

**Submission
No 20**

INQUIRY INTO BENEFICIAL AND PRODUCTIVE POST- MINING LAND USE

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Dear Committee Chair,

Submission to Inquiry into beneficial and productive post-mining land use

I have recently submitted my PhD thesis to the University of Technology, Sydney. My research explored how to support public participation in transitions away from coal mining in the Hunter Valley. For my fieldwork I spent almost three years working with Hunter Renewal on various projects that brought the community's voice into transition planning. The final report on which I worked with them contains community priorities for how the mined lands of the Hunter Valley can be reinvigorated toward sustainable, ecological, social, and economic benefit. I submit my comments for the Inquiry with this experience in mind.

The terms of reference for the Inquiry are indicated in parentheses when referred to.

Who benefits from PMLU? The people and ecological systems of the Upper Hunter Valley have been subjected to decades of extractive and destructive mining activities.¹ Mining operators have long enjoyed record profits which are barely returned to the community.² I submit therefore that benefits to mining operators post-mining (e) should not be a policy objective for NSW. Positive benefits for whatever comes next in the Valley should flow to community and environment first.

What should the land be used for? Over 130,000 hectares of mined land will become available for use in the Hunter post-mining.³ Not all of this land has been mined, however, and policies should be put in place to ensure that this undisturbed land should be fiercely protected. This means these lands should not be available for developments as mentioned in (b) or (d). In our workshops with the community there was a strongly held view that these buffer lands should be returned to Traditional Owners to support principles of self-determination and ongoing practice of culture.

How can the land be made fit-for-purpose? Concentrating only on the possible innovative uses for post-mined lands (d) overlooks one important factor: the restoration of the land itself. Mined lands and mine voids are heavily polluted and likely to be so for hundreds or thousands of years.⁴ Supporting the enhancement of rehabilitation standards and regulations should be part of this inquiry. Ensuring that mine operators fulfil their promises to return the mined lands to a standard that can

¹ Drinan, J. (2022). *The Sacrificial Valley: Coal's legacy to the Hunter*.

² Lucas, A. (2016). Stranded assets, externalities and carbon risk in the Australian coal industry: The case for contraction in a carbon-constrained world. *Energy Research and Social Science*, 11, 53–66. <https://doi.org/10.1016/j.erss.2015.08.005>

³ Hunter Renewal. (2023). *After the coal rush, the clean up: A community blueprint to restore the Hunter*. https://www.hunterrenewal.org.au/after_the_coal_rush_the_clean_up

⁴ Walters (2016). *The Hole Truth: The Mess Coal Companies Plan to Leave in NSW*. Hunter Communities Network.

actually be used is crucial to supporting any future developments. The regulatory framework mentioned at point (g) should therefore be expanded to include a robust and honest review of rehabilitation laws, progress, and whether there are sufficient funds in the bonds system to support the adequate restoration of mining lands.

What do the community want for PMLU? In workshops held with Hunter Valley people over the past few years they have consistently told us that they want to support the diversification of industry in the Hunter Valley so that people and the environment can thrive. To ensure that the community benefits (e) and that community expectations are met (f), local people must be involved more meaningfully in planning what is next. People who live, work, and study in and near the mines know what is at stake, what will work, and what will fail in their local area. I strongly advise of the positive benefits that will ensue from greater community involvement in post-mining land use planning.

How should PMLU be managed? Restoration and redevelopment of mined lands is a region-wide issue that needs to be staged and planned in a joined-up way at a local level. To support the planning of PMLU in the Hunter Valley, an independent and statutory body needs to be set up (and well resourced). This body could, for example, be responsible for overseeing the implementation of training of Hunter Valley people in the skills they need to be part of the post-mining world (c). Crucially this training must be offered to people outside of the mining industry as well as to current mine workers. This will ensure that the whole community benefits from PMLU development.

How will climate change affect PMLU? The risks of climate change to the post-mined landscape should be considered when planning both restoration and new land uses. It has been found by researchers from the University of Queensland,⁵ for example, that increases in rainfall related to climate change can pose great risks to post-mined landscapes through soil erosion or the overflowing of pit lakes that contain acid and metalliferous liquids. These authors suggest that there needs to be location-specific studies conducted ahead of mine closure to consider how the dimensions of climate change will affect future uses to the land.

In summary, there should be a broadening of the terms of reference to the inquiry that take into consideration mine rehabilitation, meaningful engagement of community in post-mine land use planning, and how the effects of climate change might influence what can be done on these lands. I welcome the NSW Government for the opportunity to make a submission on this topic.

Yours sincerely,
Kimberley Crofts

⁵ Bulovic, N., McIntyre, N., & Trancoso, R. (2024). Climate change risks to mine closure. *Journal of Cleaner Production*, 465. <https://doi.org/10.1016/j.jclepro.2024.142697>