

INQUIRY INTO BENEFICIAL AND PRODUCTIVE POST- MINING LAND USE

Organisation: Hunter Joint Organisation

Date Received: 25 June 2024



The Hon. Emily Suvaal MLC
Chair, Standing Committee on State Development
Beneficial and Productive Post-Mining Land Use

25 June 2024

Dear Ms Suvaal

Re: Recommendations to inform the 'Inquiry into beneficial and productive post-mining land use'.

The ten Member Councils of the Hunter Joint Organisation (JO) welcome the opportunity provided by the Standing Committee on State Development to provide input to the Inquiry into the beneficial and productive post-mining land use.

The Hunter Region is the largest regional economy in Australia, driving around 28% of regional NSW's total economic output, of which coal exports contribute around a third (\$24 billion) of the Hunter's economic activity. As the Hunter approaches a population of one million people by 2040 and moves away from coal toward a net zero economy, coordinated and collaborative action across all levels and agencies of government is needed to maintain the liveability and economic prosperity of the region, and in doing so it's enormous contribution to both the NSW and national economies. Collaborative action to drive the strategic, beneficial and productive reuse of mining lands across the region will substantially assist with these efforts.

The ten Mayors of the Region, through the Hunter Joint Organisation, are strongly aligned in recognising the economic challenges facing the region, and on the priorities and actions needed to evolve the Hunter's economy moving forward. Through the [Hunter JO Strategic Plan 2032](#) the Mayors have identified "*an economy that continues to grow and evolve as a powerhouse of the state and national economies, providing high quality jobs*" as a core shared priority. More specifically, in regard to the beneficial and productive reuse of mining lands, the plan identifies the following strategic directions:

3.1.1 Support a clear, place-based, integrated whole-of-government policy and planning approach to drive the region's economic evolution and jobs of the future.

3.1.4 Drive collaboration to provide clarity, certainty and fairness in land-use policy and regulation as it relates to the use of former industrial and mining land and assets.

3.2.2 Improve and accelerate the regions access to investment and capital markets to underpin the innovation ecosystem and the redevelopment of industrial and mining assets.

3.2.1 Support and mature the innovation ecosystem in order to drive commercialisation of ventures and start-ups in the region which will provide growth in future jobs.

These strategic directions represent a core foundation on which to continue to grow and evolve the Hunter's economy as a powerhouse of the state and national economies, and to create more and higher quality jobs as the region replaces the economic contribution of thermal coal as it evolves toward a net zero economy.

Our submission identifies the priorities and opportunities through which to activate the strategic, beneficial and productive reuse of mining lands as a primary contributor to this



economic evolution. At their core, these recommendations seek urgently needed change to legislation and policy currently inhibiting the adaptation and reuse of mining and industrial lands, in order to:

1. Provide clear and certain pathways for existing owners and incoming investors to reuse and adapt current mining and industrial lands to activate the Hunter's new and high value jobs
2. Reduce the significant commercial risk currently deterring new and expanded investment in the reuse of mining and industrial lands.

Our recommendations focus on:

1. Recognising that the remediation and rehabilitation requirements established for mining lands in the Hunter, often decades ago, are no longer consistent with the region's economic challenges and opportunities. The next "best use" for mining lands in many locations across the Hunter is now to provide productive lands to provide jobs as the region evolves away from coal toward a net zero economy.
2. Reviewing existing legislative and policy frameworks governing the planning, regulation and rehabilitation of mining lands by both state and federal governments, to remove competing objectives and mechanisms currently inhibiting collaboration, planning and investment that could lead to the beneficial and productive reuse of these lands.
3. Streamlining the planning process and timeframes involved for activating the adaptive reuse of mining lands to enable the delivery of alternative, employment-generating uses consistent with the broader objectives for the region's economic evolution. Importantly, planning processes need to provide reassurance to investors and landowners that altering previously established development consent conditions to allow for an alternative and more beneficial end use will not result in a more costly or onerous outcome.
4. Taking a strategic place-based approach to the identification, assessment and future planning of mining lands to identify their strategic value and contribution to broader local and regional economic, social and environmental objectives and opportunities, and/or potential constraints to adaptive reuse. Such an approach would provide greater planning and investment certainty around the beneficial and productive reuse of mining lands.

I encourage you to consider our recommendations to inform the focus and scope of the Inquiry and would welcome the opportunity to further discuss our ideas with the Committee, given the enormous opportunities that the reuse of mining lands presents for our local communities, and for the Hunter region and NSW economies more broadly.

Should you have any further queries please don't hesitate to contact Steve Wilson, Director Hunter JO at

Yours Sincerely

Cr Sue Moore
Chair Hunter JO



Submission: Recommendations to inform the Inquiry into beneficial and productive post-mining land use.

The Hunter Joint Organisation is the statutory local government entity established by the NSW Government, through the *NSW Local Government Act 1993*, to support the Councils of the Hunter Region work together for better rural and regional outcomes, and to enhance the way local and state governments work together to plan and deliver important regional infrastructure and investment.

Member Councils of the Hunter JO include:

- Cessnock City Council
- Dungog Shire Council
- Lake Macquarie City Council
- Maitland City Council
- MidCoast Council
- Muswellbrook Shire Council
- City of Newcastle
- Port Stephens Council
- Singleton Council
- Upper Hunter Shire Council

The core statutory functions established by the NSW Government for the Hunter JO include:

1. Strategic planning and priority setting – to establish strategic regional priorities for the Joint Organisation area and to establish strategies and plans for delivering those priorities.
2. Intergovernmental collaboration - to identify and take up opportunities for inter-governmental cooperation on matters relating to the Joint Organisation area.
3. Shared leadership and advocacy - to provide regional leadership for the Joint Organisation area and to be an advocate for strategic regional priorities.

The ten Mayors of the Region, through the Hunter Joint Organisation, are strongly aligned in recognising the economic challenges facing the region, and on the priorities and actions needed to evolve the Hunter's economy moving forward. Through the [Hunter JO Strategic Plan 2032](#) the Mayors have identified "*an economy that continues to grow and evolve as a powerhouse of the state and national economics, providing high quality jobs*" as a core shared priority. Activating the strategic, beneficial and productive reuse of mining lands is strongly supported by the region's Mayors as it will provide a primary mechanism for driving the significant economic evolution that is required.

Recommendations

The following information and recommendations are provided in relation to the Inquiry Terms of Reference.

a) the benefits of having multiple successive land uses including the positive benefits for local communities and the economy, business, industry, and the broader state

For the Hunter Region of NSW, a strategic approach to the beneficial and productive reuse of mining lands represents a core foundation on which to continue to grow and evolve the Hunter's economy as a powerhouse of the state and national economies, and to create more and higher quality jobs as the region replaces the economic contribution of thermal coal in its evolution to the net zero economy.

The Hunter region is presently the largest regional economy in Australia, driving around 28% of regional NSW's total economic output, of which coal exports contribute around a third (\$23 billion) in economic activity. As the Hunter approaches a population of one million



people by 2040 and moves away from coal toward a net zero economy, coordinated and collaborative action across all levels and agencies of government is needed to maintain the liveability and economic prosperity of the region, and in doing so it's enormous contribution to both the NSW and national economies. Collaborative action to drive the strategic, beneficial and productive reuse of mining lands across the region has the potential to substantially contribute to these efforts.

The importance of reusing mining lands in this way is reflected in it being a a core shared priority of the region's ten Mayors, and is directly reflected in the following strategic directions from the [Hunter JO Strategic Plan 2032](#):

- 3.1.1 Support a clear, place-based, integrated whole-of-government policy and planning approach to drive the region's economic evolution and jobs of the future.*
- 3.1.4 Drive collaboration to provide clarity, certainty and fairness in land-use policy and regulation as it relates to the use of former industrial and mining land and assets.*
- 3.2.2 Improve and accelerate the regions access to investment and capital markets to underpin the innovation ecosystem and the redevelopment of industrial and mining assets.*
- 3.2.1 Support and mature the innovation ecosystem in order to drive commercialisation of ventures and start-ups in the region which will provide growth in future jobs.*

The primary benefits for the Hunter Region of reusing mining lands to support multiple successive economic activities in this way are:

- Supporting increases in the region's economic outputs, so that the current dominance of coal is replaced with other products and services
- Replacing and providing more jobs than those currently provided by traditional mining and mining related industries
- Maintaining and improving the lifestyle and opportunities available for local communities.

b) changes in land use potential and demand in established or traditional mining areas, particularly those generated by the decarbonised economy, renewable technology, manufacturing, defence, skills, and training

When considering the potential future use of mining land across the Hunter Region, it is paramount to recognise that the remediation and rehabilitation requirements established for mining lands in the Hunter Region, often decades ago, are no longer consistent with the economic challenges facing, or potential economic opportunities that now exist for the region.

The next "best use" for these mining lands to provide beneficial and productive outcomes is not now to simply try and restore them to their original ecological condition or land use, but to retain, utilise and adapt their existing assets and attributes as the new drivers of economic activity and job creation for the region. These attributes and assets include:

- Close proximity to a large and growing population of skilled workers
- Already established site infrastructure including roads and railways of high-grade construction, that are directly connected to regional transport routes and export infrastructure including the Port of Newcastle and Newcastle Airport.
- Existing access to key utilities and services (e.g. energy and water) required for manufacturing, high value agricultural production and the generation of renewable energy and its export to the grid.



- Large areas of already disturbed landscapes, the productive reuse of which can minimise the need to disturb remaining natural ecosystems and environments to support new activities and industries to support the region's economic evolution. Such an approach may even have the potential to generate a net gain in environmental outcomes.

The Hunter JO has undertaken evidence-based research and consultation to identify likely industries and their estimated contributions to the Hunter's economy as the region moves away from coal toward a net zero economy (refer Attachment 1). The establishment and growth of many of these industries would be directly supported by the beneficial and productive re-use of mining lands, including:

- Circular Economy
- Newcastle International Airport
- Port of Newcastle
- Tourism
- Advanced Manufacturing
- Agribusiness

Attachment 2 provides specific case studies on how the reuse of mining lands can support the region's economic evolution, generate new jobs and support improved environmental and liveability outcomes. These case studies include:

- BlackRock Motorsport Park, Lake Macquarie
- Hunter Circular Economy Precincts and Innovation Hub

c) Opportunities for investment and growth in training and skills in established or traditional mining areas, including:

- I. the need to reskill and or retrain current workforces**
- II. the impact and effectiveness of existing and new education, training, and skills providers for mining communities**

No response is provided.

d) Opportunities to encourage innovative post-mining land uses including:

- I. the planning and implementation of essential supporting infrastructure for future site use**
- II. the development of solar farms, pumped hydro, and other clean energy industries**
- III. the compatibility of post mining land sites with commercial projects**
- IV. the potential of unlocking surrounding land for residential dwellings, amenities, environmental and educational facilities**
- V. potential exploration of former and legacy mining sites with modern mining technology to explore deposits in tailings and closed sites**
- VI. the development of sites for use for advanced manufacturing, commercial and industrial use**

It is clear that significant opportunity exists for the beneficial and productive reuse of mining lands, but in order for this to occur significant changes to current planning and regulatory frameworks are needed, to both streamline approval processes and at the same time deliver a strategic, place-based approach to delivering economic, social and environmental outcomes.



Key priorities include:

- Reviewing existing legislation and policy governing the planning, regulation and rehabilitation of mining lands by both state and federal governments, to identify competing objectives and mechanisms currently inhibiting inter-agency collaboration, planning and investment that could lead to the beneficial and productive reuse of mining lands. Recommendations from the review should address the policy and legislative change needed to create a clear and consistent policy and planning pathway for the reuse of these lands to activate new job creating activities.
- Implementing the policy and legislative changes needed to establish a clear and consistent policy and planning pathway across government agencies and jurisdictions, which demonstrates that the reuse of mining lands is possible and the pathway through which it can occur. This will provide confidence to existing landowners and potential new investors with an interest in the adaptation and reuse of mining lands. Importantly, planning processes need to provide reassurance to investors and landowners that altering previously established development consent conditions to allow for an alternative and more beneficial end use will not result in a more costly or onerous outcome.
- Taking a strategic place-based approach to the identification and assessment of mining lands to identify their strategic value and contribution to broader local and regional economic, social and environmental objectives and opportunities, and/or potential constraints to adaptive reuse (e.g. biodiversity constraints, water issues). Such an approach would provide greater planning and investment certainty around the productive and beneficial reuse of mining lands.

e) How to ensure the the benefit from innovative post mine land uses are shared between the community and mine operators

In line with earlier comments, the sharing of benefits can be addressed through changes to current planning and regulatory frameworks in order to provide clear and certain planning pathways, while at the same time delivering a strategic, place-based approach to the reuse of mining lands that delivers economic, social and environmental outcomes. Furthermore, the reuse of mining lands to support multiple successive economic activities will have significant benefits for local communities including:

- Replacing and providing more jobs than those currently provided by traditional mining and mining related industries
- Maintaining and improving the lifestyle and opportunities available for local communities.

f) The expectations of mining communities in relation to post-mine land use, and how to balance this with innovative reuse of existing infrastructure

As outlined previously, the importance of reusing mining lands is a core shared priority of the ten Mayors of the Hunter Region, which in turn reflects the aspirations and attitudes of the communities they represent across the region. There is strong recognition and support among mining communities and their leaders in the Hunter that:

- the next “best use” for mining lands is to retain, utilise and adapt their existing assets and attributes as the new drivers of economic activity for the region.
- The adaptation and reuse of mining lands will be integral to achieving “*an economy that continues to grow and evolve as a powerhouse of the state and national*”



economics, providing high quality jobs" as the economic contribution of thermal coal declines and the region evolves toward a net zero economy.

g) The need to develop a robust independent regulatory framework to maintain and advance best practice in this area.

Please refer to previous discussion and recommendations provided in "*d) Opportunities to encourage innovative post-mining land uses*" regarding the need for significant changes to current planning and regulatory frameworks around the reuse of mining land. These changes are needed to both streamline approval processes and at the same time deliver a strategic, place-based approach to delivering economic, social and environmental outcomes.

At a broader level, the Mayors of the Hunter Region are also aligned in calling on the NSW and Commonwealth Governments to lead the delivery of place-based, whole-of-government policy and planning to drive the evolution of mining-affected regions toward net zero economies. From a regulatory framework and governance perspective, this should include:

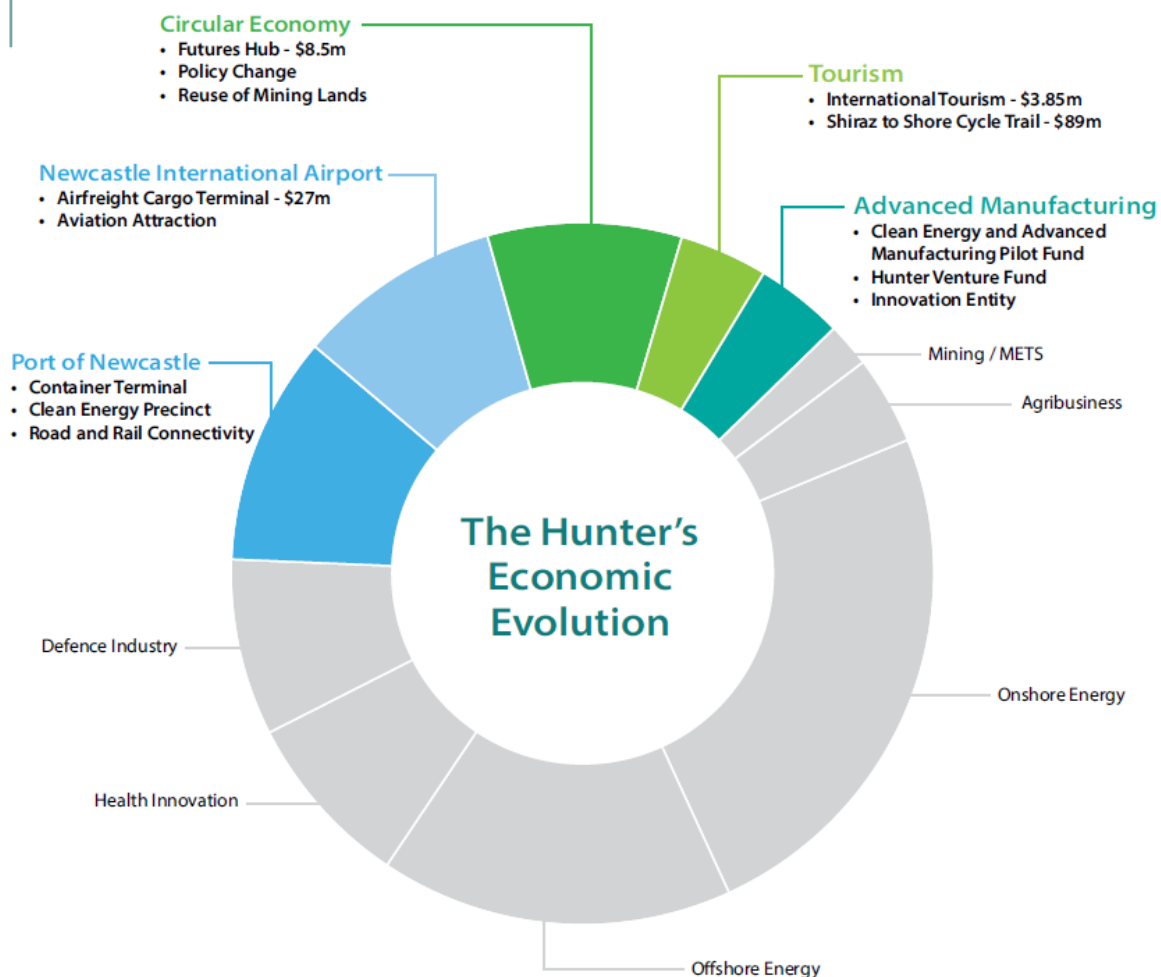
1. A clear vision and plan for each region's economic evolution
2. A coordinating entity with the necessary authority to influence the focus and coordination of cross government and agency delivery efforts.
3. Sufficient resources to deliver on the objectives established, including:
 - (i) Supporting communities adversely impacted by the move to a net zero economy.
 - (ii) Exploring city / regional deals as a mechanism for delivery.
4. Clear and certain planning pathways for the adaptive reuse of mining and industrial lands to deliver new, high-value jobs
5. A commitment to local government representation in place-based decision making that affects local and regional communities.



ATTACHMENT 1. The Hunter's Economic Evolution

The Hunter JO has undertaken evidence-based research and consultation to identify likely industries and their estimated contributions to the Hunter's economy (see chart below) as the region moves away from coal toward a net zero economy. The establishment and growth of many of these industries would be directly supported by the beneficial and productive re-use of mining lands, including:

- Circular Economy
- Newcastle International Airport
- Port of Newcastle
- Tourism
- Advanced Manufacturing
- Agribusiness



Sources: The Hunter Advantage by HCCDC & DRNSW, Hunter Renewable Energy Industrial by Precinct Beyond Zero Emissions, Clean Energy Precincts by CEDA, Economic Briefing KPMG for City of Newcastle, Port of Newcastle MasterPlan, Newcastle Airport MasterPlan and various other information sourced online from HMRI, John Hunter Health and Innovation Precinct, DPI DCCEEW, AGL.



ATTACHMENT 2: Case Studies of Existing and Potential Mining Land Reuse

Case Study	Overview
BlackRock Motorsport Park	<p>BlackRock Motorsport Park is an \$85 million DA-approved project that will deliver a world-class motorsport recreation resort on former mining land in Wakefield, in western Lake Macquarie. The project will generate about 450 jobs, while the completed resort is expected to employ almost 230 people jobs. As an attraction unique in Australia, the development will provide a significant boost to the city and state's destination tourism offering.</p> <p>However, the process to achieve approval for reuse of the site for this purpose has been lengthy and included a number of significant challenges. The adaptive reuse of this former mining site represented an uncertain process for the landowner and investor, arising from the need for reassurance that altering previously established development consent conditions to allow for an alternative end use would not result in a more costly or onerous outcome.</p> <p>More Information: https://dantia.com.au/projects/blackrock-motor-park/</p>
Hunter Circular Economy Precincts and Innovation Hub	<p>The Hunter JO has recently collaborated with GHD to prepare an Industrial Precincts and Innovation Hub Business Case, investigating the potential value and implementation pathway for the industrial circular economy in the Hunter Region. The outcomes of this work identify the value and opportunities arising from the reuse of mining lands for progressing this opportunity for the region.</p> <p>The Business Case demonstrates that the circular economy has the potential to be a significant contributor to the post coal economy of the Hunter, by generating \$1.1 billion of Gross Regional Product (GRP) and creating 1,020 jobs. Additionally, establishing local circular processes can provide environmental benefits and support emerging, low carbon industries. For example, the circular economy could provide materials security for the renewable energy transition, supply biogas from organic waste for energy or local industry, and manufacture soil amendments for industrial and mining land rehabilitation.</p> <p>The Hunter region can leverage its existing assets to grow the circular economy, such as the deepwater port, energy transmission infrastructure, and importantly, availability of existing mining land. As mine operations close in the coming decades, it presents an opportunity to maximise the value of the infrastructure already in place to establish new industrial circular economy processes.</p> <p>More Information: Click here to view a short video on the Hunter Circular Economy Precincts and Innovation Hub concept.</p>