

"JP-1"



Hazelwood Mine Fire Inquiry

16 May 2014

Mr Tom McQualter
Manager Council Operations and Legal Council
Latrobe City Council
PO Box 264
Morwell VIC 3840

By email: tom.mcqualter@latrobe.vic.gov.au

Dear Mr McQualter

Hazelwood Mine Fire Inquiry

We refer to the submission received from the Latrobe City Council (**Council**) on 13 May 2014, and to the meeting on 15 May 2014 between the Council's chief executive, John Mitchell, and Melinda Richards SC, counsel assisting the Inquiry.

The Board of Inquiry seeks two witness statements from Council, in relation to:

1. response to and recovery from the Hazelwood Mine Fire (**fire**), and associated communications;
2. land use planning issues associated with the Hazelwood Mine (**Mine**).

We understand that Mr Mitchell will be Council's witness in relation to the first set of issues. In relation to land use planning, we leave it to Council to determine whether Mr Mitchell or one of Council's strategic planners would be a more appropriate witness. Witnesses should commence their statement with a brief outline of their qualifications and relevant experience, and their role and responsibility with the Council.

We ask that the statements address the matters set out in the attachment, as well as any other matter that Council's witnesses consider will assist the Board in inquiring into the matters specified in its terms of reference. The witness statements should attach supporting documents, and include relevant maps, graphs and photographs where available.

Please provide the statements no later than Friday, 23 May 2014, in both hard copy and electronic form.

If you have any queries in relation to this request, please contact me on 9223 1706.

Kind regards

Justine Stansen
Principal Legal Advisor

1300 442 972
hazelwoodinquiry.vic.gov.au

PO Box 3460
GIPPSLAND MC VIC 3841

20 Hazelwood Road
Morwell VIC 3460

OUTLINE OF EVIDENCE: JOHN MITCHELL, CHIEF EXECUTIVE OFFICER

1. Adopt the Council's submission to the Board of Inquiry dated 13 May 2014.

Council's submission, Part C

2. Council's submission (Part C, page 6, first paragraph) states that "Council implemented a range of decisions to close various pre-schools, early learning centres and maternal and child health centres and relocated them to alternate sites ..." Provide details of these decisions and how they were implemented.
3. Were all Council run pre-schools, early learning centres and maternal and child health centres in Morwell closed and/or relocated during the fire? If not, explain the criteria used by Council for determining which of these services should be closed/relocated.
4. Describe in more detail the services provided by Council during the response phase of the fire, referred to in the second paragraph on page 6 of Council's submission.
5. Describe the door knock undertaken by Council in Morwell, including its purpose, the information sought from and distributed to residences, the order in which the town was door knocked and over what duration.
6. Describe the ways in which Council's own resources were challenged by the smoke and ash from the fire. How did Council discharge its obligations to provide services to the community while ensuring that its staff had a safe workplace?

Emergency Operations and co-ordination

7. Provide specific examples of situations in which "the number of agencies and individuals involved created a confused and scattered approach to the call on Council's resources" (page 7, fourth paragraph).
8. What were the new response strategies that Council assisted (page 7, fourth paragraph)?
9. What are the confusion and challenges for Council in relation to the role it should take in the recovery phase? Describe how Council and the Department of Human Services are sharing the lead role during the recovery phase.

Information distribution and communications

10. What was Council's strategy for community engagement, consultation and communication with communities affected by the fire?
11. How was this strategy implemented? Provide details of all activities including content, timing and location. Attach copies of all communications, including media releases, interview transcripts and information posted on the Council website and social media, where available, in chronological order.
12. How did Council assess the effectiveness of the strategy? Did it make any changes in the light of the assessment? If so what were they?

13. Provide specific examples of occasions on which Council was asked to attend announcements and press conferences on short notice (page 8, third paragraph).
14. What decisions and announcement were made by the State Government and its agencies that Council was unaware of?
15. Expand on the observation (page 8, fifth paragraph) that the wide array of agencies providing messages to the community that appeared at times not to be coordinated or consistent in its approach, and created confusion, fear, anger and lack of trust within the community.
16. Provide your views about what worked well, what did not work well and what could have been done better in communicating with the community about the fire.
17. Describe the circumstances in which Council raised in February 2013 concerns about the types and quality of air monitoring undertaken by the EPA in the Latrobe Valley, and the response to its concerns.

Clean up and recovery

18. Describe in detail Council's involvement in developing the clean up assistance package made available to the community (page 9). Provide copies of the various draft plans developed by the clean up subcommittee that were submitted to the State for consideration.
19. What agency decided upon the level of clean up assistance to be provided and the eligibility criteria for assistance? Explain Council's role in the delivery of clean up assistance.
20. Provide your views about what worked well, what did not work well and what could have been done better in providing clean up assistance to the community.

OUTLINE OF EVIDENCE: LAND USE PLANNING

21. Provide a map that identifies the location and ownership of the timber plantations to the north and west of the Mine. If possible, identify when each plantation was first established, and whether Council issued a permit for the plantation.
22. Is a permit required for all timber plantations? If not, explain why not.
23. Has Council issued a permit for any timber plantation within 1 km of the perimeter of the Mine? If so, explain the rationale for issuing each permit.
24. Did Council have any input into the mine regulator's approval in May 2009 of the most recent variation of work plan for the Mine? Did Council have any opportunity to influence the rehabilitation plan for the Mine or the expansion of the Mine to the west? If so, provide details.
25. What specific strategies does Council propose to improve the liveability of the town of Morwell, in light of the very close proximity between the Mine and the southern parts of Morwell?
26. To what extent can Council use its planning powers to mitigate the risk of fire in open cut brown coal mines? Identify and explain any limitations on powers.