2019 turned to understanding the findings and implications of the key technical studies being delivered as part of the LVRRS.

Members were provided with a range of LVRRS reports in draft stages and were asked to provide feedback in writing or verbally at Committee meetings. Having the various stakeholder groups together enabled robust discussion and debate. The variety of expertise regularly coming together from the beginning of the Project has been one of the key benefits of the Committee. It allows issues and ideas to be fleshed out and explored from the multiple perspectives of the stakeholders.

Collectively, the members of the Committee have many years' experience working and living within, or close to the Latrobe Valley. As studies progressed and findings became apparent, the insights of members proved invaluable, particularly their understanding of the local operating context. Small nuances, particularly from a public communication perspective that would have otherwise gone unnoticed were highlighted by members and proved useful to project team members tasked with the delivering the various workstreams of the LVRRS.

7 Challenges and learnings

A number of insights have been gained through the Committee's roles in advising and providing input on this Project. These include:

- *The long time frames associated with mine rehabilitation.* The timelines associated with mine rehabilitation extend over several decades. The first of the Latrobe Valley's three brown coal mines closed in April 2017 and the last of the mines is currently projected to operate until 2048. Add to this a rehabilitation timeline that could be 30 years or more post the cessation of operations and suddenly the issue extends into the latter part of this century. Most adults living within the Latrobe Valley today will fail to see the full rehabilitation of the region's three mines and so their interest levels in the issues are likely diminished. Engaging a younger generation of locals is critical as these individuals will be most likely to witness firsthand the voids' transition from operating asset to rehabilitated landform. The LVRRS Project Team had some success in engaging several Year 10 High School student through the Department of Environment, Land, Water and Planning's Broadening Horizons Programs.
- *The competing interest for participation in engagement events.* The announcement of the closure of the Hazelwood Brown Coal Mine and Power Station in November 2016 created a competing interest for people's attention and participation. Many people within the local community were suddenly facing the prospect of themselves, or someone they knew being unemployed when the Hazelwood Mine and Power Station ceased operations at the end of March 2017. These concerns weren't only limited to direct employees but a number of other contractors and businesses locally who derived income from contracts with ENGIE at Hazelwood. For many, the more immediate or pressing concern was on securing work rather than on issues relating to mine rehabilitation. This is a challenge that will continue to be experienced as the region's two remaining operating mines contemplate closure in the decades ahead. A key learning of the LVRRS Project Team has been that people are time poor and wherever possible, efforts should be taken to deliver engagement activities in collaboration with other organisations. This allows for multiple individuals to inform, and if appropriate, seek feedback from the local community at the one time, rather than engaging them separately on multiple occasions.
- *Community interest in end land use ideas and options.* In the engagement undertaken to date for the LVRRS Project, there has been significant interest in the end land uses that the rehabilitated Latrobe Valley brown coal mines may be able to support. Findings from the regional geotechnical and regional water study will be critical in informing the end land uses that the rehabilitated

mines may be able to support. A desire from the community to discuss these issues while the regional geotechnical and water studies have been completed has been challenging.

- Generating broader community interest in the LVRRS has also proven challenging. Public interest in mine rehabilitation was high during the Hazelwood Mine Fire Inquiry proceedings and in the lead up to and immediately after the Hazelwood Mine and Power Station closure, however this interest seems to have diminished. It should be noted that some community groups, including the Great Latrobe Park, have remained actively interested in the issues throughout this time and this interest continues.
- *The importance of going to the people when it comes to engagement.* Public, high-foot traffic areas such as shopping centres or pop up shops in CBDs are likely to capture a relatively large passive audience, compared with ‘town hall’ style events which have captured a smaller active audience in this case.
- *Obtaining an evidence base.* In the early stages of the LVRRS Project, assumptions were made about the level of local knowledge regarding mine rehabilitation. These relied on anecdotal evidence and feedback rather than a robust evidence base. Realising this, the LVRRS team undertook work to more accurately understand the public sentiment and level of knowledge of mine rehabilitation issues both within the region and across the state more broadly. While this work confirmed the assumption that the level of knowledge regarding mine rehabilitation was low, it also revealed several other useful findings that were relevant in considering how public communication regarding the Project should be pitched to various audiences. This evidence base is critical in determining how widespread and prevalent particular views are within a community or a stakeholder group as well as providing a statistically significant sample of local and statewide views which could be compared and contrasted.

8 Conclusion

As work to deliver the LVRRS by June 2020 continues, the advice and input of the Committee will continue to be sought. The Committee is working to provide optimal advice back to government, acquit its responsibilities within its terms of reference and provide a summary of outcomes back to the broader stakeholders interested in the Project, particularly the Latrobe Valley community.

Overall, the advisory committee has proved to be a good way of obtaining stakeholder feedback to support the delivery of a large and complex Project such as the LVRRS. The benefits that go with getting senior representatives from a range of organisations with an interest in mine rehabilitation regularly together have been significant. The knowledge and insights that members have been able to offer based on their technical expertise and experience, coupled with their time living and working within the region is immeasurable.

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