

**Submission  
No 46**

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

**Organisation:** Association of Mining and Energy Related Councils NSW

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The Hon. Emily Suvaal, MLC  
Chair, Standing Committee on State Development  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Jessie Halligan  
Principal Council Officer  
Committees Office  
Legislative Council

By email: to [State.Development@parliament.nsw.gov.au](mailto:State.Development@parliament.nsw.gov.au)

Dear Emily,

## **PARLIAMENTARY INQUIRY INTO POST MINING LAND USE**

The Association of Mining and Energy Related Councils is the peak organisation representing resource and energy generation communities in New South Wales. These communities host 'engine' industries, making a substantial contribution to State wealth.

We welcome the opportunity to make this submission and congratulates the NSW Parliament for undertaking this timely review of leading practice.

1. Post mining land reuse is a critical component in managing a small regional community's economic transition and future economic prosperity

The World Bank notes that repurposing the land and assets of former coal mines and power station sites is a key financial and transitions management pillar in the structure of a just transition taxonomy<sup>1</sup>. Presently, the NSW legislative framing and regulation of the rehabilitation and remediation of mine sites is very

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<sup>1</sup> World Bank (June, 2024) *Just Transitions Taxonomy: Narrative Report*,

narrowly developed around the discrete development project without sitting in a broader community context. There is little genuine collaboration between all key stakeholders who may be able to add value to the re-use task. This can include the knowledge sector, government at all levels – including councils and land councils, workforce unions and others.

Whilst environmental considerations are relatively comprehensively dealt with in the non-discretionary provisions of clause 2.16 of the Resources and Energy SEPP (noise, 2.16(3), air quality, 2.16(4), airblast overpressure, 2.16(5), ground vibration, 2.16(6), and aquifer interference, 2.16(7)), economic and social impacts experienced by a host community are dealt with in only a very rudimentary way.

Social impacts at closure can also be very significant if not planned. The evidence is that early planning reduces the cost for both communities and necessary ‘rapid response’ strategic intervention by government. The focus is usually on early re-skilling, worker transfers, adaptive capacity of the entire workforce – including the future workforce, business supply chain diversification, and job creation. These aspects receive little attention in State Government planning policy.

2. Post power coal-fired power station land use should also be considered similarly

The re-use of coal power station land should be captured in the work as well. There is no meaningful distinction between the two in terms of the importance of re-use work for a local economy. Royalties for Rejuvenation Mining Act amendments as well as NSW policy relating to its proposed Future Jobs and Investment Authorities do not adequately consider the re-use of coal fired power station sites.

3. Preserving regional aggregate demand

It is important that every attempt is made to maintain aggregate demand in the local economy during the economic transition. This includes realigning worker skills and business supply lines to high-value and sustainable new jobs and opportunities. Even small periods of significant economic disruption can lead to

long periods of sustained disadvantage in a community. There is significant lead time on workforce skills re-alignment, recalibrating business supply chains and undertaking strategic land-use planning to enable investment attraction. This work needs to get underway as much as ten years prior to significant industrial closures. A key strategic land-use exercise is the re-use of former mine and power station sites.

#### 4. First Peoples

First Peoples communities are critical stakeholders in recognising the task they have in overseeing the protection and healing of Country throughout the transition process; while ensuring the education, economic and lifestyle inclusion of a region's First Peoples.

#### 5. Case Study

Perhaps the best-case study of an adaptive re-use of mining assets in a NSW context, is the work undertaken by industry, workforce unions, local government, and the knowledge sector at Muswellbrook Coal. This mine had the advantage of holding local government consents which proved to be more flexible and agile in imaging re-use options for the site when compared with NSW Government consents.

Idemitsu gave Muswellbrook Shire Council and the community seven years' notice of intended cessation of mining. As the Liddell Power Station was closing in a similar timeframe, Muswellbrook Shire Council formed a Standing Committee on Industrial Closures to better coordinate the resources necessary to minimise impacts on the community. The Committee consisted of representatives of industry (AGL and Idemitsu), the Mining and Energy Union, business supply chains, and the knowledge sector (Monash and Newcastle universities). It also had Federal and State Government representation. No similar structure existed or exists within State Government for the coordination of significant industrial closures.

Key parts of the Committee's coordination efforts included:

- undertaking wind, solar and PHES resource assessments,
- structure and master-planning of both sites identifying key opportunities and constraints for re-use,
- undertaking gas, blue and green hydrogen, and other energy utility assessments,
- exploring Aboriginal economic empowerment and social inclusion projects,
- industry and unions working constructively on whole-of-family support (including worker re-skilling) and worker transfer schemes,
- transport planning to ensure options enabling site re-use were being considered in major transport projects in the Region,
- an investment attraction piece,
- enhancement of the approved rehabilitation and site remediation plans, and
- an employment lands audit to assess the suitability of the Idemitsu site for future industrial activity.

As a consequence of the studies, approximately \$1B of potential economic investment has been attracted to the sites with Muswellbrook Shire Council taking a land option over the top reservoir of the proposed Bell Mountain Pumped Hydro scheme – later selling the scheme to AGL and Idemitsu.

Avoiding or delaying de-commissioning costs in the re-use of infrastructure can be a significant financial contributor to the sustainable adaptive re-use of former industrial sites. The approach needs to be supported by early, robust and clear assessment pathways which have demonstrable community benefits.

We would welcome the opportunity to provide evidence during the taking of evidence by the Committee in August.

Yours sincerely,

Kevin Duffy

Chair

Association of Mining and Energy Related Councils NSW