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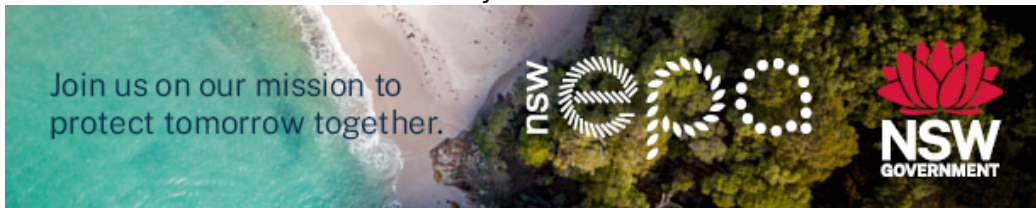
**From:** Rose Wakefield on behalf of EPA Briefings  
Ministerial And Executive Liaison Unit Mailbox  
**Sent:** Friday, 24 January 2025 12:07 PM  
**To:** State Development  
**Subject:** CM: NSW EPA post-hearing responses - NSW Inquiry into post-mining land use - hearing 17 Dec 2024 - DW25/6

Good afternoon

Please find attached letter from the Chief Executive Officer, Mr Tony Chappel, with the post-hearing responses to the NSW Inquiry into post-mining land use.

Kind Regards  
Rose

Corporate Affairs, Office of the CEO  
NSW Environment Protection Authority



The EPA acknowledges the traditional custodians of the land and waters where we work. As part of the world's oldest surviving culture, we pay our respect to Aboriginal elders past, present and emerging.

I work across the Wangal Country and Burramattagal Country of the Dharug Nation.



Our ref: DW25/6

Ms Emily Suvaal MLC  
Chair  
NSW Standing Committee on State Development  
Parliament of NSW

24 January 2025

Dear Chair

I refer to the NSW Standing Committee on State Development inquiry into beneficial and productive post-mining land use.

Thank you for the opportunity to review the uncorrected transcript. I do not have any corrections or clarifications to the transcript.

Please find enclosed the NSW Environment Protection Authority's (EPA) response to the question taken on notice during the hearing on 17 December 2024.

Yours sincerely

**TONY CHAPPEL**  
**Chief Executive Officer**

Encl: Answer to transcript question

## NSW Standing Committee on State Development - Inquiry into beneficial and productive post-mining land use

### NSW EPA response to the question on notice (pages 44-45)

**Ms SUE HIGGINSON:** I have one final question. Mr Chappel, I am not just asking this because you've been quiet the whole time—this has been on my list the entire time. Given the EPA's work with climate policies and looking at sectors getting to net zero and transitioning and so on—and obviously the coal sector is a big one—have you gauged any unanticipated or potentially perverse consequences of looking at beneficial re-uses of land that could work to try to expand the life of existing projects or would be inconsistent with the EPA's policies on assisting the transition for the whole State to net zero on a sector basis?

**TONY CHAPPEL:** I'm not aware of any, but I'm happy to take that on notice and give you a comprehensive answer. There are hundreds of legacy sites where we have to work out and triage. Some of those risks in terms of legacy sites venting methane, for example, probably haven't historically been captured. Those are considerations as we think about the whole economy and emission sources. I am not aware of anything around enabling beneficial re-uses that would be deleterious.

**Ms SUE HIGGINSON:** Thank you. It definitely wasn't a trick question. I'm thinking more about how the planning system and mine rehabilitation plans can sometimes have these consequences. We're learning all the time. We get great ideas from industry, community and all sorts. Then all of a sudden we are facing new, potentially wicked problems. I suppose that's what I am trying to anticipate: Are there any of those wicked problems? This inquiry would benefit from any insight because we're going to make all of these great recommendations on how to change the whole system or potentially make tweaks, and there are potential things that we haven't thought about in terms of that beneficial re-use. My particular concern is getting to net zero as fast as we can.

**TONY CHAPPEL:** I'll gladly take that on notice.

### Answer:

Mine rehabilitation needs a whole of government approach to ensure strategic environmental management to prevent adverse environmental outcomes.

The NSW EPA regulates the environmental impacts of mines under the *Protection of Environment Operations Act 1997* while the occupier continues to hold an Environment Protection Licence (EPL).

In terms of helping achieve NSW to achieve its net zero targets, the EPA has developed draft *Climate Change Assessment Requirements* and a draft *Greenhouse Gas Assessment Guide for Large Emitters*, which requires proponents to assess a proposed development's greenhouse gas emissions and mitigation opportunities, both in the short-term and long-term. The draft guide requires proponents to plan for post-closure activities such as remediation and rehabilitation, where relevant, and specifically calls out management of post-mining gas drainage.

The EPA is also developing a *Greenhouse Gas Mitigation Guide for NSW Coal Mines*. The guide will provide an evidence base and set expectations for avoiding and reducing greenhouse gas emissions at NSW coal mines. The guide will cover all mine stages, from design phase to post-closure, for both underground and surface mines. The EPA expects to publicly consult on this guide later in 2025.

Recognising that coal mine industries are still reliant on conventional technologies, the EPA anticipates that short term carbon emissions may arise as a consequence of construction, remediation and rehabilitation work, while pursuing beneficial reuses of land after mining activities. Over the longer-term, there are opportunities to enable industries that set up on land previously occupied by mines to have lower emissions. In the interim, greenhouse gas emissions will be assessed in accordance with the large emitters guidelines and dealt with during the planning process to ensure no long-term adverse environmental outcomes.