

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

**Name:** Mr Peter Coughlan

**Date Received:** 22 June 2024

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I realise that the Standing Committee on State Development is bound by the Terms of Reference it is given by the Parliament.

That said, I note that the Terms are exceedingly restricted. The omission of a direct reference to environmental issues and broader community/socio-economic issues through, and subsequent to, a transition phase is exceedingly disappointing. And will lead to findings that will ultimately be lacking for the impacted regions and the people of New South Wales generally.

Within the confines of the given Terms I make the following recommendations, not in any order of priority:

1 - As a resident of the Hunter Valley I am well acquainted with current major negative outcomes from coal mining in the region. I consider there needs an integrated landscape restoration plan, and a dedicated public authority to implement it - one that is fully funded, long term, independent of the relevant minister of the day and led by Hunter based residents.

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 term of reference (e).

2 – Consistent with point 1 environmental standards must be maintained or enhanced by (Post Mining Land Use) 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 recognizes 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 – 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 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.

4 – Terms of Reference (h) notes "any other related matters". It is very disappointing to have to have make a recommendation that the NSW Government should facilitate the return of some mine-owned lands to First Nations people, under this heading. First Nations considerations should have been a clear identified discrete issue.

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

5 – Post-mining developments must be driven by meaningful public engagement and deliver lasting benefits for local communities. To date the engagement from government in the broader mining/transition space has been limited to say the least. The Hunter, and no doubt other coal mining regions, deserve and demand, better.

The NSW Government's Future Jobs and Investment Authorities: Issues Paper – currently on public exhibition - references the Black Rock Motor Park as an example of land re-use opportunities and community engagement. With family who live adjacent to the Black Rock site I am intimately aware of the processes used by the proponent, the state government/bureaucracy, the mine land-owner and the local government through the approval process, and since approval. This can not in any way be considered a positive process for local communities - indeed the way Black Rock is represented in the Issues Paper in my mind completely misrepresents the reality of what occurred. I call on the Standing Committee to pass recommendations that ensure such processes and outcomes are not and can not be repeated.

6 – Cost savings for leaseholders resulting from PMLU reforms should be reinvested in community and environment 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.

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. It is reprehensible to consider that the mine-operators who have inflicted the damage on the landscape might benefit from any changes, and particularly to use such changes as a way to limit or indeed walk away from their land rehabilitation obligations.

7 – The pace of change is likely to be considerably faster than the government anticipates, or at least is prepared to publicly acknowledge.

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. And furthermore, the government must make on a proactive basis, the necessary investments towards dealing with the rapidly looming transition. Without such the Hunter Valley is very likely to suffer irreparable damage, which undoubtedly will impact the entire state.