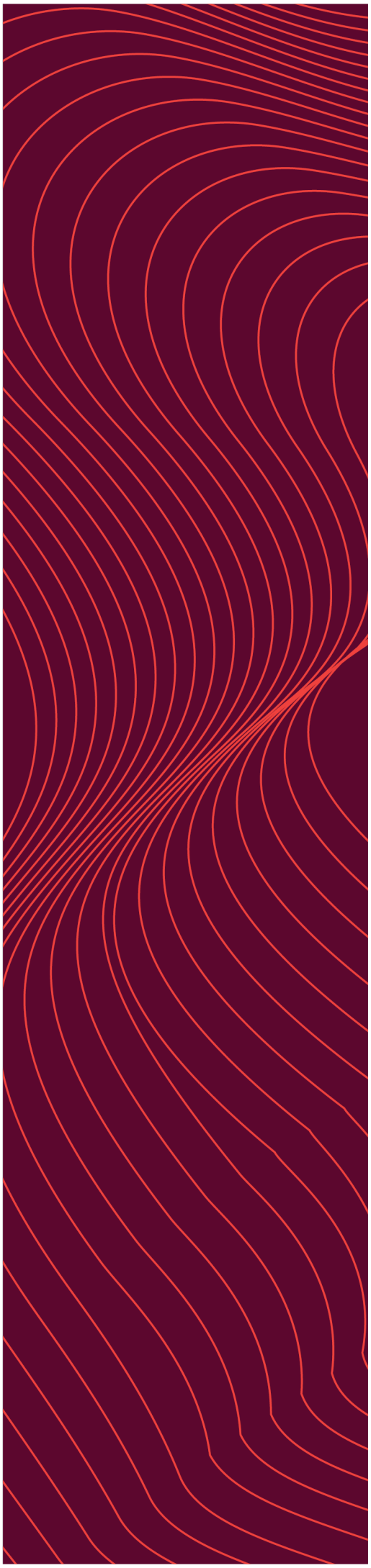
LATROBE CITY COUNCIL

Latrobe City Council Submission

Hazelwood Rehabilitation Project Environmental Effects Statement October 2026

A positive legacy for the environment, our community and the economy



Executive Summary

Latrobe City hosts Victoria's three declared coal mines: Hazelwood, Yallourn and Loy Yang. Their rehabilitation will affect the municipality's environment, economy and land use for decades.

Following the 2017 closure of Hazelwood Power Station, ENGIE proposes to rehabilitate the mine principally through a pit lake, drainage changes, land remediation and infrastructure removal or retention.

The Hazelwood Rehabilitation Project Environmental Effects Statement (EES) is on public exhibition from 21 September until 2 November 2026. The Minister for Planning's Assessment will inform subsequent decisions concerning the Declared Mine Rehabilitation Plan (DMRP), environmental requirements, planning controls and other necessary approvals.

Council wishes to be heard by the Inquiry and Advisory Committee and will advise the Committee of its representatives and any supporting evidence in accordance with its directions.

Basis of Council's submission

Council has participated in the project's Technical Reference Group and commissioned Dartmouth Consulting Pty Ltd to undertake an independent technical review. This submission is informed by that review, the exhibited EES, previous Council submissions and matters raised by Councillors and the community.

It also builds on Council's 2019 response to the Latrobe Valley Regional Rehabilitation Strategy, its 2025 submission on ENGIE's draft DMRP and its submissions on the proposed Loy Yang and Yallourn rehabilitation water entitlements.

Council seeks timely, safe and sustainable rehabilitation with lasting environmental, community and economic benefits. Potential safety and acceptability issues must be resolved before approval, with enforceable completion points for investigations dependent on drainage or later stages. Council seeks coordinated government ownership and a dedicated, properly funded government manager. Council does not support or accept ownership or management of the pit lake, residual mine land, retained mine infrastructure or associated liabilities.

Council makes 23 recommendations under the EES's five evaluation objectives. The exact EES evaluation objectives are reproduced beside the detailed sections below. Recommendations are grouped under their primary objective, although some address more than one objective.

Evaluation objective 1: Water resources and environmental values

Avoid and, where avoidance is not possible, minimise adverse effects on water resources and their environmental values (including existing and potential future values downstream of the project area) and uses (including cultural, recreational and agricultural) including licensed uses of surface water, groundwater and related catchment values over the short and long term. (EES Chapter 6, Assessment framework, Table 6-1.)

The water system has been substantially altered by mining and power generation. Council's recommendations seek restoration of environmental functions while preventing further harm during rehabilitation.

1. Coordinated regional water management

Council's recommendation
Request that the Victorian Government coordinate implementation of the existing regional water assessments with ENGIE, Gippsland Water, Southern Rural Water, GLaWAC, the West Gippsland Catchment Management Authority and the other mine operators. Publish a common register of mine-filling schedules, expected supply, groundwater use, return flows, entitlement constraints and actual annual water use.

Agree drought priorities, information-sharing and review triggers across the three mines. Update the existing assessments when other rehabilitation proposals are confirmed, filling schedules overlap

differently, supplies change or monitoring falls outside predicted ranges or exceeds approved response triggers. Consider environmental and cultural needs and water for existing users and future growth. This must inform each entitlement and licence decision without commissioning repeat modelling across every hypothetical scenario. *(Chapter 9, report pp. 9-19–9-21; Technical Report B, report pp. 105–114.)*

Rationale
Regional water modelling has already examined climate change and mine-filling scenarios. The EES also recognises overlapping demands and Hazelwood's potential effect on the proposed return of Moondarra water to the Tyers River environment. Council's priority is coordinated implementation and transparent reporting of how water is actually allocated and used. *(Chapter 9, report pp. 9-7–9-12 and 9-17–9-21.)*

Technical Report B recommends review as other mine proposals are confirmed because its cumulative assessment relies on assumptions about them. Agreed drought responses and updated assessments would show whether approved filling programs can operate together without shifting supply risks to communities or other water users, avoiding repeated modelling of uncertain scenarios. *(Technical Report B, report pp. 105–108 and 110–114.)*

2. Site-wide contamination and remediation

Council's recommendation
Require ENGIE to publish completed contamination studies and EPA audit findings, together with a register of outstanding investigations, excluded areas, waste repositories and remediation obligations. Use the existing statutory audit process to verify remediation and identify remaining assessment gaps in the contamination assessment.

Before any area is disturbed, capped, inundated, demolished or released, require adequate investigation and independent audit of the mine void, Hazelwood Ash Retention Area, ash repositories and landfills, buried waste and asbestos, PFAS, potential acid sulfate soils, the Cooling Pond and Works Effluent Pond, and excluded areas that could affect the site. Remediation must suit each area's agreed intended use under the coordinated precinct delivery program, drawing on the LVRRS land-use vision, ENGIE's Concept Master Plan and rehabilitation studies. Current Clean Up Plan assumptions must not unnecessarily foreclose other suitable uses. Where investigation must await dewatering, impose a hold point preventing rehabilitation acceptance, access or reuse or licence relinquishment until remediation is independently verified. *(Chapter 13, report pp. 13-4–13-5 and 13-16–13-21.)*

Rationale
The EES relies on continuing EPA processes and acknowledges that comprehensive Cooling Pond sediment assessment must follow drainage. Council seeks publication of completed findings and enforceable stages for the work that remains. Ash ponds within the Eastern Overburden Dump are outside the project scope but must be considered where they affect intended future uses. *(Chapter 13, report pp. 13-6 and 13-8–13-11.)*

Sampling may miss small buried areas, and PFAS and potential acid sulfate soils require further work. Suitability for current Clean Up Plan uses does not establish suitability for more sensitive recreation, tourism or residential uses. The LVRRS land-use vision and ENGIE's Concept Master Plan identify potential uses; they do not establish approval or contamination suitability for each area. Agreed uses and transparent audit outcomes can avoid passing assessment and clean-up costs to future users. *(Chapter 13, report pp. 13-16–13-17 and 13-26.)*

3. Water-supply certainty and adaptive filling

Council's recommendation
Before each filling stage, require ENGIE to demonstrate that the proposed surface water and groundwater use is lawful and any third-party supply is contractually secured. Seek confirmation from the Minister for Water that Gippsland Water's Blue Rock and Moondarra entitlements permit the proposed rehabilitation supply, supported by an agreement specifying volumes, duration, priorities and drought restrictions. Any necessary entitlement change must undergo the applicable public assessment process. *(Technical Report B, report pp. 3 and 56–57.)*

Southern Rural Water must confirm that groundwater licences permit the proposed volumes and use for mine filling, with any necessary renewal or variation approved before the relevant extraction. Morwell River floodwater must not be relied upon until the required access arrangements and approvals are secured; the EES identifies trading or a new entitlement as possible pathways. *(Chapter 9, report pp. 9-15, 9-19 and 9-22; Technical Report B, report pp. 2–3.)*

Require a staged filling plan with clear decision points, reporting and response actions for drought, competing demand, interrupted supply, poor water quality and unexpected batter, shoreline or mine-floor movement. Specify when rates, sources or stages will change, while maintaining the balance between lake levels and groundwater pressures needed for safety. Responses to algal blooms must include public warnings and access restrictions, without assuming that the whole lake can be treated. Any fast-fill or connected-lake preference must be limited to the comparative catchments assessment and weighed against water availability, approvals and other technical findings.

Rationale
Filling the mine to RL +45 metres AHD requires about 637 gigalitres (GL). ENGIE proposes 20–30 GL of surface water and 15–23 GL of groundwater annually. *(Chapter 4; Technical Report B, report pp. 2–3.)*

ENGIE holds no relevant bulk entitlements, and its Gippsland Water agreement guarantees no minimum supply. Surface-water availability depends on climate, infrastructure constraints and Gippsland Water's other customer obligations *(Technical Report B, report p. 3)*. Groundwater volumes and use for mine filling remain subject to licensing, so filling rates and timing are not guaranteed.

Faster filling may shorten some catchment impacts and reduce overlap with Yallourn and Loy Yang, but the assessment identifies increased risks under extended drought and dry-climate conditions. Connected scenarios also have greater potential for eutrophic conditions and algal blooms, and Morwell River floodwater cannot readily be accessed under existing arrangements. A staged plan must explain how these constraints change filling decisions rather than assume the preferred scenario can proceed unchanged. *(Technical Report D, report pp. 7–9; Technical Report C, Executive Summary, report p. vi; Chapter 9, report pp. 9-19 and 9-22.)*

4. Aquifer protection

Council's recommendation
Require ENGIE to implement groundwater management plans and Trigger Action Response Plans for filling, lake maintenance and post-closure. Use the EES groundwater model and observed conditions to set stage-specific controls on pumping rate, location and duration, aquifer pressures and lake levels. Review the controls as filling and pressure recovery progress; fixed extraction limits must not override the pumping needed to maintain a safe landform.

Record existing aquifer conditions and specify monitoring locations, frequency, public reporting, intervention triggers, response times and funding. Track the Haunted Hills Formation, M1 and M2 aquifers, water quality, seepage, groundwater users and groundwater-dependent ecosystems. Compare observations with model predictions and revise controls when results fall outside the predicted range or exceed approved response triggers. The management plans must specify those ranges, measurable triggers and required actions. Clarify how the surface-water assessment accounts for groundwater currently or otherwise discharged to Eel Hole Creek and the Morwell River that would instead enter the pit, and disclose any change in downstream flows. *(Chapter 11, report p. 11-14; Chapter 12, report pp. 12-29 and 12-37–12-38; Technical Report E.)*

Mandatory responses must protect aquifers and users while preserving stability: adjust pumping rate or location, investigate impacts, revise modelling where justified, undertake remedial works or use contingency depressurisation. Retain bores required for monitoring and pressure control, and fund management for as long as risks remain, including flowing artesian bores. *(Chapter 12, measures GWMM01–02 and GWMC01–10, report pp. 12-37–12-38.)*

Rationale
Decades of pumping have substantially depressurised Hazelwood's aquifers. The EES proposes about 15–23 GL of groundwater a year, compared with approximately 12 GL in its existing-use description. It also describes baseline excess groundwater discharge through the Cooling Pond to

Eel Hole Creek. Mine filling can therefore change both extraction and downstream return flows. *(Chapter 9, report p. 9-15; Chapter 12, report pp. 12-28–12-29.)*

Pumping requirements change as water in the pit counterbalances recovering groundwater pressures. The EES predicts limited effects on most existing users and water quality, but regional depressurisation has already constrained groundwater use. Existing model predictions provide the basis for management; monitoring is needed to establish whether actual conditions remain within the expected range. *(Chapter 12, report p. 12-28.)*

The EES already proposes adjusting pumping rate, location and duration. Council seeks enforceable implementation, public reporting and funded responses, rather than a second model or a permanent extraction cap. Continued lake top-up and the overlapping rehabilitation of the other mines must be considered as pressures recover. *(Chapter 12, report pp. 12-32–12-38; Technical Report E: Groundwater.)*

5. Lake water quality and the Morwell Main Drain

Council's recommendation
Before redirecting the Morwell Main Drain, require ENGIE to fund and implement a lake water-quality monitoring and response plan covering filling and post-closure. Set stage and use appropriate objectives for nutrients, cyanobacteria and toxins, dissolved oxygen, salinity, metals, PFAS, pathogens and other relevant contaminants. Specify sampling across lake depths and inflows, public reporting, warning and access-restriction triggers, feasible source-management measures, response responsibilities and ongoing funding. *(Chapter 10, report pp. 10-35–10-39; measures WQMC01–06.)*

Monitor the Drain's flows and pollutant loads, reconcile the catchment and lake-model inputs, and assess feasible measures to reduce litter, sediment and contaminants before they enter the lake. Source controls or treatment must be supported by hydraulic, geotechnical and maintenance assessments. Wetlands or reed beds must not be prescribed on unstable batters or where infiltration could undermine stability. ENGIE must retain responsibility for the mine-related Morwell Main Drain diversion, lake-inflow and treatment assets within its control until any lawful transfer to the designated government manager. Council must not be assigned ownership, management or maintenance of these project assets; its existing municipal drainage duties continue.

Rationale
The Drain carries Morwell urban runoff and Hazelwood site runoff. The proposed diversion changes where sediment and contaminants enter the water system, and the EES identifies zinc above the applied aquatic-ecosystem guideline. It reports about 1 GL of median-year runoff reaching the existing wetland while the lake model uses about 0.4 GL. The assumptions and any resulting difference in pollutant load should be explained. *(Chapter 10, report pp. 10-13–10-20; Chapter 11, report pp. 11-14 and 11-40.)*

The proposed lake's scale limits practical whole-lake treatment, so management should emphasise reducing avoidable pollutant inputs, monitoring and protecting people from unsafe uses. Connected scenarios have greater potential for eutrophic conditions and toxin-producing algae. The EES defers use-specific responses until a productive use is chosen; a baseline response plan is still needed during filling and before access is permitted. Treatment measures must be technically feasible and compatible with stability. *(Chapter 10, report pp. 10-35–10-39.)*

Council's position on the Drain is also informed by Hazelwood Power Partnership v Latrobe City Council [2016] VSCA 129. The Court of Appeal held that taking into account all the relevant facts and circumstances, the Morwell Main Drain was not a public drain and should remain managed by Hazelwood Power Partnership.

6. Hazelwood Cooling Pond

Council's recommendation
Require ENGIE to publish and implement the proposed Cooling Pond Rehabilitation Plan (CAMM09) and Works Effluent Pond Trigger Action Response Plan (CAMM10). Once water-transfer timing is approved, specify funded stages, sediment testing as areas become accessible, hold points, regulator-approved remediation criteria, public reporting and independent completion

verification. Testing must address PFAS, hydrocarbons, metals, potential acid sulfate soils and buried waste, with controls protecting Eel Hole Creek while testing, remediation and vegetation establishment occur.

Before dewatering, confirm fauna-protection measures and the design, delivery and funding of replacement habitat and Eel Hole Creek restoration. Establish replacement habitat before loss wherever practicable and stage other restoration as drainage progresses. Secure replacement recreational and community benefits through the legacy agreement, with named delivery parties and deadlines. Accept rehabilitation as complete only when the relevant investigation, remediation and ecological completion criteria are independently met. *(Chapter 13, report pp. 13-18–13-19; Chapter 15, report pp. 15-23–15-29.)*

Rationale
The EES already acknowledges that comprehensive sediment investigations depend on draining the Cooling Pond, and that water transfer must be coordinated with pit filling. Council is not asking for inaccessible sediments to be investigated before project approval. It seeks assurance that the proposed testing and remediation will be funded, completed and independently verified at the appropriate stage. Accessible areas contain PFAS, hydrocarbons and metals; drainage also changes the Works Effluent Pond pathway to Eel Hole Creek. *(Chapter 13, report pp. 13-6, 13-11 and 13-18–13-19.*)

Dewatering would remove habitat used by listed species including Australian Little Bittern and Lewin's Rail. It would also permanently remove a former recreation and fishing destination that attracted more than 5,000 anglers and contributed over $700,000 to the local economy during one four-month period. The outcome must therefore replace both ecological habitat and public value. *(Chapter 15, report pp. 15-1 and 15-23–15-29; Technical Report O, report p. 51.)*

Evaluation objective 2: Landform safety and stability

Achieve a safe and stable landform in an environmentally sustainable way that protects public safety, current and planned infrastructure and supports proposed outcomes for future land use. (EES Chapter 6, Assessment framework, Table 6-1.)

7. Post-closure ownership, governance and funding

Council's recommendation

Seek an agreed pathway to Victorian or Commonwealth Government ownership of the pit lake, residual mine land and retained mine infrastructure, with management by a dedicated, properly funded government entity. Establish this pathway before approval and secure legally binding ownership, management and funding arrangements before licence relinquishment or asset transfer. Assign responsibility for lake levels, groundwater management, monitoring, maintenance, security, public safety, emergency response and corrective works for as long as risks remain. Council does not support or accept ownership or management of these assets or their associated liabilities.

Before relinquishment or transfer, require independently reviewed whole-of-life costing covering routine obligations and foreseeable adverse events. Demonstrate that the rehabilitation bond, Declared Mine Fund contribution and any other required funding or security are sufficient, regularly reviewed and adjusted for inflation, changing costs and risks. Identify appropriate funding for assets outside the mining licence separately.

ENGIE's obligations must continue until a lawful, funded handover is secured to the appropriate Victorian or Commonwealth entity, and any obligations continuing after handover must be preserved. The trailing liabilities scheme provides an additional safeguard; it is not a separate fund, does not replace adequate funding and does not establish the future owner. Council retains its existing statutory, planning and municipal responsibilities. Coordinated government ownership of the wider former Hazelwood precinct is sought through complementary Victorian Government-led action. (*Chapter 4, report pp. 4-5–4-6 and 4-61–4-62; Draft DMRP, Chapters 10, 17 and 18; Resources Victoria, Latrobe Valley coal mines rehabilitation, trailing liabilities section, updated 9 September 2026.*)

Rationale

The EES states ENGIE would initially remain owner after licence surrender but does not identify the ultimate owner or manager. The detailed post-closure plan and Declared Mine Fund contribution would also be determined later. The draft DMRP estimates only ten years of post-relinquishment monitoring and makes land-management agreements conditional on what is possible, while acknowledging that long-term and adverse-event costs remain unknown. *(Chapter 4, report pp. 4-5–4-6 and 4-61–4-62; Draft DMRP, Chapters 10, 17 and 18.)*

Geotechnical modelling extends about 200 years, compared with the DMRP's indicative ten-year monitoring allowance. Monitoring and maintenance must continue according to demonstrated risk. Before relinquishment or transfer, secure the government owner and manager, their duties and sufficient funding, and identify and preserve ENGIE's continuing obligations. Unresolved arrangements must not leave Council responsible. *(Chapter 14, report pp. 14-33 and 14-37–14-40.)*

8. Complete assessment before approval

Council's recommendation

Before approval, require ENGIE to publish a completion register identifying the decision-critical matters still unresolved: post-drainage Cooling Pond sediment and contamination testing; remaining PFAS, potential acid sulfate soil and buried-waste investigations; relevant EPA audits and excluded-area risks; water-supply approvals; use-specific lake water-quality criteria; the Morwell North Substation Stage 2 damage-risk assessment; and land suitability for proposed sensitive uses. Identify the required investigation, regulator, funding, completion point and decision that depends on it.

Resolve matters that could change the project's acceptability before approval. Where investigation physically depends on drainage or a later stage, retain staged assessment with enforceable hold points before the relevant disturbance, reuse, public access, rehabilitation acceptance or licence surrender. Do not require a repeat of completed EES studies without an identified gap. Publish new information that could affect the approval decision or conditions and allow adequate independent review and public comment. (*Chapter 13, report pp. 13-1–13-5 and 13-17–13-20; Chapter 14, report pp. 14-32–14-40; Chapter 21, report pp. 21-1 and 21-23–21-24.*)

Rationale

The EES expressly defers broad Cooling Pond sediment investigation until drainage, some EPA audit work continues, and more sensitive future uses may require additional assessment and clean-up. Lake-use thresholds and the Morwell North Substation Stage 2 damage-risk assessment also remain to be completed. These are specific tasks to track, rather than a reason to repeat the EES's completed studies. (*Chapter 10, report pp. 10-38–10-39; Chapter 13, report pp. 13-6 and 13-26; Chapter 14, report pp. 14-32–14-33.*)

The requirement is a transparent, funded completion pathway for specified deferred tasks, not a blanket demand to finish every post-drainage investigation before project approval.

9. Enduring statutory mine rehabilitation framework

Council's recommendation

Request that the Victorian Government commission an independent legal and institutional gap analysis for Hazelwood, Yallourn and Loy Yang. It should address long-term ownership, management and funding; cumulative water impacts; common safety and reporting standards; shared infrastructure; staged safe access and reuse; emergency responsibilities; and continuing participation by GLaWAC, Council and local communities.

The Government should then strengthen existing arrangements or establish an enduring, legislated Latrobe Valley framework with clear authority, protected funding and public reporting. It must complement existing regulators and preserve mine-operator obligations. *(Chapter 9, report pp. 9-19–9-21; Technical Report B, report pp. 107–114; Chapter 4, report pp. 4-5–4-6 and 4-61–4-62; Draft DMRP, Chapters 5 and 18.)*

Rationale
The mines are assessed separately but depend on connected aquifers, water systems and shared infrastructure. Hazelwood's cumulative assessment is not a comprehensive assessment of the other mines because their final proposals are unsettled. The documents also defer key responsibilities and inconsistently refer to Resources Victoria, the former Mine Land Rehabilitation Authority and an unidentified future land manager. *(Chapter 9, report pp. 9-19–9-21; Technical Report B, report pp. 107–114; Chapter 4, report pp. 4-61–4-62; Draft DMRP, Chapters 5 and 18.)*

This is relevant to the Minister's Assessment because Hazelwood's long-term safety, sustainability and stability depends on enduring regional coordination.

10. Community safety, security and lake use

Council's recommendation

Require ENGIE to fund and implement a Community Safety, Security and Lake Use Plan covering active and passive rehabilitation and post-closure, independently approved before public access. It must address illegal dumping; unauthorised access, vandalism and arson; shoreline design, fencing, lighting, signage and emergency access; water safety and rescue; bushfire and mine-fire prevention, suppression access and emergency water supply; permitted, restricted and prohibited activities; closures and warnings; incident and complaint reporting; public performance reporting; and a named, funded land manager. Integrate these arrangements with the approved Fire Risk Management Plan.

Risks must be eliminated where reasonably practicable and otherwise minimised. ENGIE and, following an agreed handover, the designated government manager must fund and deliver these site-management responsibilities. They must not be transferred to Council, whose existing statutory responsibilities continue. *(Chapter 4, report pp. 4-60–4-62; Chapter 10, report pp. 10-38–10-39; Chapter 22, report pp. 22-11–22-12; Chapter 23, report pp. 23-17–23-18 and 23-21.)*

Rationale

The EES proposes no public access during rehabilitation and only general post-closure security arrangements. It does not establish detailed controls for public access, dumping, lake activities, rescue, enforcement or notification. The socio-economic assessment also does not comprehensively assess risks arising when a deep lake and former mine become accessible. *(Chapter 4, report pp. 4-60–4-62; Chapter 22, report pp. 22-11–22-12.)*

The mine-fire assessment identifies arson, malicious acts and unauthorised access, but current patrols and cameras are operational controls expected to change after rehabilitation. Public access should not begin until rules, warnings, incident response, responsible management and ongoing funding are established. *(Chapter 23, report pp. 23-17–23-18 and 23-21.)*

11. Long-term stability

Council's recommendation
Require ENGIE to implement independently reviewed geotechnical monitoring and Trigger Action Response Plans for filling, passive rehabilitation and post-closure. Compare lake levels, aquifer pressures, mine-floor and batter movement, shoreline behaviour and infrastructure impacts with the existing EES predictions. Set stage-specific triggers and funded responses for unexpected movement, filling delays, drought, extreme rainfall and observations outside predicted ranges or exceeding approved response triggers. Reassess modelling where monitoring or a changed design warrants it, rather than requiring a duplicate model at the outset.

Additionally, require ENGIE to design, construct and maintain appropriate erosion protection and control measures for the northern batters, including protection from wave action, to prevent erosion, maintain their long-term stability and protect Morwell township throughout filling, rehabilitation and post-closure, for as long as erosion and stability risks remain.

Maintain stage-specific protection of exposed coal, fire-service access and emergency water supply if filling is delayed or lake levels fall. Coordinate these measures with the approved Fire Risk Management Plan and the biodiversity and landscape requirements in Recommendations 13 and 20.

Approvals must specify:

- once the target is reached, a lake level of approximately RL +45 metres AHD and operating range of RL +44.5 to +45.5 metres AHD, unless an approved, technically substantiated alternative provides equal or better safety;
- during filling, stage-specific triggers based on aquifer pressures, lake level and observed movement; after the target is reached, intervention before the lake falls below the lower operating limit, recognising the increased heave risk identified below RL +41.5 metres AHD;
- measurable limits for batter stability, ground movement, erosion, aquifer pressure and impacts on surrounding infrastructure;
- monitoring locations and frequency, regular public reporting of levels and movement, trigger exceedances and corrective action, and independent review of results outside predicted ranges or exceeding approved response triggers;
- response times and mandatory corrective actions, including lake top-up, groundwater pressure relief, pumping, drainage, batter works and asset rectification; and
- the organisation responsible for undertaking and funding these measures for as long as risks remain.

(Chapter 14, report pp. 14-23–14-25, 14-32–14-34 and 14-37–14-40; Technical Report G: Ground Movement and Geotechnical Hazards.)

Rationale
The EES does not establish that the site will be unconditionally stable. It predicts that a lake maintained between approximately RL +44.5 and +45.5 metres AHD would provide sufficient weight to counter recovering aquifer pressures. The south-west corner of West Field is identified as the most critical area, with mine-floor heave risk increasing if the lake falls below RL +41.5 metres AHD *(Chapter 14, report pp. 14-33–14-34).*

The assessment also identifies batter stability issues requiring controls during filling and in the long term. Ground movement is expected to continue, with moderate-risk areas extending behind parts of the mine crest and the Morwell North Substation requiring a further Stage 2 damage-risk assessment. The EES expressly notes that monitoring will verify whether movement is consistent with predictions but will not prevent movement *(Chapter 14, report pp. 14-23–14-25 and 14-32–14-33).*

The northern batters warrant particular attention because of their proximity to Morwell and the Princes Freeway. Wave action during filling and fluctuations in lake levels can erode the batters and affect their stability. The MLRA's Hazelwood Rehabilitation Investigation identifies wave erosion as a long-term issue, with monitoring and maintenance potentially required permanently. Specific erosion protection must therefore complement groundwater controls and geotechnical monitoring to protect nearby residents and infrastructure throughout filling, rehabilitation and post-closure. (*MLRA, Hazelwood Rehabilitation Investigation, pp. 41, 61 and 70.*)

Monitoring must test actual performance throughout the long rehabilitation period, with reassessment when observations fall outside predicted ranges or exceed approved response triggers. Approval conditions must establish who acts, how quickly and with what funding. Lake-level requirements must distinguish the staged filling period from the operating range after the target is reached.

12. Bushfire and mine-fire management

Council's recommendation

Require ENGIE to implement, review and update the existing Fire Risk Management Plan for active and passive rehabilitation and post-closure. Set out stage-specific controls for vegetation fuel and exposed coal, fire prevention, setbacks, suppression access, emergency water supply and ongoing inspection and maintenance. Review the controls as rehabilitation progresses, public access changes or monitoring identifies conditions outside those assumed by the plan. *(Chapter 4, report p. 4-41, section 4.5.5.2; Chapter 23, report pp. 23-17–23-18 and 23-21.)*

Specify actions and response triggers for delayed filling, drought and falling lake levels, including continued protection of exposed coal, reliable fire-service access and emergency water supply.

Coordinate these controls with geotechnical and lake-level responses under Recommendation 11, biodiversity restoration under Recommendation 14 and landscape design under Recommendation 22. Resolve conflicts through site-specific ecological and fire-risk assessment without unnecessary loss of high-value habitat.

Identify the organisation responsible for each site-management action, its funding, inspection frequency, reporting and response times. Engage relevant fire and emergency agencies when reviewing the arrangements and distinguish operator duties from statutory emergency-service functions. ENGIE and, following a lawful, funded handover, the designated government manager must fund and maintain the site controls for as long as risks remain. These site-management responsibilities must not transfer to Council; Council's existing statutory responsibilities continue.

Rationale

The EES includes a Fire Risk Management Plan and identifies arson, malicious acts and unauthorised access among mine-fire risks. Current patrols and cameras are operational controls expected to change after rehabilitation. Fire management must therefore remain effective as filling, restoration and access arrangements change. *(Chapter 4, report p. 4-41, section 4.5.5.2; Chapter 23, report pp. 23-17–23-18 and 23-21.)*

Integrate vegetation restoration and exposed-coal protection through the existing fire plan, with updated controls, clear responsibilities and funded maintenance during drought, filling delays and lower lake levels. Coordinate rehabilitation, ecological and landscape requirements through this plan rather than commission another.

13. Progressive safe access and reuse

Council's recommendation

Require ENGIE and the Victorian Government to publish a mapped program for staged safe access and reuse across the former Hazelwood precinct, building on existing planning and rehabilitation studies. Protect a coordinated precinct vision and government ownership objective; staged use must not require piecemeal land sales. Within the EES area, allow independently verified safe and suitable uses without waiting for completion of the pit lake or whole-site rehabilitation. Wider precinct actions require complementary Victorian Government-led agreements.

For each proposed stage and area, the program must identify:

- anticipated opening dates and measurable safety and readiness triggers;
- relevant rehabilitation criteria and independent verification requirements;
- suitable uses and remaining restrictions;
- contamination, geotechnical, ecological and fire-safety requirements;
- access, utilities, drainage and other servicing;
- infrastructure to be retained or removed;
- managed access, leasing or operating arrangements that preserve coordinated ownership;
- the designated government owner and manager, and any interim ENGIE duties; and
- responsibility and funding for ongoing monitoring and residual liabilities.

Publish progress and update the program at least annually. Opening an area requires a capable operator, secure funding and management of residual risks. Leasing or operating agreements must protect the precinct vision, public-access corridors and ENGIE's continuing obligations. Where a use is not yet viable, ENGIE's duties continue until a lawful, funded handover; land and liabilities must not default to Council. *(EES Chapter 4, report pp. 4-5–4-6; Chapter 22, report p. 22-10; Draft DMRP, Chapter 5, report pp. 7–8.)*

Rationale

The EES recognises that different domains and landforms will progress towards rehabilitation and relinquishment at different rates, and that some areas may be released from monitoring and maintenance obligations earlier than others. Socio-economic measure SEMM02 also proposes staging rehabilitation to allow safe early access for suitable economic development. *(Chapter 4, report pp. 4-5–4-6; Chapter 22, report p. 22-10).*

The draft DMRP confirms that ENGIE may seek partial or progressive relinquishment but leaves the detailed process to future engagement with government. It does not provide a coordinated staging

schedule, area-specific criteria or a transparent process for determining when land will become available. *(Draft DMRP, Chapter 5, report pp. 7–8).*

Council's earlier LVRRS submissions support government ownership and warn that progressive land sales could undermine integrated rehabilitation. They also seek timely beneficial uses and transitions aligned with rehabilitation phases. Staged safe access and reuse can achieve both objectives without fragmenting ownership or waiting for the whole lake to be filled. (*Council's November 2019 LVRRS submission, submission pp. 4, 7 and 20; January 2020 LVRRS Overview response, pp. 14 and 23; Chapter 21, report pp. 21-23–21-24.*)

Evaluation objective 3: Biodiversity and ecological values

Avoid, and where avoidance is not possible, minimise potential adverse effects on native vegetation, species of flora and fauna (particularly listed threatened species and their habitat and listed ecological communities), as well as address offset requirements (if required) consistent with Victorian and Commonwealth policies. (EES Chapter 6, Assessment framework, Table 6-1.)

14. Nature and biodiversity

Council's recommendation

Require ENGIE to fund and implement a site-wide Biodiversity and Restoration Plan with GLaWAC, DEECA, the West Gippsland Catchment Management Authority and Council. It must protect high-value habitat and re-establish a connected network of legally protected nature-reserve areas, wetlands, riparian corridors and native vegetation. Retain and enhance Ridge Grasslands, Strzelecki Gum habitat, existing wetlands and Eel Hole Creek; set measurable restoration targets; provide conservation-compatible access; and identify the funded long-term manager and public reporting requirements. Coordinate restoration with Recommendation 12, resolving conflicts through site-specific ecological and fire-risk assessment without unnecessary loss of high-value habitat.

Avoid habitat loss for Glossy Grass Skink, Lewin's Rail, Australian Little Bittern and Flinders Pygmy Perch wherever practicable. Where loss cannot be avoided, establish and protect effective replacement habitat before removal wherever reasonably possible. Meet applicable statutory offset obligations in addition to the on-site restoration sought by Council, prioritising suitable local offsets where available. Locate restoration wetlands and public access where hydrological and geotechnical assessments demonstrate they are safe. *(Chapter 15, report pp. 15-8–15-14, 15-23–15-30 and 15-36–15-46; Technical Report H.)*

Rationale

Hazelwood retains important ecological values despite extensive modification. The project would remove up to 25.78 hectares of native vegetation, about 85 per cent Tall Marsh, drain the Cooling Pond and remove other wetland habitat. The EES identifies potential significant impacts on local populations of the four listed fauna species. *(Chapter 15, report pp. 15-1–15-2, 15-8–15-14, 15-23–15-30 and 15-45–15-46.)*

Although much of the site is disturbed, the ecology assessment expressly identifies further native vegetation removal and offset requirements. Offsets must therefore be retained where legally required. They do not replace a funded on-site restoration strategy or the need to demonstrate suitable recipient habitat for threatened species. *(Chapter 15, report pp. 15-36–15-44; Technical Report H.)*

Ecological design must remain compatible with the ongoing fire-management requirements in Recommendation 12 throughout filling and post-closure. *(Chapter 4, report p. 4-41, section 4.5.5.2.)*

Evaluation objective 4: Cultural heritage

Identify and maximise opportunities for potential beneficial outcomes related to Aboriginal and historic cultural heritage values and protect, avoid, or minimise where avoidance is not possible, adverse effects on historic cultural heritage values and tangible and intangible Aboriginal cultural heritage values, in partnership with Traditional Owners. (EES Chapter 6, Assessment framework, Table 6-1.)

Gunaikurnai cultural heritage and Healing Country

Council has considered GLaWAC's position on mine rehabilitation. Council makes no separate recommendation on Gunaikurnai cultural heritage and and defers to GLaWAC, as the representative body for Gunaikurnai Traditional Owners and the relevant Registered Aboriginal Party, on Gunaikurnai cultural heritage and its priorities for Country. This does not imply GLaWAC's agreement to ENGIE's project.

The EES identifies ongoing engagement with GLaWAC, implementation of Cultural Values Assessment recommendations and cultural-heritage management requirements. Council supports consideration of these matters through GLaWAC's own submission, the applicable Cultural Heritage Management Plan processes and arrangements agreed directly with GLaWAC. (*Chapter 16, report pp. 16-11–16-15; Technical Report I.*)

15. Historic and industrial heritage

Council's recommendation

Before further non-essential demolition, require ENGIE to undertake and publish a targeted assessment of the historic, industrial and social significance of remaining buildings, structures, equipment, landscape features and records. Build on existing heritage work and the asset register in Recommendation 19. Engage former workers, local heritage organisations and the community to identify the history and values associated with Hazelwood's workforce, power generation and place in Latrobe City.

Identify significant assets that can safely be retained, adapted or incorporated into future uses. Where removal is necessary for safety, stability or environmental protection, require appropriate recording, salvage and public interpretation of significant heritage before removal wherever practicable, without delaying urgent protective works. Specify delivery responsibilities, funding, suitable storage or custodianship of retained records and objects, and ongoing management of retained heritage assets. *(Chapter 17, report pp. 17-1–17-2 and 17-8; Chapter 4, report pp. 4-29–4-31 and 4-45–4-47.)*

Rationale

The EES proposes decommissioning pump houses, the Cooling Pond spillway, embankments and car parks and demolishing numerous buildings within three to five years of filling. The heritage assessment does not comprehensively assess the remaining assets' social, interpretive or reuse value. Decisions made during rehabilitation could therefore remove opportunities to retain or explain Hazelwood's industrial and community history. *(Chapter 4, report pp. 4-29–4-31 and 4-45–4-47; Chapter 17, report pp. 17-1–17-2 and 17-8.)*

Targeted assessment and delivery requirements can protect heritage without retaining every asset. Where retention is unsafe or incompatible with necessary rehabilitation, use records, selected objects and interpretation to preserve workforce and community experience. Assign distinct responsibilities for heritage protection and long-term care alongside infrastructure reuse.

Evaluation objective 5: Amenity, socio-economic and land use

Protect the health and wellbeing of the community, and avoid or minimise, where avoidance is not possible, potential amenity, greenhouse gas emissions and land use effects. (EES Chapter 6, Assessment framework, Table 6-1.)

16. Public value and community legacy agreement

Council's recommendation

Request that the Minister's Assessment recommend Victorian Government-led negotiations with ENGIE and Council, with community and GLaWAC participation, for an enforceable Public Value and Community Legacy Agreement. The agreement must acknowledge and meaningfully mitigate verified historical and cumulative losses from the Mine Fire, abrupt closure and loss of Pondage recreation, tourism, clubs and facilities. It must fund replacement benefits, establish delivery responsibilities and timeframes, and create a protected intergenerational fund for Latrobe City. This complementary government action is additional to ENGIE's rehabilitation, remediation and financial-assurance obligations.

Set ENGIE's contribution through an independently justified formula, using Yallourn and Loy Yang rehabilitation water-access charges as a possible scale benchmark once settled. The proposed Hazelwood legacy agreement is additional to water-supply charges, rehabilitation, remediation and financial assurance. It does not replace Yallourn or Loy Yang charging arrangements and does not imply Hazelwood holds the same entitlements.

Rationale

The EES records the 45-day Hazelwood Mine Fire as a serious public-health incident and the Cooling Pond's former fishing, swimming and recreation uses before access ceased in 2019. It identifies possible future recreation, eco-tourism and health benefits, but these remain conditional and SEMM09 provides opportunities rather than funded delivery. *(Chapter 23, p. 23-6; Chapter 21, p. 21-12; Chapter 22, pp. 22-12–22-14; Technical Report O, pp. 67–70.)*

Because the EES does not value historical community losses, the agreement requires complementary Victorian Government action. The Yallourn and Loy Yang charges provide a possible scale benchmark despite Hazelwood's different water-entitlement arrangements.

17. Delivery of existing land-use plans and business cases

Council's recommendation

Request that the Victorian Government lead and fund an implementation program for the former Hazelwood precinct with Council, GLaWAC, ENGIE, relevant agencies, landowners and the community. Build on the LVRRS land-use vision, ENGIE's Concept Master Plan, the DMRP and EES studies. Identify outstanding decisions and work needed to deliver agreed uses, rather than commission another general planning study.

Confirm intended uses, remediation standards, protected infrastructure and access corridors, servicing, staged reuse and ownership arrangements. Name the lead Victorian agency and delivery partners, budgets, milestones and ongoing management for agreed priorities; commission targeted business cases where viability remains unresolved. Preserve tourism, recreation, conservation, education, agriculture, industry and safe residential or mixed-use options. Resolve decisions before non-essential demolition, capping or other irreversible works foreclose viable uses; urgent safety and environmental works must proceed. Figure 4-6 represents ENGIE's current concept, not a final outcome or funded delivery commitment.

Rationale

The EES does not assess a particular post-rehabilitation use. It describes the 2019 Concept Master Plan as non-statutory, leaves later feasibility and approvals to future stakeholders and an unidentified land manager, and excludes parts of the former precinct including the Power Block, switchyard and battery facility. *(Chapter 4, pp. 4-8–4-13; Chapter 21, pp. 21-1–21-2, 21-10, 21-16, 21-23 and 21-28.)*

Council seeks Victorian Government coordination and funded delivery responsibilities to turn planned uses into outcomes. ENGIE retains its rehabilitation obligations; delivery of specific facilities must be agreed with the responsible government, owner or operator.

18. Air quality, noise, traffic and emissions

Council's recommendation

To prevent adverse effects from the remaining rehabilitation works, require ENGIE to publish approved air-quality, noise and vibration, transport and emissions-management plans proportionate to the assessed risks. Apply relevant limits and working hours, identify representative affected Morwell and rural receptors, and specify risk-based monitoring, public reports of results, exceedances and corrective action, advance notice of disruptive works and complaint-response times. Define intervention or stop-work triggers, approved haul routes, road inspections and reinstatement responsibilities.

Use monitoring and independent compliance checks where warranted by the activity and receptor risk. ENGIE must fund any road bond reasonably required by the road manager and report practical measures to reduce rehabilitation emissions.

Rationale

The recommendation is preventive; it does not allege existing breaches. Much of Hazelwood's major demolition has already occurred, but the EES still assesses dust-generating earthworks and identifies residential receptors and Morwell's heightened sensitivity to air-quality impacts. Controls, public reporting and monitoring should be proportionate to the remaining works. *(Chapter 18, report pp. 18-10–18-18 and 18-23–18-26.)*

Cooling Pond and final landform works can continue for substantial periods, and the noise assessment identifies potential effects at rural and Morwell receptors. Peak activity may generate 55 daily truck movements. Clear working hours, complaints arrangements and road-repair obligations remain relevant, with monitoring intensified where effects approach applicable limits. *(Chapters 19 and 24; Technical Report L, report p. 7.)*

19. Infrastructure reuse

Council's recommendation

Before further non-essential demolition, require ENGIE to publish an independently reviewed register of remaining roads, buildings, car parks, ramps, concrete structures, pipelines, water assets, bores and service connections. For each asset, assess its condition and constraints, community and industrial-heritage value, compatibility with future uses, reuse or removal options, ownership and funding needs, and the consequences of removal. Address heritage findings under Recommendation 15 when deciding whether assets should be retained, adapted or removed. Retain or adapt assets unless removal is required for safety, stability or environmental protection.

Require Saline Wastewater Outfall Pipeline (SWOP) agreements with Gippsland Water and remaining users covering service continuity, ownership, maintenance, monitoring, decommissioning and cost sharing. Identify each section's assets and operators, demonstrating that removing Hazelwood connections will not interrupt services for Yallourn, Loy Yang or other users. Retain sections only where a continuing service need exists.

Rationale

The EES proposes decommissioning pump houses, the Cooling Pond spillway, embankments and car parks and demolishing numerous buildings within three to five years of filling. It has not decided which internal roads to retain and provides no public whole-of-site assessment of whether assets could support future recreation, access to recreation areas, industry, emergency access or community use. The heritage assessment also does not comprehensively assess their social, interpretive or reuse value. *(Chapter 4, pp. 4-29–4-31 and 4-45–4-47; Chapter 17, pp. 17-1–17-2 and 17-8.)*

The SWOP is jointly used by ENGIE, EnergyAustralia and AGL. Hazelwood sections may be decommissioned while off-site sections remain for Yallourn and Loy Yang, but long-term ownership and cost arrangements remain unresolved. *(Chapter 4, pp. 4-44–4-45.)* Its immediate value is continuity of saline wastewater disposal for remaining operations. Gippsland Water is at the time of this submission upgrading sections between Loy Yang and the ocean outfall; the EES arrangements

should identify how Hazelwood connections interface with that continuing service. (Gippsland Water, Upgrading the Saline Wastewater Outfall Pipeline.)

20. Walking, cycling and public access

Council's recommendation

Require the precinct implementation program, Declared Mine Rehabilitation Plan and relevant landscape plans to map and protect corridors for future walking, cycling and public access before land is transferred, capped, reprofiled or otherwise developed.

The network should include:

- connections to Morwell, Churchill and surrounding communities;
- links to Council's Inter-Township Trail Network;
- connections through the former Cooling Pond and restored Eel Hole Creek area;
- a continuous or near-continuous trail around the pit lake where geotechnically and environmentally safe;
- accessible lookouts, trailheads, rest areas and visitor facilities; and
- safe crossings and emergency and maintenance access.

The program must identify delivery stages, remediation and independent safety checks, accessibility standards, shoreline setbacks, fire and emergency access, ownership and funded maintenance. Open verified safe sections progressively without exposing people to unsafe works. Ownership, management and maintenance of trails and facilities on rehabilitated mine land must be assigned to the designated government land manager and securely funded; Council's existing municipal responsibilities continue.

Rationale

There is currently no public access to the Hazelwood site (*Chapter 21, p. 21-10*). The land-use assessment nevertheless identifies walking, cycling and picnicking as possible future activities that do not require direct contact with lake water (*Chapter 21, pp. 21-23–21-24)*.

The socio-economic assessment predicts substantial health, wellbeing and community-cohesion benefits if the site becomes a recreational destination. Those benefits are conditional upon future access and facilities actually being delivered (*Chapter 22, pp. 22-12–22-14; Technical Report O, pp. 67–70*).

SEMM02 proposes early access to parts of the site where safe, principally to support economic development, while SEMM09 provides only a general commitment to opportunities for future community use (*Chapter 22, pp. 22-10 and 22-13*). Neither measure identifies public-access corridors, delivery dates, ownership or maintenance funding.

Trail corridors and access points must be protected during landform design so they are not later blocked by landfills, unsafe slopes, private development or unsuitable remediation.

21. Critical minerals and geothermal reuse

Council's recommendation

Request an EPA-supported assessment of whether magnesium or other useful minerals can lawfully and safely be recovered from Hazelwood ash repositories under applicable waste, contamination and rehabilitation requirements. Establish regulatory feasibility before intrusive sampling or resource development. Use existing information and non-intrusive methods for capped areas unless EPA Victoria approves further investigation; do not delay required containment or remediation.

Retain groundwater bores for as long as they are needed for pressure control, monitoring or lake maintenance. Before decommissioning bores no longer needed for those purposes, record their location, depth, aquifer, temperature, flow, condition, ownership and licensing and assess safe geothermal or other reuse. Any third-party access or tenure pathway requires Victorian Government and regulator agreement, funded management of residual liabilities and protection of ENGIE's continuing obligations.

Rationale
The EES identifies magnesium in Latrobe Valley coal ash but does not establish commercial recoverability at Hazelwood. Ash repositories are contaminated-material management areas, some capped; the Hazelwood Ash Retention Area still requires rehabilitation. Resolve EPA requirements and any necessary approval changes before feasibility work extends beyond existing information. *(Chapter 13, report pp. 13-8–13-9; Chapter 4, report pp. 4-34–4-36.)*

Existing bores are primarily groundwater-management infrastructure, and progressive closure depends on the balance between lake levels and aquifer pressures. Some may remain necessary for monitoring, depressurisation or lake top-up. M1 groundwater temperatures of about 17°C–41°C support an initial heat-reuse enquiry, not a conclusion that a geothermal attraction is viable. Safety functions must take priority over reuse or demolition. *(Chapter 12, report pp. 12-12–12-14; Chapter 4, report pp. 4-39–4-40.)*

22. Princes Freeway gateway and visual amenity

Council's recommendation
Require ENGIE's landscape and rehabilitation plans to improve views from the Princes Freeway, Commercial Road, Hazelwood Drive and Morwell approaches through native revegetation, screening and careful siting of industrial uses, while protecting suitable lookout and visitor-information sites. Landscape design must manage vegetation fuel, exposed-coal fire risk, setbacks and emergency access in accordance with the approved Fire Risk Management Plan, balancing visual and ecological benefits with safety.

Request a Victorian Government-led Princes Freeway–Morwell Gateway Project with Council, DTP, AusNet, ENGIE and landowners to examine coordinated landscaping, visitor facilities and feasible rationalisation, relocation, screening or undergrounding of transmission infrastructure. ENGIE is not responsible for assets outside its control, but its works should preserve future options.

Rationale
The landscape assessment identifies transmission infrastructure, unvegetated car parks and arterial-road industry as reducing visual quality. A Princes Freeway viewpoint has high sensitivity and exposure and a moderate visual effect. *(Chapter 20, pp. 20-7–20-8 and 20-19–20-20; Technical Report M, p. 116.)*

The EES expects rehabilitation to improve the landscape and proposes no specific mitigation beyond vegetation monitoring. As AusNet controls much of the transmission infrastructure, broader gateway works require a Victorian Government-led project, while ENGIE's plans should preserve feasible improvements. *(Chapter 20, pp. 20-23–20-24; Chapter 4, p. 4-46.)*

23. Planning scheme amendment and enforceable controls

Council's recommendation

Require the final Planning Scheme Amendment C159latr and Incorporated Document to address Council's separate planning assessment supplied with this submission.

Require Development Plans to map intended uses, including the social-connection corridor, and specify delivery works, stages, timing, responsible parties, funding, ownership and maintenance. Require consultation with Council and each relevant agency, an appropriate opportunity for affected communities to comment, publicly available approved plans and an explanation of how feedback was addressed. The Environmental Management Plan must address flood risk, waterway protection and Aboriginal cultural heritage. *(Incorporated Document, clauses 6.1, 7.2 and 7.6.)*

Remove access works and native vegetation removal from the preparatory-works exemptions, with consequential changes preventing these activities from proceeding before the relevant plans are approved. Justify the 20-year completion period and explain how progress, completion and requests for extensions will be assessed. Correct placeholder clause references. *(Incorporated Document, clauses 4.1(b), 4.4, 7.7–7.10, particularly 7.9(a), (c) and (i).)*

Confirm the status of contamination investigations and environmental audits. Reference relevant findings and EPA advice in the Explanatory Report, explain how concerns are addressed and demonstrate that the completed landform will be suitable for its intended uses through the

applicable environmental assessment and remediation processes. *(Planning Report, Tables 2, 4 and 6.)*

Explain any necessary future zoning and overlay changes and the proposed process and responsibilities for progressing them. Identify who administers and enforces the controls and fund Council's additional planning and consultation workload. Correct any suggestion that Council's TRG participation constitutes endorsement; Council's municipal responsibilities do not imply ownership or management of rehabilitation assets. *(Planning Report, p. 3 and Table 15; Explanatory Report, agency views and resource and administrative costs.)*

Rationale

The Cooling Pond and Salt Pond are outside mining licence MIN5004 but within the EES project area. The amendment provides their planning approval pathway. The joint Inquiry and Advisory Committee considers the EES, draft amendment and submissions and advises the Minister for Planning, who decides whether to approve the amendment. *(Planning Report, p. 5; IAC Terms of Reference, clause 5.)*

Later plans will determine detailed works and environmental controls. Their content, consultation and approval sequence must protect intended uses and prevent premature works. Consider Council's separate planning assessment alongside this submission for the specific changes sought.

Conclusion

Council supports timely rehabilitation of Hazelwood's heavily modified landscape and recognises that a pit lake may contribute to safety and stability, subject to lawful water access, climate resilience, verified performance and protection of other users. Decision-critical uncertainties must be resolved before approval; investigations dependent on drainage or later works require funded, enforceable completion points. Existing modelling must be tested against actual water availability, groundwater pressures and ground movement.

Approvals must protect aquifers and the Latrobe River system, assign and fund long-term monitoring and corrective action, and preserve future land and infrastructure opportunities through funded implementation of existing plans and coordinated staged reuse.

Council also calls for Victorian Government leadership to secure replacement community benefits and a protected intergenerational legacy fund. Hazelwood should leave a lasting legacy for Latrobe City, with enduring benefits and properly funded management of remaining risks. Similarly, Council broadly supports GLaWAC's position and defers to it on Gunaikurnai cultural heritage and its priorities for Country.

Council seeks Victorian or Commonwealth Government ownership of the pit lake, residual mine land and retained mine infrastructure, with management by a dedicated, properly funded government entity. Council does not support or accept ownership or management of these assets or associated liabilities. ENGIE's duties must continue until a lawful, funded handover, with any continuing obligations preserved. Council retains its existing statutory, planning and municipal responsibilities.

Council asks that the Minister's Assessment and subsequent approvals give effect to these recommendations through enforceable conditions and complementary Victorian Government-led planning, governance and community-legacy measures.

Please contact Latrobe City Council's Senior Strategy and Advocacy Advisor, Kate Cumming, at Kate.Cumming@latrobe.vic.gov.au or 0409 327 314 to discuss this submission.

Hazelwood Rehabilitation Project should deliver an enduring legacy for the environment, the community and the local economy, with safe and useful land, restored public value and secure long-term management for future generations.

Yours sincerely



Steven Piasente
Chief Executive Officer