

# HAZELWOOD MINE FIRE INQUIRY

## Submission cover sheet

Post your submission with this cover sheet to:

Submissions Hazelwood Mine Fire Inquiry  
PO Box 3460  
GIPPSLAND MC Vic 3841

Email your submission with this cover sheet to [info@hazelwoodinquiry.vic.gov.au](mailto:info@hazelwoodinquiry.vic.gov.au).

Title: <b>MR</b>	First Name: <b>CHRISTOPHER</b>	Surname: <b>KAC2KOWSKI</b>
Organisation represented(if applicable): <b>RATEPAYERS VICTORIA INC.</b>		
Email address:	<b>NO EMAIL ADDRESS</b>	
Postal address:	<b>MORWELL VIC 3840</b>	
Telephone: [REDACTED]	Mobile: [REDACTED]	
<input checked="" type="checkbox"/> Origin and circumstances of fire <input checked="" type="checkbox"/> Measures by Hazelwood Coal Mine to prevent fire <input checked="" type="checkbox"/> Application and administration of regulatory regimes <input type="checkbox"/> Other (please state)	Response to fire by: <input type="checkbox"/> Hazelwood Coal Mine <input type="checkbox"/> Emergency Services <input checked="" type="checkbox"/> Environmental Agencies <input checked="" type="checkbox"/> Public Health Officials <input checked="" type="checkbox"/> Other Government Agencies	

### Confidentiality

The Inquiry will consider all requests for confidentiality. Should you wish for your submission or parts of your submission, to be treated as confidential, please clearly state the reason in the space provided below. If you require more room, please attach a separate page and provide together with your submission.

Should the Inquiry consider the request for confidentiality not to be appropriate you will be provided with an opportunity to withdraw your submission or re-submit it in a form suitable for publication.

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I request that my submission or parts of my submission, be treated as confidential, and not published quoted or summarised by the Inquiry, for reasons stated below

## Acknowledgements

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- Anonymous submission will not be accepted.
- The name or work or suburb of each submitter will be identified as apart of every published submission. Other contact details will be removed before publishing.
- The Inquiry will not publish submission, if it believes that the submission material is or could be defamatory, offensive, contravenes, anti-discrimination or anti-vilification legislation or is outside the scope of the Inquiry's terms of reference

Signature

*Chris Yegorushin*

OR if sending electronically please confirm your acknowledgment by ticking by box

Date

*16/5/2014*

**Justice Bernard Teague,  
Inquiry Member, Hazelwood Mine Fire.**

10/4/2014

**Chris Kaczkowski,  
Member Ratepayers Victoria,**

**Morwell, Vic 3840,**

Dear Sir,

This letter represents concerns as a brief on behalf of Ratepayers Victoria (Inc.). We believe that the Inquiry into the Morwell Open Cut Mine fire will have to consider all mitigating factors leading up to the fire, during the fire and hopefully to recommend things to prevent a similar event in the future.

The electrical power industry in the Latrobe Valley has developed in direct proportion to the growth in demand. The State's generating capacity is located on three main sites at Yallourn, Morwell and at Loy Yang.

While the Loy Yang site was planned and developed to operate into the 2050's, the Yallourn and Morwell sites now operate well beyond their planned closures. This fact presented the catastrophic problems that were so graphically demonstrated in recent times including the 9<sup>th</sup> February fire.

While the industry provided considerable employment under the State Electricity Commission since the 1920's that fuelled the development of the Latrobe Valley and beyond, it has to be questioned if this development was of any net benefit to the people of Latrobe Valley if we take into account the following:

1. The industry was and continues to contribute to asbestos diseases meaning that asbestos diseases are 7% above the National average in Latrobe Valley meaning that [around 300] people are diagnosed with and are dying as a result of exposure to asbestos;
2. The area constitutes a cluster of asthma sufferers that is over five times the national average;
3. The area experiences coal dust pollution from these mines in direct proportion and direction of the wind;
4. The removal of so much coal presents negative ground pressures which is responsible for ground movement and therefore damage to buildings, roads and paths;
5. These sites prevent Latrobe Valley from developing other industries and activities as large proportion of land is reserved for coal mining;
6. The privatisation process has resulted in the loss of 30,000 jobs;
7. The Latrobe City Council has missed out on over 30 billion dollars in rates revenue over the life of the industry since the industry was and is exempted from rates.

Ratepayers Victoria considers that the recent Yallourn and Morwell open cut coal mine fires present an opportunity to rehabilitate the mines as major projects and obtain further funding for other worthwhile projects that will lessen the negative effects of the power industry. Ratepayers Victoria advocates for the mines to be rehabilitated to prevent future fires and to restore amenity and the health to the people as well as providing employment to an area of high unemployment.

**The Yallourn "Township" coal mine ceased production 15 years ago. This single mine demonstrates that there are no plans to rehabilitate the mines. The concern for the Local Community is that the owners of this site will not rehabilitate the mine and will delay any works until they cease operation and therefore present the burden on to the ratepayers and taxpayers.**

**Although there is immediate anger in relation to the 9<sup>th</sup> February fires, I believe this incident has exposed an underlying resentment in relation to high unemployment, high pollution, high incidence of bad health, exorbitant Council rates, exorbitant State property taxes and the lack of momentum and voice from Councillors and State Parliamentary representatives.**

**Latrobe Valley has served the State and the Nation well in providing and securing the electricity supply; but at what price? It is clear that the private operators are not interested in remediating or rehabilitating these negative effects and when they shut down then will present the people of Victoria the cost of demolishing power stations and rehabilitating these sites and mines. These costs will be substantial and will run into the billions of dollars. Demolishing Hazelwood Power Station and rehabilitating the adjoining mine will be well over a billion dollars alone and may be as high as 2.5 billion dollars.**

**It is only natural for the people of Latrobe Valley that are not employed by the power industry to expect some sort of benefit such as cheaper electricity or cheaper Council rates as ongoing benefits against the polluted environment and ill health. Not so, and instead of having the lowest electricity prices and the lowest Council rates, we pay the highest rates in the State and we pay it with our bad health outcomes as well.**

**There is no clearer specific example of the injustice perpetrated by the State government on to the People of Latrobe City than the Council rates and health outcomes. The privatisation process of the power industry was finalised by 1994. For unexplained reasons the State government excluded the industry from paying Council rates. Within the 20 year period since privatisation the Latrobe City Council has missed out on 1.2 billion dollars in lost Council rates and as a direct result we not only have the highest rate in the dollar but the Council was forced to borrow 30 million dollars against future rates to deliver much needed services. This rate exemption means in effect that the People of Latrobe City subsidise the electricity users not only across the State but across the Nation.**

**Ratepayers Victoria believes that Latrobe Valley was short changed by the power industry and the privatisation process. While the sale of the electricity assets benefited the State to the tune of over 30 billion dollars, not one dollar was returned to mitigate the negative effect of this process and by this industry. No one can justify to the People of Latrobe Valley the way this industry is run. This industry has trashed our Community environmentally and financially. What is good and of interest to the State can not be different to what is good and of interest to the Residents of Latrobe Valley! If the private operators can not afford to be good corporate citizens than we would prefer they simply shut down, after all, we can not see how the industry can benefit Victoria and not the Latrobe Valley.**

**Ratepayers Victoria considers that there should be an active plan to rehabilitate the mine sites at the earliest possible moment and there should be a contingency plan for an amount of money to be put aside by the industry that will pay for the demolition of power Stations**

**and the final rehabilitation of these sites. If the State Parliament does not activate such a plan than it will put the State finances at risk and will be in dereliction of their duties and responsibilities to the People of Latrobe Valley and Victoria. The People of Latrobe Valley expect sympathy and empathy from their Councillors and Parliamentary Representatives and not platitudes and inaction! Ratepayers Victoria hopes that the Inquiry into the Morwell Open Cut Mine fire considers the actions of GDF SUEZ, the State Government and Latrobe City Council within the operating context of the power industry in respect to their duties and responsibilities and the continued effects and potential effects this industry has on the local People.**

**Latrobe Valley guarantees the States power supplies and for this effort the industry and the Government must ensure sufficient funds are available to remediate and rehabilitate the mine and power station sites, not only when the operations cease, but on each occasion a section of a mine or power station site is no longer used!**

**Chris Kaczkowski.**

*Chris Kaczkowski.*

**Sonia Anne Petering,  
Inquiry Member, Hazelwood Mine Fire.**

10/4/2014

**Chris Kaczowski,  
Member Ratepayers Victoria,  
[REDACTED]  
Morwell, Vic 3840  
[REDACTED]**

Dear Sonia,

This letter represents concerns as a brief on behalf of Ratepayers Victoria (Inc.). We believe that the Inquiry into the Morwell Open Cut Mine fire will have to consider all mitigating factors leading up to the fire, during the fire and hopefully to recommend things to prevent a similar event in the future.

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While the industry provided considerable employment under the State Electricity Commission since the 1920's that fuelled the development of the Latrobe Valley and beyond, it has to be questioned if this development was of any net benefit to the people of Latrobe Valley if we take into account the following:

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The Yallourn "Township" coal mine ceased production 15 years ago. This single mine demonstrates that there are no plans to rehabilitate the mines. The concern for the Local Community is that the owners of this site will not rehabilitate the mine and will delay any works until they cease operation and therefore present the burden on to the ratepayers and taxpayers.

Although there is immediate anger in relation to the 9<sup>th</sup> February fires, I believe this incident has exposed an underlying resentment in relation to high unemployment, high pollution, high incidence of bad health, exorbitant Council rates, exorbitant State property taxes and the lack of momentum and voice from Councillors and State Parliamentary representatives.

Latrobe Valley has served the State and the Nation well in providing and securing the electricity supply; but at what price? It is clear that the private operators are not interested in remediating or rehabilitating these negative effects and when they shut down then will present the people of Victoria the cost of demolishing power stations and rehabilitating these sites and mines. These costs will be substantial and will run into the billions of dollars. Demolishing Hazelwood Power Station and rehabilitating the adjoining mine will be well over a billion dollars alone and may be as high as 2.5 billion dollars.

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Ratepayers Victoria believes that Latrobe Valley was short changed by the power industry and the privatisation process. While the sale of the electricity assets benefited the State to the tune of over 30 billion dollars, not one dollar was returned to mitigate the negative effect of this process and by this industry. No one can justify to the People of Latrobe Valley the way this industry is run. This industry has trashed our Community environmentally and financially. What is good and of interest to the State can not be different to what is good and of interest to the Residents of Latrobe Valley! If the private operators can not afford to be good corporate citizens than we would prefer they simply shut down, after all, we can not see how the industry can benefit Victoria and not the Latrobe Valley.

Ratepayers Victoria considers that there should be an active plan to rehabilitate the mine sites at the earliest possible moment and there should be a contingency plan for an amount of money to be put aside by the industry that will pay for the demolition of power Stations

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**Latrobe Valley guarantees the States power supplies and for this effort the industry and the Government must ensure sufficient funds are available to remediate and rehabilitate the mine and power station sites, not only when the operations cease, but on each occasion a section of a mine or power station site is no longer used!**

**Chris Kaczkowski.**

A handwritten signature in cursive script that reads "Chris Kaczkowski".



**Professor John Charles Catford,  
Inquiry Member, Hazelwood Mine Fire.**

**10/4/2014**

**Chris Kaczowski,  
Member Ratepayers Victoria,**

**Morwell, Vic 3840.**

**Dear Sir,**

**This letter represents concerns as a brief on behalf of Ratepayers Victoria (Inc.). We believe that the Inquiry into the Morwell Open Cut Mine fire will have to consider all mitigating factors leading up to the fire, during the fire and hopefully to recommend things to prevent a similar event in the future.**

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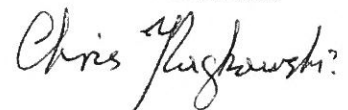
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Chris Kaczowski.

A handwritten signature in cursive script that reads "Chris Kaczowski". The signature is written in dark ink and is positioned below the printed name.

**Written by Chris Kaczowski: Member Ratepayers Victoria (Inc.)  
Sub-Committee on Constitutional and Local Government Matters**

**Morwell, Vic 3840;**

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**pollution, high incidence of bad health, exorbitant Council rates, exorbitant State property taxes and the lack of momentum and voice from Councillors and State Parliamentary representatives.**

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**Ratepayers Victoria considers that there should be an active plan to rehabilitate the mine sites at the earliest possible moment and there should be a contingency plan for an amount of money to be put aside by the industry that will pay for the demolition of power Stations and the final rehabilitation of these sites. If the State Parliament does not activate such a plan than it will put the State finances at risk and will be in dereliction of their duties and responsibilities to the People of Latrobe Valley and Victoria. The People of Latrobe Valley expect sympathy and empathy from their Councillors and Parliamentary Representatives and not platitudes and inaction!**

**Chris Kaczkowski.**

**John Mitchell,  
CEO Latrobe City Council,  
PO Box 264, Morwell, Vic 3840.**

**Chris Kaczowski,  
Member Ratepayers Victoria  
Sub-Committee on Constitutional  
And Local Government Matters.**



**21/3/2014**

**Dear Sir,**

**The Morwell Open Cut Mine is the sole responsibility of the State Government and not Latrobe City Council. Latrobe City Council made an error of judgement by deciding to be part of the so called “emergency management team”. In this respect the Latrobe City Council has not made it known either by a Council Resolution or by a statement of facts from the Mayor or Chief Executive Officer that Latrobe City Council only serves the Community of Latrobe City and therefore is acting in a supportive role to the State Government. Therefore, Latrobe City Councils exposed itself for any wrongful doing in respect of any advice bearing the NAME of Latrobe City Council that may result in exposure to harmful pathogens and any actual exposure, damage, loss or injury as a result of such advice.**

**I find it incomprehensible that Latrobe City Council has not passed a resolution that either expressed disappointment in the way GDF SUEZ operated the mine and of the non-existent regulatory practices of the State Government! Indeed I would expect that Latrobe City Council, as the representative BODY CORPORATE of the Residents and Ratepayers, passed a motion condemning HAZELWOOD and the State Government in the strongest possible terms i.e. “Latrobe City Council condemns the actions of GDF SUEZ and the State Government for the lack of preparedness that has resulted in the Residents and Ratepayers to lose their amenity and therefore that Latrobe City Council was unable to provide for their peace, order and good government within the Municipal District”!**

**Current advice bearing the Latrobe City Councils NAME in relation to cleaning affected properties will have a negative impact on the Council as a result of any actual exposure, damage, loss or injury unless the Council distances itself from such advice. In fact it may be too late! After all, Latrobe City Council Ratepayers do not need the current exorbitant rates to rise even further in order to pay for any such legal action and damages.**

**The Councillors were fooled by the States Chief Medical Officer into believing that the chemicals in the ash are the same chemicals that are in the smoke, please note that they are not the same! Further, the Councillors were also fooled into acting in concert with the State Government because it was the strategy of the State Government to shift the blame and therefore the responsibility. Indeed many believe that Latrobe City Council was somehow responsible for the disaster.**

**The High Court has ruled that Councillors are answerable to the people that elect them and not the Minister. For this reason Latrobe City Council must pass a motion in support of the Residents and Ratepayers and make it clear to all concerned that the lack of regulatory practices by the State Government has let the Council down!**

**Chris Kaczowski.**

Hon. Russell Northe MLA,  
Minister for Energy, Resources and  
Small Business,  
PO Box 214,  
Morwell, Vic 3840.

24/3/2014

Chris Kaczkowski,  
Member Ratepayers Victoria (Inc.):  
Sub-Committee on Constitutional,  
And Local Government Matters,

[REDACTED]  
Morwell, Vic 3840.  
[REDACTED]

Dear Russell,

Before this “blasted” fire at the “Morwell” open cut coal mine it was difficult for Ratepayers Victoria (Inc.) to get our messages across. I do believe that this is no longer the case! This incident and the previous incidents have not only exposed the price that Latrobe Valley paid for the privatisation of the electrical industry, but also of the inherent inequities of the Council rating system. We tried to get your attention by writing letters where in this respect our actions were amiable and honourable. I must say that you did not respond well as you relied upon and hid behind the relevant Ministers, you no longer have that luxury! The game has changed and we will adopt an entirely different approach to the messages we wish to pursue including within the media. We will consider taking direct action by supporting candidates in the forthcoming State election and the next Council election simply because you did not respond to our concerns, nor did you publicly acknowledge any of the problems that we raised, nor any possible solutions.

Please find enclosed a copy of an “open letter to Latrobe City Councillors”; it raises some of the issues that we proposed previously.

I sincerely believe that Latrobe Valley was short changed by the privatisation process in that the successive State Governments did not address the inherent effects on the constituents. To rub the salt into the wound, the State Government at the time excluded the power industry from paying Council rates, which by the way were substantial. See it from the point of view of the Ratepayers; the Latrobe City Council should be receiving an annual stipend of around 66 million dollars and not 6 million dollars. This means that since privatisation the Latrobe City Ratepayers have subsidised the rest of Victoria to the tune of 1,200 million dollars! Perhaps its time the electrical industry paid full rates and the State refund this amount to the industry and if not then your government should introduce a charge against each electrical users account as compensation to Latrobe City Council!

You can not justify the way the electrical industry is run, they have trashed our community environmentally and financially. What is good and of interest to the State can not be different to what is good and of interest to the Residents of Latrobe Valley! If the private operators can not afford to be good corporate citizens then I would prefer that they were shut down simply because Latrobe Valley does not benefit from their operations. In other words, we can not see how the industry can benefit Victoria and not Latrobe Valley.

We are open to discuss these issues with you but in any case we will consider our actions including putting money where our mouth is. You had it too good for too long!

Yours Sincerely,  
Chris Kaczkowski.

Open letter to  
Latrobe City Councillors.

Chris Kaczowski,  
Member Ratepayers Victoria (Inc):  
Sub-Committee on Constitutional,  
And Local Government Matters.

24/3/2014

Dear Councillors,

The "Morwell" open cut coal mine fire has awakened the people of Morwell and Latrobe Valley to the injustices served upon us by the State Government to date. We don't need the Council to be apologists for GDF SUEZ and the State Government. The Council is a BODY CORPORATE of the PEOPLE of LATROBE CITY and not the body corporate of the State!

The PEOPLE have awakened and now have a voice - a true Voice of the Valley. I remind you that you and the other Councillors are answerable to the People of Latrobe City and as such you and the Council must make it known, by Council Resolution, that expresses the PEOPLES frustration against the operators of the mine and the Sate Government. Anything less will be a breach of TRUST!

I have canvassed Traders and the PREOPLE in Morwell, Moe, Traralgon and surrounding areas. The overwhelming feeling of the PEOPLE is that the Council has led them down badly. In this respect it was suggested to me that the present Councillors will be voted out at the next Council election. Full page ads in the Latrobe Valley express will not save you. Get your head out of the sand and then you will feel the true anger that is out there. I have no doubt that the "Morwell" open cut coal mine has exposed long held frustration and a sense of helplessness of the Traders and the People, not only in respect to the financial position of the Council, but also to the high unemployment and the lack of any Government money for Public infrastructure projects. You don't have to look far Councillors, come to Morwell and have a look at the "abandoned" ex-high school site and the poor condition of our schools, roads and paths etc! Full page ads in the Latrobe Valley Express will not hide this fact!

If you haven't noticed the empty shops in Moe, Morwell and Traralgon then it's about time you did. The abandoned, run-down look of these towns is enough to make me despair! The privatisation process of the Electrical Industry was finalised some 20 years ago and in this respect the PEOPLE of Latrobe City expect that the so called "Community Leaders" propose a fix to the problem. You can not use events of the past to excuse your actions of the present; after all, at this point in time this excuse is no longer valid. If you can not bring yourself to act on the PEOPLES best interest within Council then I suggest you retire and let someone else have a go.

I ask you to consider changing your present position and to use your position vehemently and to act without fear or favour to the betterment of this Community. You serve the Community and not the State, it's about time you realised this fact!

Chris Kaczowski.



Chris Kaczkowski  
[REDACTED]  
Morwell, Vic 3840.

Dear Reader,

Ratepayers Victoria considers that the Morwell and Yallourn open cut mine fires present an opportunity to rehabilitate the mines as major projects and obtain further funding for other worthwhile projects that will lessen other negative effects of the power industry. This incident presents an opportunity that must not be missed. I ask you to consider advocating for these projects not only to prevent future fires but to restore amenity to the people, the environment to nature, prevent ill health in the people and of course to create employment to an area of high unemployment. I have no doubt that in these respects such projects would create considerable benefit to the people of Morwell and surrounding areas.

There are four open cut coal mines in Latrobe Valley, one at Loy Yang, one in Morwell and two at Yallourn. The total combined perimeters of these open cut mines (known as batters) are around 120 kilometres long. At each of the mines the face that is actively mined is only about 3 kilometres long, meaning that 110 kilometres of the mine batters are exposed for no reason and in fact one of the mines at Yallourn has ceased production 15 years ago. By enlarge, there is no active management or upkeep of these batters and as a result cracks appear, vegetation grows and therefore all the negative factors combine to present a serious fire risk and negative environmental outcomes. It is not clear why these mines are not rehabilitated in a timely manner and this fact has to be explored. I mean, at what point are they going to be rehabilitated?

Although there is immediate anger in relation to the fire, I believe this incident has exposed the underlying resentment of the people in relation to high unemployment, high pollution, exorbitant Council rates, exorbitant State property taxes and total lack of momentum and voice from Councillors and Parliamentary Representatives in relation to these issues. There are glaring health issues that are ongoing and are being ignored in relation to asbestos that present at 10 times the national average and other respiratory ailments such as asthma which is 5 times the national average.

Latrobe Valley has served the State and the Nation well in providing and securing the electricity supply, but at what price? It is clear that private operators are not interested in rehabilitating and remediating the negative effects of the power industry and when they shut down then will the people of Victoria be responsible to demolish power stations and rehabilitating these sites and well as the mine sites? I have no doubt this will be the case and all for a single reason to provide maximum profits for these operators at any cost!

It would be natural for all the people of Latrobe Valley to expect some sort of benefit from these power operators such as cheaper electricity or cheaper rates as compensation for the polluted environment and the ill health that results from such pollution. Not so! The people of Latrobe pay the same price for their electricity as other user in the State and instead of having the lowest Council rates in the State they pay the highest rates in the State because power operators are excluded from paying rates! Yes, not only our reward is bad environment and bad health for providing the State with electricity but for that bad environment and bad health we must also subsidise these power operators and therefore all the electrical users in the State!

The obvious question is; "why don't the Councillors and Members of Parliament advocate for this region in order to improve the environment and health of the people as well as advocating for considerable ongoing compensation for putting up with all the negative effects"? My guess is that our representatives do not wish to upset the power base within the Capital Melbourne, after all, and God forbid, if we received better perceived treatment than Melbourne!

Chris Kaczkowski.