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**From:** Myles Egan  
**Sent:** Thursday, 21 November 2024 1:11 PM  
**To:** State Development;  
**Cc:**  
**Subject:** Re: Inquiry into post-mining land use - Post hearing responses - 21 October 2024  
**Attachments:** Corrected Transcript.pdf; Response\_QoN1.pdf; Response\_QoN2.pdf; ABRIEF~1.PDF

Hi Jessie,

Thank you once again for the opportunity to appear before the State Development Committee as part of the Inquiry into beneficial and productive post-mining land use last month.

Please find attached our transcript corrections, responses to questions on notice, and an additional paper cited in response to our second question on notice.

If there is anything else that we can do to assist, please don't hesitate to get in touch.

All the best,  
Myles

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20 November 2024

ATTN: Hon Emily Suvaal, Chair  
Members of the Standing Committee on State Development  
Beneficial and productive post-mining land use  
NSW Legislative Council

Dear Ms Suvaal and Members of the Committee,

**Re: Post-hearing submission (response to questions on notice)**

Thank you for the opportunity to provide evidence to the hearing on the 21<sup>st</sup> October.

During the hearing, we took two questions on notice relating to:

1. Who is best placed to fill identified environmental, social and economic data gaps and how long this could be expected to take.
2. Whether Queensland has anything similar to the proposed New South Wales Future Jobs and Investment Authorities and, if so, was there legislation that informed the creation of this body/role. similar to the transition authorities that were set up, or the Future Jobs and Investment Authorities?

The remainder of this letter is made in response to Question 1.

***In terms of the data gaps that you spoke about in your introductory statement, that is highlighted through the report. I wondered whether you or any of the others had a view as to who is best placed to try to fill some of those gaps. In particular, you talk about the absence of coherently organised and reliable information to facilitate a social and economic framework for mine closure. Who is best placed to do that work, and do you also have a view of how long it would take?***

As highlighted in our report, a critical gap exists in the accessibility of credible, contemporary and consistent environment, social and economic data. This especially relates to:

- The provision, accessibility and analysability of biophysical data relevant to post-mining land use planning in the Hunter region.
- Readily available data on current mines, their proposed post-mining land use/s, and their projected closure dates.
- Readily available data on historic (abandoned) mines across the Hunter region.
- A solid foundational knowledge of social issues across the Hunter region that is based on the existing knowledge of local agencies and contemporary engagement with stakeholders.

The availability of such data would provide an evidence base for the rapid, flexible and opportunistic decision making required to navigate the scale and pace of transition in the region. In terms of who would be best placed to do the work to fill this gap, an interdisciplinary research group like the Sustainable Minerals Institute at the University of Queensland and/or CRCTIME would be well placed, provided such a group has sufficient links with government and civil society in the region. The mining industry in New South Wales would also have a considerable role to play as the holder of much of the information critical to making informed decisions, highlighting the need for changes to cross-agency and cross-organisational information



sharing in the region. Facilitating such changes would be a responsibility that lies across the Resources Regulator, the Departments of Planning and Primary Industries and Regional Development (formerly Regional NSW), and local government. With respect to each identified data gap:

- **Biophysical data** – filling biophysical data gaps would rely on a range of stakeholders, including State government and Industry, especially given the level of detail captured by mine site operators for environmental management and compliance purposes. It would likely be a multi-year effort to reach an ideal end state, but there are also some opportunities for ‘quick wins’ that can then be expanded upon and improved. For example, updating baseline land use data sets within the region that are currently out of data and no longer fit for purpose could be conducted within a year, while acquiring the data that informed the *Hunter and Gloucester Bioregional Assessment* could also be conducted within a short timeframe.
- **Current mines** – data on current mines could be shared by the NSW Resources Regulator given they already hold this information. Making this available via a single source could be done within a year or less.
- **Historical mines** – obtaining data on historic mine sites would rely on input from all current and former approving bodies, meaning a combination of State agencies and Local Governments. This would be a multi-year effort but could be phased to occur in areas where high-growth expectations mean a higher appetite for additional land supply (e.g., Lake Macquarie). This may need to be supplemented with some government-funded studies to understand site risks or remediation requirements, particularly on abandoned sites.
- **Social and economic framework** – CRCTIME has already been working to undertake foundational work towards the development of *a framework for regional cumulative impact assessment* in response to the environmental, economic, and social impacts of mine closure. This work suggests that the development of a Regional Cumulative Impact Assessment (RCIA) framework would support the understanding of baseline conditions within a region and the cumulative pressures that have generated those conditions, predictive cumulative impact assessment of future development trajectories to inform the planning process, and ongoing assessment and monitoring to support cumulative impact management. It would require stakeholder consultation with all levels of government, community, industry and Traditional Owners, and be an ongoing process to continuously monitor and manage cumulative impacts within a region (See report - [https://crctime.com.au/macwp/wp-content/uploads/2022/04/Project-1.1\\_Final-Report\\_14.04.22\\_approved.pdf](https://crctime.com.au/macwp/wp-content/uploads/2022/04/Project-1.1_Final-Report_14.04.22_approved.pdf)).

This response has been prepared with the input of Dr Pascal Bolz (Sustainable Minerals Institute – University of Queensland), Ms Amanda Wetzel (formerly Institute for Regional Futures – University of Newcastle), and Mr Myles Egan (Institute for Regional Futures – University of Newcastle). We once again thank the Committee for the opportunity to provide evidence and for considering our submissions.



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The remainder of this letter is made in response to Question 2.

***I'm interested to hear in Queensland, Dr Samper, in terms of the work that's been done there, did you have something similar to the transition authorities that were set up, or the Future Jobs and Investment Authorities? Was there legislation that informed the creation of that role, do you know?***

There's currently no nominated energy transition authority in Queensland. Policy responsibility for energy remains with Queensland Treasury (formerly the Department of Energy and Climate) and the Treasurer/Minister for Energy.

The *Energy (Renewable Transformation and Jobs) Act 2024* establishes some bodies to assist with this work, notably the Energy Industry Council and Queensland Energy System Advisory Board. Neither organisation represents the State and exist to primarily provide views and advice to the government. Powerlink, as Queensland's transmission network service provider, also plays an important function in managing aspects of a changing grid. Powerlink has also been designated the REZ [Renewable Energy Zones] Delivery Body under the Energy Act. Powerlink's remit is primarily commercial and technical as they are a government-owned corporation.

The Office of the Coordinator-General is assisting in its function as a delivery partner, focussing generally on facilitating generator projects on an individual and regional basis.

The Energy Act establishes the Queensland Renewable Energy Jobs Advocate, which is intended to perform a role similar to that of the Future Jobs Authority, albeit not a constitution of local stakeholders but a single centralised entity. There is no direct equivalent in Queensland to the proposed Future Jobs and Investment Authorities in New South Wales.



Another statutory role in Queensland is that of the Queensland Mine Rehabilitation Commissioner who is appointed under the *Environmental Protection Act 1994* and is an independent, statutory position. The Commissioner is accountable to the Minister for the Environment and Tourism and undertakes research on rehabilitation and management of mined land in Queensland. The position is supported by the Office of the Queensland Mine Rehabilitation Commissioner (Office).

Technical advice provided by the Office is separate from, but complementary to, the regulatory function of the Department of the Environment, Tourism, Science and Innovation and the Office remains independent from the department's work program. The Office is ultimately responsible for producing leading practice technical reports, connecting with stakeholders and the community, reporting on trends and data, and advising the Minister, on mine rehabilitation matters.

Further to our response, we submit to the Committee a separately attached document by James Purtill, Emma Gagen, and Bryce Hamilton providing a *Brief History of Mine Rehabilitation Reforms in Queensland*. Key points from this document include that:

- Rehabilitation reforms in Queensland require mining companies to not only rehabilitate land disturbed by mining to a safe, stable, and non-polluting condition (the same as NSW), but also to a state that is able to sustain a post-mining land use, and to undertake this rehabilitation progressively, through the life of mine (beyond current NSW requirements).
- The earliest reforms in Queensland took place during the 1990s while work to separate the Environmental Regulator from the Industry Promoter was undertaken between 2000 and 2016. Work to close the gap between land being disturbed and its subsequent rehabilitation commenced in 2015 and is currently ongoing.
- The role of Mine Rehabilitation Commissioner is only relatively new in Queensland (established 2021); however, it has been important in driving change by translating legislation into leading practice.

The paper also contains detailed discussion of legislative changes that have had to be enacted in Queensland, alongside references to accompanying information (discussion papers and comparative research) which would be of interest to the Committee.

This response has been prepared with the input of Dr Sandy Worden (Sustainable Minerals Institute – University of Queensland), Dr Agnes Samper (Sustainable Minerals Institute – University of Queensland), Ms Amanda Wetzel (formerly Institute for Regional Futures – University of Newcastle), and Mr Myles Egan (Institute for Regional Futures – University of Newcastle). We once again thank the Committee for the opportunity to provide evidence and for considering our submissions.