

**Submission  
No 4**

**INQUIRY INTO BENEFICIAL AND PRODUCTIVE POST-  
MINING LAND USE**

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# Post-mining Land Use Inquiry

Productive post-mining land use (PMLU) has the potential to bring many benefits to communities in traditional mining areas as well as to the people of New South Wales generally. Ensuring these benefits are fully realised will require substantial and long-term policy and funding commitments from the NSW Government. I make the following recommendations.

**1 – Cost savings for leaseholders resulting from PMLU reforms should be reinvested in community and environmental projects.** Term of reference (e) asks the Committee to consider how the benefits from PMLU can be shared between the community and ‘mine operators’. I submit that benefits for mine operators should not be a policy objective at all and that PMLU reforms should be directed solely at benefiting the community, including through environmental and biodiversity outcomes. Any financial benefits for mine operators arising from PMLU reforms should be mandatorily reinvested in projects for the benefit of mining communities and their regional environment.

**2 – Environmental standards must be maintained or enhanced by PMLU reforms, and mine leaseholders must remain liable for rehabilitation failure in the long term.**

Mine leaseholders have been permitted to cause severe and widespread environmental harm on condition that they permanently rehabilitate mine sites to strict standards and viable alternative uses including ecosystems and agricultural lands. Term of reference (g) notes the need for a robust regulatory framework – this should include a guarantee that PMLU reforms must not be made at the cost of reduced environmental outcomes. Rehabilitation and land restoration standards must be maintained or enhanced. Mine leaseholders must retain long-term liability for failed rehabilitation. PMLU developments should be restricted to already-disturbed mining land. The IEA recognises that environmental rehabilitation can help improve quality of life and strengthen social cohesion, thereby enhancing the appeal and growth potential of post-mining areas as well as fostering local culture and identity.

### **3 – The Hunter Valley needs an integrated landscape restoration plan, and a dedicated public authority to implement it.**

There are 22 coal mines in the Hunter Valley sprawling across hundreds of thousands of hectares of mine-owned land. Most of these mines are due to close in the coming two decades. The landscape-scale impact of mining - and the end of mining - in the Hunter call for a landscape-scale restoration plan. This plan should be developed and implemented by an independent, statutorily empowered and well-resourced public authority. This is an essential element of the robust regulatory framework envisaged by terms of reference (e).

### **4 – Land restoration is a crucial industry in the post-mining transition.**

The scale of the mine rehabilitation and landscape restoration task facing NSW is enormous, but the state has a critical knowledge and skills gap in implementing that task. This is an urgent problem that can be turned into a valuable opportunity of the kind envisaged by the term of reference (d). The Hunter Valley is ideally placed to become a national and global leader in post-mining landscape restoration. This will require reform of existing training institutions like TAFE, and the establishment of new collaborative research institutions such as an independent Centre of Excellence.

### **5 – Post-mining developments must be driven by meaningful public engagement and deliver lasting benefits for local communities.**

The wind-down of the coal industry has profound implications for mining-dominated communities, especially in the Hunter Valley. Local communities have the most at stake in the transition and must be centrally involved in shaping the development of new industries. This will require changes in planning processes, but should also include new models of development that maximise local benefits such as community ownership and profit-sharing schemes.

### **6 – The NSW Government should facilitate the return of some mine-owned lands to First Nations people.**

Access to country is fundamental to First Nations people's self-determination and ongoing practice of culture. The closure of large mines offers a unique opportunity to return portions of unmined buffer lands to First Nations groups and deliver real and continuing benefits to Aboriginal people. This would help ensure the benefits of mine closure were shared as contemplated by the term of

reference (e). The government should facilitate this process in collaboration with First Nations groups.

**7 – The pace of change is likely to be faster than the government anticipates.**

The NSW Government's *Future Jobs and Investment Authorities: Issues Paper* – currently on public exhibition – cites an outdated IEA forecast that global coal demand will reduce by 30% by 2050. More recent estimates are that the transition will occur much faster than that. The IEA's March 2024 forecast is that coal demand will fall by at least 40% and up to 90% during that period. As the impacts of climate change worsen, it is likely that global efforts to phase out coal will intensify. The government must be upfront with NSW mining communities about the pace of the changes ahead.