

**IN THE MATTER OF
The Hazelwood Coal Mine Fire Inquiry**

STATEMENT OF CRAIG WILLIAM LAPSLEY

Date of Document: 20 July 2015
Filed on behalf of: The State of Victoria
Prepared by:
Victorian Government Solicitor
Level 25
121 Exhibition Street
Melbourne VIC 3000

Telephone: +61 3 8684 0444
Facsimile: +61 3 8684 0449
DX 300077 Melbourne
Ref: 1503689
Attention: Andrew Suddick

I, CRAIG WILLIAM LAPSLEY, of Level 23, 121 Exhibition Street, Melbourne, Victoria, Emergency Management Commissioner, can say as follows:

Introduction

1. I am the Emergency Management Commissioner. This is a statutory office established by the *Emergency Management Act 2013 (EM Act)*. I was appointed to this position from 1 July 2014 having previously been the Fire Services Commissioner from the commencement of the *Fire Services Commissioner Act 2010*. As the Fire Services Commissioner, I had legislative responsibility to provide leadership to Victoria's three fire services being CFA, Department of Environment & Primary Industries (now the Department of Environment, Land, Water and Planning and the Department of Economic Development, Jobs, Transport & Resources) and the Metropolitan Fire Brigade, and I was the senior operational firefighter in Victoria exercising control over major fires as the State Controller. This was provided for under the *Fire Services Commissioner Act 2010* and the *Emergency Management Act 1986*. The former Act has been repealed and replaced with, and the latter amended by the EM Act.
2. As Emergency Management Commissioner, I am responsible for the overall response to major emergencies including coordinating the management of the consequences of the emergency. This position was established under the EM Act.
3. I hold the following accreditations and qualifications:
 - 3.1 Level 3 Incident Controller – accredited and endorsed, Australasian Interagency Incident Management System (**AIIMS**);
 - 3.2 Graduate Certificate Applied Management (Australian Institute of Police Management);

- 3.3 Graduate Certificate Business Administration (Swinburne University of Technology); and
 - 3.4 Graduate Diploma Business Administration (Swinburne University of Technology).
 - 3.5 I have also undertaken specialised training in the following areas: Counter Disaster Planning, Strategic Planning Plus, Performance Management and Measurement, Business Continuity Planning, Advanced Structural Fire Protection, Protective Equipment and Environmental Management, Aviation and Air Observation, Fire Weather, Media and Community Engagement.
4. I have been involved in the emergency management sector for over 30 years. The following summarises my experience in the sector:
- 4.1 I have spent the majority of this time working in CFA, firstly as a volunteer fire fighter. I worked for the CFA as a paid employee for 26 years, working across a number of the CFA Regions in functional management positions. I ceased employment at the CFA in 2007 with the rank of Deputy Chief Officer.
 - 4.2 In 2007, I was appointed Director — Emergency Management, in the then Department of Human Services and was responsible for the health sector emergency response to major incidents including mass casualty, pre-hospital (ambulance) and hospital surge capability. In this role, I was responsible for the State coordination and management of recovery arrangements for all emergencies, including recovery efforts after the 2009 Black Saturday fires.
 - 4.3 In 2005, I was seconded from CFA to Victoria State Emergency Service (SES) to assist with SES's transition to becoming a statutory authority. As part of this secondment, I became the Director of SES and later the Acting Chief Executive Officer.
 - 4.4 I have worked closely with interstate fire services. This includes a secondment, in 1996, for two years to New South Wales Fire Brigades (based in Sydney) in the role of Manager State Operations, with responsibility for State Operations and specialist response in rescue, hazardous materials and bushfire.
 - 4.5 I have previous direct experience in the management of open cut coal mine fires. In October 2006, I was involved in my role as Deputy Chief Officer CFA at a major fire in the Hazelwood Coal Mine (**Mine**). I had no direct operational control of this incident; however, I assisted in developing strategy and planning in the response activities.
5. This statement has been prepared in response to a request made by the Hazelwood Coal Mine Fire Board of Inquiry (**Board**) by letter of 2 July 2015 (the **Letter**), **Attachment CWL-1**.
6. The Letter requested that this statement answers the questions set out in the Letter.

7. The Letter also invited me to comment on any other matters, beyond answering the questions, which may assist the Board in inquiring into the matters set out in paragraph 11 of its term of reference.
8. This statement has addressed each of these matters. For simplicity, this statement has adopted the topics set out in the Letter as headings. It has also repeated each of the relevant questions posed by the Board.

Response to the Letter

Question 1 — Briefly describe your role with the Surf Coast Taskforce?

9. I am the chair of the Coal Mine Emergency Management Taskforce, which incorporates taskforces for both the Latrobe Valley and the Surf Coast.
10. This role involves the conduct of meetings and workshops, providing leadership in relation to the Taskforce's strategic objectives and participating in other activities of the Taskforce on an 'as needed' basis.
11. Mr Peter Schmidt AFSM (Australian Fire Service Medal) is the Director of the Coal Mine Emergency Management Taskforce and is responsible for its day-to-day management.

Question 2 — How and why did the Taskforce start?

12. The Coal Mines Emergency Management Taskforce was created on 16 September 2014 with the aim of implementing the improvement plans and recommendations detailed in the 'Hazelwood Mine Fire Inquiry Report Victorian Government Implementation and Monitoring Plan October 2014' to the Hazelwood Coal Mine Fire Inquiry.
13. Emergency Management Victoria (EMV) facilitated its formation and provides for its staffing and administrative support.
14. The immediate and specific intention of the Taskforce was to determine and coordinate emergency management priorities for the Latrobe Valley and Anglesea for the 2014/15 and 2015/16 summer seasons.
15. The Taskforce incorporates separate taskforces in both the Latrobe Valley and the Surf Coast in order to ensure a consistent approach to emergency management across all four operating brown coal mines in Victoria, these being Hazelwood (**GDF Suez**), Loy Yang (**AGL**), Yallourn (**Energy Australia**) and Anglesea (**Alcoa**).
16. The Taskforce's headquarters are in Morwell. Its membership comprises local government, government agencies and commercial organisations and includes:
 - Latrobe City/Surf Coast Shire councils
 - Victorian Workcover Authority (**VWA**)
 - Department of Economic Development, Jobs, Transport and Resources (**DEDJTR**) - (formerly DSDBI)
 - Country Fire Authority (**CFA**)

- Environment Protection Authority (**EPA**)
 - Department of Health and Human Services (**DHHS**) – (formerly DH and DHS)
 - GDF SUEZ- Hazelwood (LTV Taskforce only)
 - AGL - Loy Yang (LTV Taskforce only)
 - Energy Australia – Yallourn (LTV Taskforce only)
 - Department of Environment, Land, Water and Planning [DELWP] (Surf Coast Taskforce only)
 - Alcoa – Anglesea (Surf Coast Taskforce only)
 - Others as required
17. DELWP is a member of the Surf Coast Taskforce because it is the agency primarily responsible for fire management of the landscape surrounding the mine. The heathland within the mine licence area poses a high fire risk.
18. Whilst the Coal Mines Emergency Management Taskforce is focussing its efforts concurrently in both the Latrobe Valley and Anglesea, issues in the Latrobe Valley were given initial priority because of the scale and risk factors for the mines in that location and also because, historically, a number of significant mine fires have occurred in spring due to seasonal winds.

Question 3 — Describe the Taskforce meetings as they have related to the risk of fire at the Anglesea mine.

19. The Surf Coast Taskforce first met on 14 November 2014. It held a teleconference on 20 November 2014. The Taskforce conducted a workshop on 17 December 2014. A further meeting was held on 28 May 2015 at the mine site. Attached are:
- LTV taskforce invitation 9 September 2014, **Attachment CWL-2**;
 - Surf Coast taskforce invitation and terms of reference 29 October 2014, **Attachment CWL-3**;
 - Minutes of meeting 14 November 2014, **Attachment CWL-4**;
 - Agenda 17 December 2014 workshop, **Attachment CWL-5**; and
 - Minutes of meeting 28 May 2015, **Attachment CWL--6**.
20. The Taskforce Director has maintained constant contact with mine management and met with them individually to monitor and support their processes of reviewing their Emergency Management Plans and Risk Analysis.
21. It is considered that the Anglesea mine poses considerably less risk than the mines in the Latrobe Valley because:

- 21.1 it is comparatively small in size - the Anglesea mine is approximately 5% the size of Hazelwood;
- 21.2 the depth of overburden is greater and there is smaller coal seam exposure;
- 21.3 the coal it contains is considered less prone to fire than in the Latrobe Valley mines;
- 21.4 mining methods with minimal mechanical failure that pose the threat of fire;
- 21.5 percentage of the original mine area has already been backfilled and replanted in rehabilitation measures.

Question 4 — What discussions have you and/or the Taskforce had with Alcoa regarding fire mitigation at the Anglesea mine post 31 August 2015?

- 22. Alcoa announced in May 2015 that it would cease operation of the Anglesea power station and mine as of 31 August 2015.
- 23. Discussions between the Taskforce and Alcoa have been limited to date, as Alcoa's management of the mine closure has been dominated by employment issues and communications with the local community.
- 24. The Taskforce intends to have detailed discussions with Alcoa in late July about the prevention, mitigation, rehousing and rehabilitation processes for the mine.
- 25. The Alcoa mine managers have worked closely with the Latrobe Valley mine management to gain an understanding of the operational learnings from the Hazelwood fire and apply appropriate actions within their own operations to improve fire management capability in line with the Taskforce Latrobe Valley work plan. This included attending joint mine and agency Risk Analysis Workshops conducted by GDH Suez in the Latrobe Valley.
- 26. Closure of the mine will significantly reduce its risk profile. Alcoa has further announced it intends to cover the majority of the exposed coal in the mine before the 2015/16 summer season. While the risk of fire cannot be completely removed, the aim of this work is to secure the site from the risk of fire as far as practicable in the coal deposits and allow time for longer term detailed rehabilitation planning for the whole site. This will include working with other stakeholders to evaluate best options for the future use of the site.
- 27. Given this fact, the current priority for the Surf Coast Taskforce is maintaining fire mitigation activities in the short term and planning to ensure the security of the mine site post-operations and before the summer season begins.

Question 5 — As the Emergency Management Commissioner, are you satisfied that Alcoa has in place sustainable, practical and effective measures to deal with the risk of fires arising from or impacting the mine for the 2015/2016 fire season? If so, why?.

- 28. Much of the focus of fire risk mitigation ahead of the 2015/16 fire danger period will be on the heathland that forms part of the mine license area and could pose a fire risk to the Anglesea community in the absence of adequate planning and mitigation works.

29. Until the discussions with Alcoa, referred to in paragraph 24 are held, I am not in a position to assess or comment on my level of satisfaction with the measures Alcoa has in place or have planned. However, I have no reason to believe that Alcoa will not continue to remain a good partner in fire prevention, fire safety and fire response.

Question 6 — If not, why? What could Alcoa do to make you satisfied that the risk is being appropriately managed?

30. See my response to Question 5 above.

Dated: July 2015

.....

CRAIG WILLIAM LAPSLEY

List of attachments

1. Attachment CWL-1 - Letter from the Hazelwood Coal Mine Fire Board of Inquiry dated of 2 July 2015 [VGSO.1005.001.0008]
2. Attachment CWL-2 - LTV taskforce invitation 9 September 2014 [VGSO.1005.001.00010].
3. Attachment CWL-3 - Surf Coast taskforce invitation and terms of reference 29 October 2014 [VGSO.1005.001.0012].
4. Attachment CWL-4 - Minutes of meeting 14 November 2014 [VGSO.1005.001.0014].
5. Attachment CWL-5 - Agenda 17 December 2014 workshop [VGSO.1005.001.0016].
6. Attachment CWL-6 - Minutes of meeting 28 May 2015 [VGSO.1005.001.0019].