

REPORT ON PROCEEDINGS BEFORE

STANDING COMMITTEE ON STATE DEVELOPMENT

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

CORRECTED

At Muswellbrook RSL, Muswellbrook on Tuesday 20 August 2024

The Committee met at 12:30.

PRESENT

The Hon. Emily Suvaal (Chair)
The Hon. Wes Fang (Deputy Chair)
Ms Sue Higginson

PRESENT VIA VIDEOCONFERENCE

The Hon. Greg Donnelly

* Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.

The CHAIR: Welcome to the third hearing of the Committee's inquiry into beneficial and productive post-mining land use. I acknowledge the Wonnarua people, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders, past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respect to any Aboriginal and Torres Strait Islander people joining us today in the room and online.

My name is Emily Suvaal and I am the Chair of the Committee. I ask everyone in the room to turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to remarks witnesses may make outside of the hearing. Therefore, I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures.

Councillor STEVEN REYNOLDS, Mayor, Muswellbrook Shire Council, sworn and examined

Mr DEREK FINNIGAN, General Manager, Muswellbrook Shire Council, affirmed and examined

Ms SHAELEE WELCHMAN, Director, Community & Economy, Muswellbrook Shire Council, affirmed and examined

Ms SHARON POPE, Director, Environment & Planning, Muswellbrook Shire Council, affirmed and examined

The CHAIR: Welcome and thank you for making time to give evidence to the inquiry today. Would any of you like to start by making an opening statement?

STEVEN REYNOLDS: Thank you very much, Chair, Deputy Chair and the panel for coming along, particularly here in Muswellbrook. As you know, this is the engine room for the State when it comes to coalmining and one of the most impacted when it comes to land re-use and all things coalmining. Thank you very much for coming along. We really do appreciate you having the hearing here.

SHARON POPE: I also would like to make a statement on behalf of the council. I refer to council's submission dated 25 June 2024 and advise that there have been no changes to council's feedback and comments since that date. Since coalmining began in Muswellbrook in 1907 and we subsequently had coal-fired power stations established in the area, there has been a significant impact on Muswellbrook shire, which has been both positive and negative. The positive impacts are economic growth and infrastructure development. The negative impacts have been some health issues, environmental concerns and social disruption.

The impact of closures will be significant for the regional economy and wellbeing of communities that goes beyond those directly employed by the closing mines in Muswellbrook shire. Surveys undertaken by council indicate that the residents of Muswellbrook shire are very concerned about future employment opportunities and the level of uncertainty that they face. There is agreement that Muswellbrook shire is well placed to accommodate new industry and housing growth with an adaptable, skilled and hardworking labour force present; location advantages based on key road and rail networks, access to a port and airport, energy distribution infrastructure and proximity to Newcastle and Sydney; and large consolidated land holdings.

Without coordinated leadership and strong community engagement to commence the diversification of the economy prior to closure of mines, there is concern that we are running out of time to capitalise on these opportunities. What do we need? The older mine approvals only require that mine sites be returned to the same condition and land use present before mining began. This does not consider that the regional economy, technology, the environment and society have changed over the past 20 to 30 years. We need outcomes that are nature positive and improve natural capital that replace the number of mining jobs with new skilled jobs and create a place where people want to live and visit. We need to commence action to drive these outcomes prior to the closure of mines. We, ideally, need an authority or agency that has primary responsibility and significant authority to drive action and an authority to bring together the various government agencies that are involved in mining, land use planning, heritage and the environment for a coordination of effort.

The actions require, one, a review of legislation, regulations and policies that make new uses on mine sites, or the buffer land surrounding mine sites difficult to approve; two, a review of mine sites, and their infrastructure, to determine those that are well located for future employment or urban land uses, areas on mine sites that are vital for nature positive outcomes, and areas that may be suited for renewable energy, recreation, or intensive or extensive farming; three, a mechanism to allow a flexible approach to mine site rehabilitation that doesn't expose the general community and community funds to moderate or high levels of risk if new uses are slow to be found; four, a governance framework for any funding that is "offered" by mining companies as compensation for the economic and social impacts of mine closure; five, tools to require mine owners to engage in transition and post-mining land use planning that considers and achieves identified contemporary economic, social and environmental targets; six, early community engagement to establish support for new uses and reduce the sense of uncertainty that will otherwise impact on other social and investment decisions; seven, marketing and promotion of the opportunities available in the region; and, eight, financial support for key infrastructure delivery that may benefit more than one site and encourage that diversification of the economy.

The Hon. WES FANG: The workforce that's currently engaged in coalmining is probably the heart of any shire or LGA in this area. Could you provide some details about how you see that transition for mining workers at the moment that are looking to stay in the area? What do you hope to see in relation to the rehabilitation of those lands? Utilising those workers as well—how do you see council's role in making sure that that workforce is engaged in that aspect of the rehabilitation?

SHAELEE WELCHMAN: Our workforce in Muswellbrook is really quite young: Our median age is 37. Most of those people living here have got another 20 or so years left in their working career. The mines and the power stations do a really great job of looking after their existing workforce in transitioning to other employment opportunities, reskilling or redundancies through the closure process. Our concern as council is for the mums and dads—the community that lives here; their kids go to school here; they're part of our sporting clubs—and about how these businesses, who rely on mining as an industry, will be able to transition to other industries. They need to see now that there are other industries moving into the region and what those opportunities are for our local businesses. Just raw figures if we lost those mining jobs out of our economy tomorrow, it has a flow-on impact of 0.82—other jobs within the supply chain, which has a massive impact on our whole community. It is a great concern and something that council is really focused on trying to support, those existing family-owned businesses in the region, to be able to diversify beyond mining.

The Hon. WES FANG: In that aspect, is it fair to say that, ultimately, council would prefer that those sites that were used for mining previously would then be returned to a working state, as opposed to just being returned to natural landscape or pastoral use—you want to try to use the facilities that are at the site, you want to try to use the natural advantages that a mining site might have to try to create further economic opportunity for the LGA?

SHAELEE WELCHMAN: Absolutely. It's also not just an opportunity for the shire; it's an opportunity for the State and the whole of the Hunter as well. We've got that existing infrastructure. We should be able to leverage it to be able to attract other industries into the region and at least be able to replace those existing mining jobs with new jobs in different industries. We're talking about really large-scale parcels of land—16,000 hectares is BHP. It will be able to accommodate a whole range of new uses in the region. Nonetheless, it's obviously industrial uses and being able to replace those mining jobs.

The Hon. WES FANG: Mayor?

STEVEN REYNOLDS: Under the current consents, they're required to return the lands—remediate them back to what they were—and that's just not practical for us, moving forward, in the shire. There's so much infrastructure that can leverage us jobs for the future and enable the rail link that's there, and the current roadways and office buildings to be repurposed for industries. We need that to be really monitored and looked at so we're not removing things that could potentially be put back and not sterilising the ground so there are no future employment opportunities. At the moment, as you know, they're required to put grass and trees back but we need to really look at the alternatives to stimulate this economy because it's going to have a massive impact on the New South Wales budget.

The Hon. WES FANG: Where there are these existing approvals that effectively return the sticks and the grass to the landscape, that's going to have a detrimental economic impact on this area because that productive land use has not only seen those high-paying coalmining jobs disappear, but it's also then a loss of that productivity that that site could also have had. If that was to occur—if it was returned to the environmental view where you have just grass and trees put back there—what impact do think that would have for the next generation of residents in this council area?

STEVEN REYNOLDS: For our community, it would be very devastating. Our shire is completely surrounded—47 per cent of our area is national parks, out to the west. Also, when you take into consideration the mining land that encompasses—and we're not talking about the buffer land or post-mining; we're talking about the land that they currently acquired when they applied for their consent—it ties up around the periphery of this town, and to sterilise that leaves us no direction to go, except if there were the potential to do something on the AGL site to the south. So it's not a practical outcome for us to go back to those old methods. We move forward with technology to make the best opportunities for our future. It scares me to think that that would be something that we'd look to do.

The Hon. WES FANG: So it must be quite exciting then that you've got a proposal like the pumped hydro. We were out at Muswellbrook Coal and you've effectively got the reservoir prebuilt at the bottom. There's going to be very little impact environmentally by building the upper reservoir and what you're going to see is actually a huge economic boost to the area with those jobs, with the ongoing maintenance and the work that occurs there. That's really what this local government area needs, isn't it? It needs that investment.

SHAELEE WELCHMAN: Renewable energy jobs are going to be great and we're starting to see a lot of those come through but we need really large employers as well. We need a diversity of economic activity not just from renewable energy, but asking what does that supply chain look like, what are the components that need to go in and how can we position ourselves as a region to help power whatever that future economy might look like.

STEVEN REYNOLDS: Mr Fang, just as our planning director said, it's opportunity. Muswellbrook's got plenty of opportunity to have great outcomes. It is not a like-for-like job—we are aware of that when it comes to mining—but it's the opportunities that are presented if we are to capitalise on this at the moment.

The Hon. WES FANG: My last question is what would be your message to people that would say, "We don't want to see that pumped hydro project built because it might impact on a biodiversity issue"?

SHARON POPE: I would say these sites are so large that you can have both. Some parts of the sites will be suitable for employment opportunities; other parts of the sites actually could contribute to an improvement in our biodiversity—particularly I'm looking at the Hunter River and how poor the quality of that river is. The vegetation alongside that river has been removed by previous forestry and agricultural uses, which is partly why we don't want to return to what it was. We actually want to improve it and make it better. So I think you can actually have it all.

The CHAIR: Off the back of one of Mr Fang's questions talking about the infrastructure that's left in place, Ms Pope, you mentioned in your opening statement about a review of the infrastructure that exists at the moment. We know this is one of the actions of the Hunter Regional Plan 2041, as action 1.1. I asked about that action in earlier hearings and was quite concerned to hear that that work had not been undertaken. What is council doing in that space in the absence of any other work being underway?

SHARON POPE: At this point in time we've been engaging with government agencies to try to push that body of work. We've been working with Singleton Council and have made a number of presentations to different agencies to highlight the importance of that body of work. No two mine sites are the same and no two are located in the same proximity to an urban area, so the infrastructure might be useful in one location for jobs, and in another location the best thing might be to actually remove that infrastructure. But we really don't have a good understanding of that. We don't have a good understanding of the sequence of closures of the mine sites so that makes it very hard for people to consider the investment needed for infrastructure to promote sites to new users—maybe to pull them up from Sydney to say, "We've got sites where you could do development." We've mainly been advocating for this work to occur. We have done an employment land strategy. Again, the four Upper Hunter councils joined together to do an employment land strategy, which we finalised this year, and it did highlight the importance of a lot of these mine sites for our future employment land.

SHAELEE WELCHMAN: I think it's also a matter of confidence for the end users to be able to know that if they go through a process, that infrastructure is going to be there for them to be able to use, to be able to attract them to region. The mines and AGL—they're not developers; they are mining and energy companies. There is a bit of a missing piece—coordination—between "Yes, we want to have a better economic outcome but how do we actually make that happen?" and "Yes, we've got this amazing infrastructure there but there are 16 different departments within the State government that have a touchpoint in facilitating a better outcome for the community." So it's a really important coordination piece between "We want to achieve an outcome but how do we now go about using this infrastructure and using our workforce capability to get a better outcome than what's currently planned?"

The CHAIR: Who would do that coordination, ideally?

SHAELEE WELCHMAN: Ideally, and other examples we have looked at—the State Government definitely takes a really strong lead role in that coordination but you need the councils' buy-in to that. You need that connection with local communities to be able to have a really good understanding of what those issues are on the ground and what's needed in these local communities. As Sharon said, Muswellbrook is different to Singleton. We have a different offering to what is down the road but we will act as a regional supply chain and leverage off the economic opportunities throughout the whole of the Hunter.

The CHAIR: Just for clarification, you referenced the 16 different government departments that have touchpoints. Is that an exaggeration or is that an actual figure of the number of government departments you may have to deal with?

SHAELEE WELCHMAN: No, that is the actual figure of the number of government departments that have some kind of impact or influence over the current mining land—environmental planning, economic development, Investment NSW—

DEREK FINNIGAN: Infrastructure.

SHAELEE WELCHMAN: Infrastructure. It's a whole range of different departments but at the moment there is no coordinating body or direction from the State Government perspective to be able to drive a better outcome than what's currently planned.

DEREK FINNIGAN: As Shaelee said, we do have profound comparative advantage in our shire and the region. We would advocate strongly for early engagement with our community. I don't think it should be underestimated how our community identifies itself, and the mining legacy is very strong and very positive for our community. We have a highly skilled workforce, and I know council would engage as much as we possibly can to assist the development of that workforce to re-skill and retrain for any coming opportunities that arise through this process.

The CHAIR: You mentioned in your opening statement about the community engagement piece and surveys that you've done. Setting aside what you've just said, Derek, I wonder if you can just expand on what that has surfaced for you as a council in informing what it is that the community wants for this region moving forward.

SHAELEE WELCHMAN: The community, as Derek said, it identifies really strongly with mining. With five generations of mining communities, it is part of our culture and fabric of who we are as a community, which is really important. It's the confidence for them to be able to see that there are opportunities for their children and for their families to be able to stay in the region that they're part of. When we've done these surveys, there are concerns that these jobs are going to start to change, and I don't think it was really a reality for the community until we had the closure of Muswellbrook Coal and Liddell Power Station next year. The sentiment is definitely starting to change. Whilst mining will be here for a long period of time, we need to start to act now to give that certainty and security to families that there are going to be other opportunities for their children.

Council has invested into a number of programs to help our community to start to diversify. We are running a program in our STEM lab, in our STEM innovation program, to try and help our youth and our future workforce to be able to aspire to be whatever they want to be and be able to do it still here in the region. Sixty-five per cent of the jobs that exist now aren't going to exist, so giving them those soft skills around problem solving, and teamwork and communication so that they can look at new opportunities. The mines themselves are starting to diversify into more focus on electrical engineering and other types of skills that they haven't brought into their workforces previously, so it's really good to sort of see that starting to transition as well.

Then we've also got a program through The Melt advanced manufacturing centre that we have got in our Donald Horne Building, which is a free facility for our businesses that I spoke to before to be able to come in and look at how they diversify their product offering, look at new markets and look at new opportunities. Council, I think, has made some significant progress in trying to help our community, both our existing workforce and our future workforce, to try and transition and to address those future opportunities as they come up.

STEVEN REYNOLDS: If I can add, having been a long-time local and lived here all my life, we need to have the confidence for the people here. We know that mining is going to be here for a long time, but those family jobs—we've seen what happens when a mine shuts and the impact that it has on the service companies and the mum-and-dad businesses that actually are not directly employed by the mining industry. They need that diversification right here, right now. We don't have four years to wait. We need to get the action happening now, and the community will move along with it. It will be something that is taken in our stride. We've had the closure of Liddell and a lot of media around it, but our community and the way that it was handled was very strategic and there was no negative reaction from that. But I just say we need to really have that diversification now for the confidence of moving forward.

SHAELEE WELCHMAN: I would just add to that that the community is really open to any industry and employment opportunities. They're really supportive of any types of industry coming into the area—heavy industry. We've had some discussions around nuclear as well, and it has been quite interesting to sort of see the positivity around—it's jobs. It's about security and future for our community.

The Hon. WES FANG: Nuclear is a very positive industry, so I can understand the excitement in the community about nuclear potentially coming here.

The CHAIR: I'll take that as a comment, Mr Fang.

The Hon. WES FANG: It was definitely a comment.

The CHAIR: How are community opinions currently considered in the post-mining land use approval process, especially when there is conflict between community desires, economically beneficial uses and the proposed rehabilitation plans?

SHARON POPE: I don't think we've actually completed a post-mining land use strategy for any of the sites to be able to say what has worked well and what hasn't worked well. We're very much at the starting point. We really haven't had a lot of engagement with community groups in developing post-mining land use strategies for mine sites. There has been a lot of communication, in the case of BHP's Mount Arthur site and the Muswellbrook Coal site, between council, the mine owners, the Resources Regulator staff and department of

planning staff, and to some degree Transport for NSW staff. We've not had a plan finalised. We've not had a plan that we've been able to go out to the community and actually engage them and say, "Is this the right direction? Is this incorporating the things you would expect?"

So, yes, it's too soon in the process to actually know how the community feels. We've progressed with post-mining planning. The current planning approvals, some of the mines, their approvals are 30 years old. They don't even have conditions that talk about post-mining planning. It's all about rehabilitation. There has only been opportunities when we've had modifications to current mines. We've been able to get new conditions inserted into approvals that even require mines to start thinking about the closures five years before the closure is planned and that they should be engaging with the chambers of commerce, with traditional landowners, with the farming community, with council to come up with these master plans for these sites.

STEVEN REYNOLDS: The community is very well aware too that we are largely the export market. The community realises that there are coal-fired power stations popping up across the globe, and that's going to be continuing to need to be done. As you know, New South Wales has some of the highest quality coal, so that's going to be around for a long time. It's just, as you said, the community sentiment is we need that test product to be able to show them.

Ms SUE HIGGINSON: Thank you all for coming and giving your time today. I think, Ms Pope, you gave evidence towards this point. Is it your suggestion that really what we need at the moment on the part of the State Government is a kind of one-stop shop, like a commission for post-mining land use, a place where councils and mining corporations can all be filtering through, and that is actually your interface so that every time you are looking for specific detail, the audit of what's happening or you've got ideas or needs, rather than having to go to the potentially one of 16—and let's face it, you would go to four before you got the right one—you would have this one place and all the work you need happens behind that place? Is that something that is in your mind's eye?

SHAELEE WELCHMAN: There are a number of different ways that you could deliver this. I think we don't want to tie the opportunity up in red tape either, so it's a really fine balance about trying to get an outcome and what's the best governance framework and funding model to be able to do that. From our point of view, from council, we would like to have some certainty and some security that there is someone in government responsible for delivering an outcome for our community, and then the mechanism, whether or not that's an authority, a separate entity or some kind of department within the State Government to be able to deliver the outcome. We would be happy to work with the State Government in the finalisation and the development of what that model is, and obviously that is also part of the jobs and investment authority which is being proposed. We just want to make sure that we have got good representation from our community and that we as a community are able to drive what our outcomes are.

Ms SUE HIGGINSON: With the Future Jobs and Investment Authorities, I know it's very early, but at this point are you thinking, "Yes, that's the mechanism", or is that part of a mechanism? Because how does that then reconcile and deal with your inquiries about that fantastic vision you have about being nature positive as well? If we're literally over here focusing on jobs and future, then we're missing the nature-positive piece. It's almost like that is a fundamental part of it, but we're still going to need this piece, which is the—for want of a better term—commission that drives. If it is in fact that kind of governance model, it has to be the enabler; it can't be the gatekeeper. It has got to be the open gate.

SHAELEE WELCHMAN: Yes.

Ms SUE HIGGINSON: I can hear your slight reluctance around another thing because we are worried about red tape or a closed door or a hard to get through gate. That's the biggest fear if we were to create something that was designed to facilitate this really important next step.

SHAELEE WELCHMAN: We've got mining in place here until 2048 currently. This is not a short-term thing. This is something that is going to need longevity for a really long period of time to ensure the economic stability, the growth and resilience of not just our community but the whole of the Hunter over a really long period of time. Having something in place that has some longevity is really important as well.

STEVEN REYNOLDS: Mostly it's very important that if we do get something happening, it's typically, as we are more impacted and a condensed level compared to Singleton, that there is some agency—and I understand the reluctance—that is on the ground here, that is dealing with the council at that level and feeding back through. At the moment, our staff have too many doors to knock on to get things to happen. Taking into consideration the environment and everything—yes, I see where you're coming from. But, yes, that would be a start because we don't have the time.

Ms SUE HIGGINSON: Can I just ask, in terms of your capacity as council's planners, do you feel that you have good tools to really see and understand and comprehend the current lay of the land in terms of all of the

mining projects and supposed final picture, and the potential within what's there now and the final picture, and what some of those companies are currently considering? Have you got a kind of lens on all those moving parts?

SHARON POPE: To a degree we do. What we don't have is resources. We're relatively small councils, and the fact that we host all these mines and power stations, and now renewable energy, it's quite a big financial impact on our ratepayers to employ high-calibre staff and the number of staff that you need—the engineers, the planners, the environmental specialists. It wouldn't be something that a regional council wouldn't normally have to do, so it's quite a struggle to actually fund the resources we need to do this on our own.

DEREK FINNIGAN: Whilst also trying to balance the developing needs of the community as well, Sharon.

SHARON POPE: That's right.

Ms SUE HIGGINSON: Has there been any consideration about approaching some of the mining companies about having a brokered fund for your capacity building on staff?

SHAELEE WELCHMAN: Yes.

Ms SUE HIGGINSON: Obviously there would have to be strong governance, so not a direct seconded or paid direct but more a brokered fund specific for your capacity to navigate these next two decades.

SHAELEE WELCHMAN: We have voluntary planning agreements with the mines. Part of that goes towards funding some of the resources that we need to be able to deal with the approvals, with the impacts, with a whole range of things that we want to deliver over a long period of time. I think the issue also for council as mining land transitions back to different zoning, it definitely has a financial impact on our organisation but also for our local sporting groups and events. The mines sponsor and support a whole range of community groups and events and activities within our community, and that financial support will change over time as well. So we're very conscious of trying to leverage that financial capacity that we have right now to be able to help to set us up for the future and then also to be able to provide those resources that we need to be able to put those foundational programs or those interventions in place which are going to tip the needle and make a big difference to our community's future.

STEVEN REYNOLDS: The VPA money, there are categories in there where we do have offset for miniscule amounts of money for staff. I don't speak on behalf of all mines, but a lot of them like to see something with it and that they can put their name onto for actual use. I thoroughly agree that there needs to be something for council staff moving forward, a financial model that they attribute to so as we can, in our shire specifically—even the renewables that are coming online, we deal with EnergyCo—have this one fund. We're competing with mining wages at a council level, and our budget is not that of Western Sydney; it is rural. Our neighbours Upper Hunter, we were previously on the same level as them, and our staff are continuously working their butts off for a lot more work than what they should be. I believe that you are correct. The mechanism needs to be put in place so it's structured so that some of that funding can be used for our staff—not some; more than what is currently there.

SHAELEE WELCHMAN: Council is also a bit of a funnel for all of these projects that are happening in the region. They either need to transfer through Muswellbrook to transport their goods—wind farm blades or whatever the case may be—so we do see the whole breadth of projects that are happening within the region because they need to talk to us, they need to get that community engagement as well. We are a really good sounding board for all of those projects and opportunities that are happening. We constantly play that connection: "Have you spoken to this department that spoke to us last week? Or have you spoken to this particular company which is setting up a battery?" We play that facilitation role within the shire already.

Ms SUE HIGGINSON: I've got two more questions. It sounds like you were doing some really good work in terms of the workforce and the skilling, re-skilling, retraining. Is there work that the State should be doing in terms of TAFE? Is there more that you can see that is required and that the State Government could be doing now? Is there a role for these mining companies to be investing in this as well? Is that happening? Is there visibility around that? I'm just curious to know because I do hear the companies talk about looking after the workforce, but to date, to be quite frank, I'm seeing some signs of it but nothing really translatable yet into something very tangible. I haven't seen that yet; there could be.

SHAELEE WELCHMAN: And what are we training people for?

Ms SUE HIGGINSON: Precisely. I'd love to know your views on that.

SHAELEE WELCHMAN: We have a University of Newcastle campus here. We're working really strongly with them to provide Open Universities open pathways programs here within Muswellbrook. Most of

our workers, or people in mines, they're also on shiftwork, so being able to provide those courses for those staff which are on the alternate rosters and working really closely with industry to be able to link existing staff up with those opportunities. TAFE is obviously going through a restructure, and we've started those conversations with them about what types of courses we want delivered here in Muswellbrook to be able to help the community to be able to transition.

We are in this little bit of a holding pattern where we haven't attracted that keystone industry here to replace mining. We know we need electricians, we know we need a whole range of different skills and experience, but we're not exactly sure what we're retraining people for at this point in time. TAFE will be a key partner with us. We've got a round table between them, the Upper Hunter and the University of Newcastle. I think we want to be able to provide our youth with opportunities to learn and be educated here within Muswellbrook. It's a terrible public transport option for them to go to Newcastle and other locations to get training, which will see most of our youth looking at alternative places to be educated.

STEVEN REYNOLDS: We have a vision, as Muswellbrook, of becoming the educational hub of the area. As Shaelee has touched on, we do have the university and the TAFE campuses, but it's offering the courses—not just your hairdressing courses that typically are here and being able to be done. It's a variety.

Our STEM education results in the past have shown that we're below the State average. It is pretty poor, so we've taken those steps so as we can educate our children and have them be able to, hopefully, further their education here in our community and also progress through to a job in our community. For that, the funding needs to be there. I don't see that currently it will work, with Connected Learning Centres and the like. It has to be face to face on the ground here in our community.

SHAELEE WELCHMAN: And if we can unlock the mining land to attract future industry here, we can position ourselves as a key centre for renewable energy or for economic transition. But I really do think we have the opportunity in Muswellbrook—and in the Hunter—to power whatever that future economy might be.

Ms SUE HIGGINSON: Do you feel there's enough awareness or information around potential future carbon markets in terms of the nature positive and the natural capital, and the army of workforce that would be required around that? Is that something that you're looking at or focused on?

SHAELEE WELCHMAN: Yes, it's definitely part of our key industry mix and what we want to try and attract there. Obviously there is a lot of finance and investment tied up waiting to be placed into these types of activities. The mine sites definitely would provide a good opportunity for some of those carbon-offset industries or new industries—even behind-the-grid electricity opportunities for new industries that might want to manufacture here that might be heavy users of energy. We do have all of those opportunities where we could position ourselves as quite a carbon-neutral location because of our existing infrastructure and opportunities that we have here.

STEVEN REYNOLDS: Especially our proximity to the grid for the electricity. Particularly, I come back to that word that I've used, "education". They will with the education, but the funding at the moment is poor for our community when it comes to the amount of royalties that leave this area. To reinvest back in it would be—especially from a staffing level and for the community, we need that funding now.

The Hon. WES FANG: So the royalties for regions program is, I guess, something that you'd be strongly supportive of?

STEVEN REYNOLDS: Even that isn't quite enough, Mr Fang. It was great that it was directly to the council rather than competing with other outside companies that were eligible, as in the current formation. It was great that it was coming directly back to the council. But more is required, especially when we've seen the largest amount of coal royalties, coal prices. The model, yes, could have been tweaked, but the percentage wasn't enough.

SHARON POPE: I think we need more engagement with the community generally. There are clearly things happening, a lot of research and development happening with the universities and businesses getting research grants. But I think, in the main, the community's unaware of what's going on and unaware of the potential of Muswellbrook, the Upper Hunter. There is a really strong need for that engagement piece to occur so that people are part of that journey.

Ms SUE HIGGINSON: I have one last question. In your submission you mention the defence munitions component. I'm curious: Is there actual buy-in around that? Is that really a vision for your local area, or is that just something that was kind of "It's in there. It's in the mix"?

SHARON POPE: We have a fairly significant Federal facility at Denman, and obviously we have the Singleton army base just down the road and the RAAF at Tomago. There's a presence in this region that could be built on.

Ms SUE HIGGINSON: Yes, sure, but is that something that you hold as a vision, to be a manufacturer of war and defence? Or is that just something, and you'd rather something a bit more proactive or positive for the community? I'm just curious, really.

SHAELEE WELCHMAN: It's about leveraging what we already have and our existing competencies. It's something that is already here that could potentially be built on. Space, as well—there is a whole intensive agriculture, clean tech manufacturing. There's a whole range of industries which we have the land to be able to accommodate. At this point of time, until we set our sights in a particular direction we're definitely open to all of these opportunities, which will replace the jobs that are currently in mining.

STEVEN REYNOLDS: We're open for business. We just need less red tape.

Ms SUE HIGGINSON: It is just that idea that it is at that pivot opportunity now for you guys and your local area to really define what you want to be—

SHAELEE WELCHMAN: That's right.

Ms SUE HIGGINSON: —for the next 30, 40, 50 years compared to what it has been for the last 40.

The Hon. WES FANG: "Arms manufacturer" sounds good.

Ms SUE HIGGINSON: Thanks, Wes. That question was more just curiosity, really, in that sense.

SHAELEE WELCHMAN: It could be a component that goes into the defence industry. It could just be a little widget that is in every plane or aircraft that flies out of Williamstown, or across the fleet. It's not necessarily the whole industry; it could just be a supply chain component of that.

Ms SUE HIGGINSON: My very last point was—

The CHAIR: Your last, last, last question.

The Hon. WES FANG: Your last question, in 10 parts.

Ms SUE HIGGINSON: We get three "lasts" and then we get thrown out by the Chair. I can't remember who mentioned the vision of a rich cultural relationship with traditional custodians and First Nations communities. What does that look like for you? What work is happening and where is that work happening, in terms of the community?

DEREK FINNIGAN: I can give some background on that. Thanks very much for the question. It's at the core of everything we do. We have a very strong relationship with the local land council and the community. We do have quite a high Indigenous population in Muswellbrook; I think it's 11.8 per cent. All of our planning and all of our projects do include consultation. It's very important to us that we have a unique ability here to enhance that engagement and to benefit from that engagement with our local community. It's really important to us.

STEVEN REYNOLDS: We have councillors that are actually from Indigenous heritage as well, who provide good input. We have a separate subcommittee as well for Indigenous inclusion, which has representation from around the community. There's been some great documentation recently provided by some of the staff in how we all incorporate our Indigenous heritage moving forward. We're proud of our power and energy situation, and what we've provided in our background, but also our Indigenous and cultural side of things here in Muswellbrook.

SHARON POPE: I think our Indigenous population has a lot to offer us in understanding the past before Europeans settled the valley. To understand the songlines, and to know what the landscape was like and what animals and plants were in the landscape before Europeans settled in the valley is quite vital to know what we should be replacing, what we should be planting and where, and how we manage that land. We've actually been helping to fund some cultural burn initiatives in the shire, which helps people learn those skills but, hopefully, to treat the land better as well.

DEREK FINNIGAN: That engagement has to be a core aspect of the planning for the future. It's a very important point that Sharon made.

The CHAIR: Thank you so much for making time to give evidence to the inquiry today. The Committee secretariat will be in touch with you if there are any supplementary questions that Committee members have.

(The witnesses withdrew.)

Mrs MARY-ANNE CRAWFORD, Manager, Development and Environment Services, Singleton Council, sworn and examined

Mrs MELINDA CURTIS, Executive Manager, Singleton Council, sworn and examined

The CHAIR: I welcome our next witnesses. Thank you for making the time to give evidence to the inquiry today. Would either of you like to start by making an opening statement?

MELINDA CURTIS: We appreciate having the opportunity to present to you today. The Singleton local government area comprises over 92,000 hectares of coalmining lease and exploration land, making it one of the largest mining areas in New South Wales. The area of land attributable to mining-related activities accounts for almost 40 per cent of the total area of available land in our LGA, excluding national parks and State conservation areas. Singleton is the third-largest economy and Australia's largest regional economy—the Hunter. Singleton's economy contributes over \$13 billion to the State of New South Wales and employs over 18,400 people, with over 50 per cent travelling into the LGA for work every day from other parts of the Hunter, including the Lower Hunter.

As such, any reforms related to how land will be used post-mining is important to the future economy of not only the Hunter region but also the State of New South Wales. Despite the significance to New South Wales of mining land in our LGA, there has been no State-mandated approach to strategic land use planning for how mining land will be used now and into the future. Ever since mining was recognised as State significant development, the strategic land use planning framework, set out in the EP&A Act under part 3, has been eroded and pigeonholed into the development assessment framework under part 4 of the EP&A Act. This limits land use planning to a case-by-case approach at the DA stage of development to identify final land uses on individual mine sites.

Singleton Council has invested time and resources into evaluating the impact of the position on our community. We have identified that, without undertaking this strategic planning—which consists of looking at constraints and opportunities, mapping, stakeholder engagement, and planning needs—the discussion on post-mining land use will continue to be just that, a discussion. Post-mining land use is a challenge for all levels of government, the mining industry, the development industry, researchers and the community, who need clear leadership and to work collaboratively together to achieve consistent, transparent and sustainable outcomes that provide certainty and create future job opportunities.

The Hon. WES FANG: Thank you very much for appearing today. I am probably going to touch on some of the same themes that I touched on with our previous witnesses. I note that you were in attendance, so you would have noted that. Do you agree with the sentiments of the council in that the preservation of high-paying jobs in the region is probably paramount when you're looking at some of these transitions that the workforce will be undertaking? How important is it that governments and mining companies keep at the forefront of their mind the workers who are impacted by any changes in roles?

MARY-ANNE CRAWFORD: We definitely consider job retention to be critical. We've made numerous statements and numerous submissions into government issues papers and also development assessment applications for mining companies, targeting and focusing very heavily on the need to look at post-mining land use outcomes that achieve outcomes beyond just grazing and biodiversity. That's not to say that they don't have a place but that we don't know where that place is. The critical thing for us is about diversification. We have an industry that is highly skilled for a particular purpose, but they are not necessarily skilled for multiple purposes. By being able to create opportunities through TAFEs and TAFE skills centres, universities and apprenticeship programs, and by looking in regional centres—we have a TAFE skills centre in Singleton that is probably underutilised in terms of being able to create transitioning job opportunities.

They are apprenticeships in things like construction, housing and the renewables revolution that we are experiencing at the moment as well. Having those jobs and the opportunities for that education component to be in the region, rather than having to transition outside of the region, is critically important for us. What that does is create opportunity. We can't force people to go and do another job somewhere else, but what we can do is give them diversity in terms of what they can go and do. I think it's critically important to enable people to have choice, particularly when the mining operations start to wind down and other businesses start to increase. That planning needs to happen now to enable people to get the skills they need to be able to transition into what might be a new job for them.

MELINDA CURTIS: I just emphasise choice and opportunity in having a really diverse selection.

The Hon. WES FANG: In relation to the reutilisation of former mining sites, would you agree that making sure they continue to provide economic benefit to the region is an important thing to do? Just rehabilitating them and leaving them as bare pasture or as a rehabilitated site is really a loss of opportunity for your LGA.

MELINDA CURTIS: Absolutely.

MARY-ANNE CRAWFORD: Singleton Council absolutely agrees with that. We see mining as being a critical part of our economic growth and development for a long period to come. But there is also a transition that's occurring now. Mining is a significant industry in our LGA, but it's not a growth industry. It's not growing at the rate that it was growing 20 years ago. We are not seeing additional growth in jobs and we are not seeing additional growth in approvals. What that means is we need to find ways to create better outcomes for post-mining land use, and transition to that now, so that when mining operations do start to come offline, it's a smooth movement from one to the other. What we are seeing at the moment in the post-mining land use space is a lack of real strategic planning that underpins how that should happen. That's not just at the jobs stage; that's at the land use stage.

There are a lot of challenges associated with the way in which post-mining land can be managed. There are a whole bunch of environmental constraints around things like contaminated land, water, and surface and groundwater issues. The technical aspects of that, the industry is really good at, and they have a lot of skills that they can contribute to not only looking at how those things can be managed now but also how they can be transitioned to a better use at some point in the future. Just as an example, those are the sorts of challenges that we are starting to see manifest themselves now in that jobs and land use space.

The Hon. WES FANG: There are lots of opportunities, where you have a really large site, to diversify within that site itself. You might be able to utilise some of the existing facilities that are already there and repurpose them. You might be able to adapt the remediation plan to provide things like activity tracks or hiking tracks or cycling tracks. Where you have a large, geographically diverse site, you potentially have many options. Is it the case that the existing rehabilitation plans are restrictive in the way they provide opportunity for the community for which the site has been a part for such a long period of time?

MARY-ANNE CRAWFORD: Yes, we believe so. In a legislative sense and in a legal sense, the minimum requirement for a mining operator is to return a site to a safe and stable landform. That is under the Mining Act and that is a requirement at law. "Safe and stable" can mean a whole bunch of different things to a whole bunch of different people. I think, historically, what has happened is that the industry has used "safe and stable" as a means to be able to return the minimum. That's not necessarily their fault; that's just the way in which the legislation is set out for them. I think, as Muswellbrook said earlier, coalminers are coalminers; they are not land developers and they are not land managers. It's really difficult to educate and to change that perception and really look at land through a different lens.

It's not just about the coal in the ground; it's about what is that land going to be returned to at the end of that mining operation that creates an opportunity and not a cost for industry. Whilst ever they are holding onto that land, that is a cost to them. Somebody will need to come along at some point in the future to use that land for an alternative purpose because industry will want to either sell that land or relinquish that land back to the State government. It's really important that planning is done now to ensure that, when that happens, there is no impost to our community, that it doesn't come at a cost to our community and that there are actual strategic decisions that are being made now that will help industry and inform industry for what they need to prepare for when they do leave. The sovereign risk issues that might exist around the discussion around closure planning aren't as forefront in their minds.

MELINDA CURTIS: And there is the importance of not looking at it site by site but looking at it across our LGA, across the region and across the State. That's why—we keep saying it—we emphasise that strategic piece and looking at it as early as possible.

The Hon. WES FANG: There is a cost to the community if we don't get this right, isn't there? There are ultimately impacts on social and financial community aspects. You lose so much when you see people leaving a community, and that lifeblood disappears. What would that mean to your community to see those high-paying jobs not transition into other high-paying jobs and simply returning that land back to sticks and grass?

MELINDA CURTIS: As I mentioned in our opening statement, for Singleton alone it's 18,400 jobs. It's a significant impact. Obviously, the types of impacts would be hard to put into words. We talk about it being the elephant in the room. It's something that we absolutely want to ensure does not happen.

MARY-ANNE CRAWFORD: Further to that, we talk about post-mining land use like it's a thing over here. It's actually not. It's an integrated thing into everything that we do in our community and everything that every community in New South Wales does. It's linked to housing, it's linked to construction, it's linked to

education and it's linked to health. All of those things are directly supported by mining—there's no doubt about that—but they are also directly impacted. If we were to lose mining from our economy and if we weren't to transition appropriately to new and diverse jobs and land users, then that would have significant flow-on consequences for us for all of those industries—health, education and housing—as well as employment. What we want to see is a transition that enables those things to be seamless.

We are seeing an increase in housing demand in our LGA at the moment. We've got a significant amount of population growth above and beyond that which the department of planning has identified for us. We see ourselves as a growth economy, even though we have a significant industry that's declining. The challenge—and I think you've hit the nail on the head—is that that growth is not at the same economic scale as the mining industry. I think we need to be really clear that it is highly unlikely that we will get an industry that will be able to replace mining in its entirety, which is why we focus on the diversification in jobs, the diversification in education and the diversification in opportunities for our community to be able to grow, live, work, play and invest in our LGA.

The Hon. WES FANG: Ultimately, where mining has existed on a site, the landscape has already been changed and it's never really going to return back. What do you say to those people that actually want to abandon that site altogether and just return it to trees and grass?

MARY-ANNE CRAWFORD: It's a very good question, and it's a very difficult question to unpack. It's incredibly complex. To be able to retrofit anything to be something else is much harder than what it is to start with the end in mind. Our view has always been to start with the end in mind and plan with an intended outcome. What we would say to them is that you need to think about that very clearly because it's not just about whether the State government has responsibilities. It's not just about whether local council has responsibilities or the community has responsibilities. It's also about industry having a commercial responsibility to actually manage the land in a way that will create a higher and better use at some point in the future.

I think the timing to have that conversation with industry is now. I think they are very open to that as a conversation. Certainly, in our experience from the conversations we've had recently with industry, that has very much been the case. We would very much like to be able to continue to have those conversations at a local level because we get development interest in our land—not in mining land but in our land—all the time. Quite often they will ask us, "Do you have a parcel of land that's 400 hectares in size where we can do X, Y and Z and it's a permissible land use?" About 99 per cent of the time, that land exists in the 92,000 hectares of land that we have that has been unplanned for.

The CHAIR: You mentioned in your opening statement the strategic planning. In your submission it talks about the documents needed but them being duplicative, leading to inconsistency and complexity. I just wondered if Singleton Council could comment on any work that you have undertaken in this regard and just expand on this inconsistency and complexity and how we can address that.

MARY-ANNE CRAWFORD: The current regulatory framework is two-pronged. There is a development application process that mining proponents are required to go through and, out of that process, they receive conditions of consent that require them to do a whole range of things. One is to develop rehabilitation management plans and meet rehabilitation objectives and, in some cases, in recent times, develop mine closure strategies. In addition to that, they have obligations under the Mining Act where they have mining lease conditions that require them to do certain things, which can often be duplicative.

In fairness to the government, they've done a lot of work to try and bring those two things together. But what we found in recent times is that there is a lot of mismatch in that management plan stage, where there is a commitment made here that is not duplicated over here. What that does is it creates uncertainty and confusion. It certainly creates confusion for us, and I suspect it creates confusion for our community as well. We believe that it's very difficult to then regulate to make sure that the commitments that are being made are actually being met. That's not anybody's fault; that's just the vagary of how the system has unfolded over decades of having two overlapping legislative frameworks applying to the same thing.

If we were to look at it in a strategic planning context and we were to take the lens up and have a look at the landscape as a whole rather than as individual operations, it gives an operator the opportunity to understand what it is that the State government—because the State government makes decisions about how land is used. It enables an operator to look at how that land should be returned and what that land should look like in a post-mining context. That is done in advance of a mining operator coming in. It goes back to the earlier comment around retrofitting, which is a significantly technical issue to unpack. But there is opportunity—and we see it as great opportunity—to be able to look at the landscape holistically rather than individually, and that's where the confusion is created.

The CHAIR: For the benefit of the Committee, could you give us an example, whether it's a hypothetical one or an actual one that you've encountered, about this inconsistency and complexity that can arise and how that can cause confusion for the community?

MARY-ANNE CRAWFORD: I think in our submission we gave a broad example where, if memory serves me correct, an operator could be asked to provide a rehabilitation management plan as a condition of consent under the Environmental Planning and Assessment Act and then also be required to complete a mining operations plan under the Mining Act, which is effectively the same thing: how they are going to rehabilitate their site. Commitments that can be made in a rehabilitation management plan, through no fault of their own, could be done by one consultant, and you can have another consultant doing a mining operation plan over here. Those two things don't necessarily talk to each other. They're quite lengthy documents. They're very complex. They include highly technical information about the way in which management action is going to be undertaken to rehabilitate. They're required to be reviewed at a fairly regular basis. When you look at all of that in its entirety, you can see that complexity is introduced, and uncertainty can be introduced through that process as well. Does that provide a reasonable example?

The CHAIR: Yes. One of the key parts of that that I now understand is that consultants are doing this work, which would also then introduce inconsistency throughout the framework.

MARY-ANNE CRAWFORD: Potentially.

MELINDA CURTIS: Can I add something further? When we talk about the concern of our community, we have recently completed our community engagement for our next community strategic plan. The number one priority that came out from the community was opportunities for our youth. They're obviously concerned about youth opportunities moving into the future. You can see the connection between those things.

The CHAIR: In terms of the mine closure strategies that you mentioned, which are now obviously a requirement, does Singleton have any indication of how many of the operations have one in place? Are you aware of what they say, broadly?

MARY-ANNE CRAWFORD: In short, no. Most conditions of consent require a mining operator to commence undertaking mine closure planning about five years from when they look to finish operations. In our view, that's not the right time. The right time to do that should be when you're asking for permission to obtain consent in the first place. We've made that very clear in a number of submissions that we've made to the Independent Planning Commission and other agencies. The planning for mine closure is also a requirement under the International Council on Mining and Metals, which a lot of mining operators are signatories to as well. It doesn't mean that it doesn't exist, but we find it really challenging to see publicly available information on the way in which mine closure is undertaken operationally in our LGA. That's not to say that it doesn't exist; it's just not public facing.

The CHAIR: That's useful to know. How does council plan to balance the need for a quick redevelopment or a quick transition or transformation—whatever you want to call it—with the long-term residual risks to the community and to the environment?

MARY-ANNE CRAWFORD: That's a very good question, and it's a very challenging answer. The way that we're proposing to do it is to start with the end in mind. We've developed a framework that looks at some of the things that Mel mentioned in her opening statement around what are the constraints and opportunities. One of the biggest constraints to being able to achieve a post-mining outcome is permissible land use. We're quite fortunate that we have a reasonably flexible local environmental plan that enables a lot of development to take place on RU1 land, which is what mining is zoned. So we currently have, and are at the moment undertaking, a rural land use strategy, which is looking at all of our land that is zoned rural, which includes mining land, for employment, tourism, conservation, mining and housing consequences so we can understand how it's currently used and what should it possibly be used for in the future. That's the first step around identifying the constraints and some of the opportunities that are available that could generate quick-win conversations with our partners at Regional NSW and the Department of Planning.

Ms SUE HIGGINSON: I'm curious about what your view and lens is in terms of the retraining, further education opportunities, the role of the State and the companies at the moment, and what you're seeing. I know you were talking about it being about the opportunities arising. Are you seeing any of that early work happening or are you feeling like it's just not getting what it needs?

MARY-ANNE CRAWFORD: We feel that it's probably somewhat uncoordinated. There's a lot of work. Muswellbrook talked about the work that they're doing. We're doing a lot of work to investigate and understand the way in which people might seek to undertake new work. We recently had a careers expo a couple of weeks ago. You normally target youth when you're doing careers expos, but we also had people who came

through that expo looking for a transition themselves. It was not necessarily from mining to something else but a lifestyle balance, for example. We're starting to see that there are questions being asked in our community about what other job opportunities there might be.

What we're not really seeing is the investment in those skill centres to look at providing diversified training opportunities for our youth, as Mel mentioned, but also for those who might want to transition into something that is not a mining-related job. We're not seeing that investment at that local skills centre space. The other thing that works against us a little bit is around the cost of living. It's expensive to live in a mining community. The current rate of pay for an apprentice and a trainee is not equitable to being able to live independently within a mining community. In our submission, we raised the need to incentivise. That may not necessarily be increasing their pay; it may be in other ways to enable apprentices and traineeship opportunities to be offered to the youth in our community.

Ms SUE HIGGINSON: And potentially looking at those other cost-of-living pressure releases so that there's encouragement. Muswellbrook made a strong submission about needing to be nature positive and go forward on that kind of basis. Is that fundamental to your vision? Is that what your community understands? We have had some submissions to this inquiry that provided an evidenced case about, with this boom and with this mining, we have ended up with a nature deficit. We have driven that and been very conscious of that, with an understanding somewhere in that broader public interest long-term narrative that we would repay the nature deficit and the debt. How do you see that in terms of the role of, particularly, your shire? Do you see it as part of the regional conversation and part of the broader State conversation?

MELINDA CURTIS: I think ours is about balance and that there are options for a combination of that. We see it as very important, but we also see it as needing to be part of the conversation in terms of jobs, employment and all of that.

MARY-ANNE CRAWFORD: To further Mel's statement, we've recently undertaken and completed, in conjunction with Cessnock council, a destination management plan. A key focus of that destination management plan was ecotourism. We see the potential for ecotourism in our LGA as a very significant opportunity for growth for us. We have two large national parks and one World Heritage area to our south. We also have some to our north-east. The connection between those two is broken by a highway and a series of mining operations in the valley floor. We have also recently completed for the first time a high-values biodiversity mapping exercise of our entire LGA, where we looked at a range of different factors that can benefit or impact the ability for biodiversity to be re-established in our LGA.

We've done that for two reasons. One is so that we could identify potential biodiversity corridors. The second reason is that, as you quite rightly point out, mining does have an impact on biodiversity values. It has had an impact on biodiversity values in the past. What we want to do is be strategic around the way in which we might be able to recover those values by creating corridors and strategically targeting future biodiversity areas in a post-mining world as well as in the current operational world.

Ms SUE HIGGINSON: Just finally, I did ask Muswellbrook this but, in terms of that governance framework and this Committee's work to suggest things to the State Government, does it appeal to you to have that one-stop shop from the State Government—whether it's an office of commission or whatever it is—as long as it's not a closed gate and another hurdle to jump? Is that something that you think your council would benefit from in terms of working forward about post-mine beneficial land use and those communications with the State Government and the 16 agencies?

MELINDA CURTIS: Yes, and I think we're saying we need both. We need that authority that has the statutory authority and the resources to help lead and facilitate that. In addition, we are a small regional council and we need resources and funding to be able to do that very important land use strategic piece that we're talking about. So it's a combination of things that are necessary.

MARY-ANNE CRAWFORD: Further to Mel's point, irrespective of who leads, ultimately the questions about what we do and how we do it—how we engage with our community and what our land use planning objectives are—come back to council, so we need to be resourced to be able to support the really important work that this inquiry is doing and also the outcomes of the Future Jobs and Investment Authorities as well. We can't do that with the resources that we currently have. We need support to be able to achieve that.

Ms SUE HIGGINSON: If anything, any other body would actually be more like it's there as your agent as opposed to the agent of the State government; it's there to do the work that you need it to do rather than based on what your community feeds in, which is your strategy. That's kind of what I'm hearing—that that's the way it would need to be. It needs to be community led and council is the best body to tell State government what that is and then make State government do it without you having to go and deal with the plethora of bodies saying, "But

we just told them that's what we want and now we've got to tell you we want this" or "This is how it looks"—as well as partnership, obviously.

MELINDA CURTIS: I agree. Sometimes we do feel like we're having the same conversation with multiple different agencies. It's a very important conversation and we keep having it because we really want to emphasise that it's really important that we're starting this now. If we had one authority that was really facilitating that and was leading it and had the statutory authority to do that, that would be something that could really make a difference.

The CHAIR: Can I ask s a follow-up from that? Setting aside the statutory authority and the need for additional funding and support for the local council that you mentioned, are there any other ways that the current post-mining land use framework should be adapted to accommodate the needs of local councils like Singleton?

MARY-ANNE CRAWFORD: I think it's a really complex landscape at the moment. If anything, simplifying that would be the way to go. The way we see to simplify it is to take the strategic lens, because the strategic lens will tell the development and developers what needs to happen on the ground. At the moment, that strategic piece of work doesn't exist, so we're kind of rudderless in terms of where we're going. We think that council is best placed to be able to do that strategic work. We've developed a framework to enable us to move forward on that. We believe that we can achieve that in about five years with around \$5 million to \$8 million of investment. We've already done some foundational work to enable us to inform what that work might be, like our high-value biodiversity mapping that we just talked about.

The CHAIR: Given some of the time constraints and urgency, is that five years that you mentioned sufficient? Do you have a view around whether or not we need to be trying to do that sooner without trying to compromise the outcome?

MARY-ANNE CRAWFORD: I think there's opportunity to accelerate in certain areas; there's no doubt. I think the framework that we've developed can be applied at scale. I think there are definitely opportunities where that can be applied quickly and to enable opportunities to be realised. I think the department refers to them as some "quick wins". There's definitely opportunity for that. I think the really important thing, though, is to create those strategic levers that enable investment to come into the LGAs that need it the most as soon as possible. Without putting too fine a point on it, without having that strategic piece of work, it's really difficult to have strategic conversations.

The CHAIR: You don't view the Hunter Regional Plan as being a strategic plan for the region? Or is there a need for that to go one step further in terms of being more prescriptive?

MARY-ANNE CRAWFORD: Yes, the Hunter Regional Plan provided a really good foundation. It identified that post-mining land is regionally significant, which is a huge step forward for us in our advocacy. It needs to go to that next level down, though. It's identified that there are lead agencies associated with that. It's now about putting the rubber to the road and actually doing the work that's needed to identify what a regionally significant growth area should look like in the future.

The CHAIR: From your view, a possible next step could be to liaise with councils like Singleton and Muswellbrook on the work that they have already done. You've mentioned that you've already done some work around developing a framework and it's certainly set out somewhat in your submission. Would that be a good place to start, would you say?

MARY-ANNE CRAWFORD: Yes. Underpinning our framework, we've also identified and established a governance framework for that. We recognise and understand that we're not a regulatory agency. We don't have the power to change legislation. We recognise that we need to have many people sitting at the table with us. We've also developed a governance framework around how to undertake that work and hold people accountable to the delivery of that work, because what we don't want to see is a situation where we have lots of fabulous discussion and we identify that there are things that need to be done but there's actually no accountability for doing the work. The governance framework that we've developed looks at making sure we've got the right people in the room including, as Mel said, the people who can make decisions as well as our community and other players as and when they need to be involved.

Ms SUE HIGGINSON: Do you think that the companies now should be providing a particular revenue stream to assist your capacity? I know that Muswellbrook were saying, in terms of its council capacity—and I don't mean a direct "here's a person" because there are perceptions there of advantage and disadvantage or whatever. Do you think that should be something that the mining industry should, as a requirement, be assisting you with in terms of the extra capacity you may need in the next 10 or 20 years while we navigate this "next use of land" space?

MARY-ANNE CRAWFORD: I think it's less about providing financial resources and more about collaboration and capacity building. Within council, we're local developers. We deal with local development. We don't deal with State significant development in terms of assessment, so the skills needed within local councils to be able to work with the State Government to deliver post-mining land use outcomes are very difficult to obtain. There are few people in local government who can make that transition between mining and the complexity of mining and the strategic land use planning outcomes. I think it's more about collaboration with industry.

We're not asking industry for more money; we're asking industry to engage with councils on a more regular basis about how we can help deliver outcomes for them that benefit not just our community but also them. At the end of the day, they're a transitional land user. They will leave our LGA at some point. We want to make sure that what they leave us with doesn't leave a burden for our community. Collaboration and capacity building, both in terms of building capacity within industry as well as about the way in which land is designed, planned and used, is very different to the way in which land is mined. We can also support industry in building their capacity and understanding around how to achieve these strategic outcomes without being too complicated about it or asking for money.

The CHAIR: That's all we have time for this session. Thank you so much to you both for making time to give evidence to the inquiry. It was really valuable for us to hear directly from you. If there are any supplementary questions, our Committee secretariat will be in touch with you regarding them.

(The witnesses withdrew.)

Ms BEVERLEY SMILES, Secretary, Wollar Progress Association, affirmed and examined

Mr COLIN IMRIE, Individual, before the Committee via videoconference, affirmed and examined

Dr JULIA IMRIE, Individual, before the Committee via videoconference, affirmed and examined

The CHAIR: Welcome to our next witnesses. Would any of you like to make an opening statement?

BEVERLEY SMILES: Thank you for the invitation to be a witness at this inquiry hearing. I would like to first acknowledge the traditional owners on whose land we're meeting today, the Wanaruah, and pay my respects to Elders past, present and emerging. We thought that, amongst the three of us, we'd like to start with a brief introduction of ourselves. I've been an active resident of the Wollar community for over 40 years. During that time, I've held positions on various government committees. I was a trustee on the Hunter Catchment Management Trust before it changed to a catchment management authority. I represented the environment on the Hunter River management committee, and I was a board member of the EPA when it still had roles for community representatives.

I am currently on the community consultative committees of the three large coalmining operations in my district. I am also a community representative on the Central-West Orana Renewable Energy Zone community reference group. The approval of the Peabody Wilpinjong coalmine in 2006—the first new greenfield coalmine in New South Wales at the turn of the twenty-first century—has brought great social upheaval, environmental pollution and stress on my community of Wollar. Through all of my committee activities, I have gained a long-term understanding of the impacts of the coal boom in the Hunter and Mudgee regions. I am also fully aware of the opportunities available now through the renewable energy transition. I'll hand over to Colin and Julia.

JULIA IMRIE: I am Dr Julia Imrie. I have a PhD from the Australian National University researching surface and groundwater interaction in the Goulburn River Upper Hunter catchment in the context of climate change. My current interest, in detail, is the groundwater-dependent ecosystems; that's my area of study now. My other degrees are in ecology and in land management. I was on the board of the Hunter Central Rivers Catchment Management Authority for the whole term between 2004 and 2013. I have conducted, over the years, various vegetation surveys and reports for New South Wales forestry and the National Parks and Wildlife Service.

I currently do some casual work as an environmental science educator at Red Hill Environmental Education Centre. Our family currently operates the Goulburn River Stone Cottages as our main business—a successful cottage retreat accommodation. We've developed this since the early 1980s to be a very successful business, but it's downstream from the major coal mines Ulan and Moolarben. I do actually sit on the community consultation committees for both Ulan and Moolarben. Over these years, since the early '70s, I have observed and studied the impact of mining on the river system following major mine expansions in the 1980s, in 2004—that's Wilpinjong—and, of course, the development of the Moolarben coalmine in 2007, which is planning further expansions. I'll pass over to my husband, Colin.

COLIN IMRIE: My name is Colin Imrie. With Julia, I have lived in the Ulan-Wollar area, on the Goulburn River in the Upper Hunter, since the mid-1970s. We operate a rural retreat tourism business, Goulburn River Stone Cottages, and I make furniture from our native timber. [Inaudible] and horses, and previously I've worked as a timber-cutter and rural contractor. I am a volunteer firefighter and currently a senior deputy of Cumbo rural fire brigade. These are my views, though, and not the views of the RFS. The key message I would like to convey is the scale and impact of coalmining on this landscape, the river and the community. The legacy of these impacts, and the necessity for ongoing management and rehabilitation for generations to come, is a burden that is growing with these ever expanding coalmines.

The costs of mining coal for our local communities, environmental assets and water resources continue to escalate as these mines are intending, despite all evidence, to continue their expansions for decades into the future. The world is changing, however, and there is a risk that the extensive coalmining and processing infrastructure, established at such cost and grief, is now in danger of becoming stranded assets. There will never be a cheaper time than now to transition to beneficial and productive post-mining land use. I congratulate the members of this inquiry and wish you every success in making a post-mining plan towards a safer, less-destructive future.

The Hon. WES FANG: Thank you all for giving up your time to appear today. Ms Smiles, how many members does the Wollar Progress Association have? What is the population of Wollar?

BEVERLEY SMILES: Before the mine arrived, we had between 300 to 400 people in our district. It's now down to somewhere between 30 to 40. We have had a major depopulation as a direct result of the open-cut mine.

The Hon. WES FANG: Is it a village or more like a region?

BEVERLEY SMILES: No, there is a village that did have 80 residents, private property owners. There is now only one private property left in the village and there is some Crown land—recreational facilities and the hall—that the Wollar Progress Association is the Crown land manager of. The bulk of the volunteer work that goes on in any small rural community is now falling on the shoulders of fewer and fewer people.

The Hon. WES FANG: I grew up in a little community called Uranquinty. The Uranquinty Progress Association manages the hall. I imagine Wollar has a similar arrangement?

BEVERLEY SMILES: Yes.

The Hon. WES FANG: The local residents volunteer and they provide the community assets for community use. Is that the same sort of arrangement?

BEVERLEY SMILES: That's right. It's the social centre of our community, because our school has been closed down as well, through loss of pupils.

The Hon. WES FANG: So when you say there are 80 residents, is that in the wider area?

BEVERLEY SMILES: No, that was in the village. That was the number of residents in the village. Now there are some houses that are housing drive-in drive-out mine workers, there are a few that the original owners sold to the mine and they're leasing back under particular arrangements, and there are a large number of houses, both in the village and in the surrounding district, that Peabody owns, has not maintained and is now demolishing.

The Hon. WES FANG: When you say "residents", you said there is only one family left in the village itself, so are the rest of the village residents fly-in fly-out workers who stay there during mining operations?

BEVERLEY SMILES: Yes, they're the main people left in town now. They come up, work their shift, sleep when they're not working and then drive back to where they come from—generally, somewhere over on the coast that doesn't have mine noise and dust. They don't engage, in any way, with the social life of the community.

The Hon. WES FANG: How does someone become a member of the Wollar Progress Association? If they live within the postcode are they automatically granted membership?

BEVERLEY SMILES: No, you have to join and turn up to a meeting.

The Hon. WES FANG: How many members do you have?

BEVERLEY SMILES: At the moment, as far as a financial membership, I think it'd be about 15 people.

The Hon. WES FANG: And in relation to the position that you have in the community, you might come together at a social meeting to form the policies of the association?

BEVERLEY SMILES: Yes, we're there to represent the community. There has been an association active in Wollar since the 1950s, so there has been a long legacy of the community gathering, lobbying for various improvements to our roads and those types of things—so, working with council but also helping residents deal with the really quite intense problems that have occurred since the mine moved in.

The Hon. WES FANG: Do you offer those mine workers who reside in the village an opportunity to participate in the progress association as well?

BEVERLEY SMILES: Everyone's welcome to come along, yes.

The Hon. WES FANG: I want to take you back to 2018. Were you part of the "Wollar Three"?

BEVERLEY SMILES: I was, yes.

The Hon. WES FANG: Who represented you in court?

Ms SUE HIGGINSON: That'd be me.

BEVERLEY SMILES: Okay. Yes, that was originally the Environmental Defenders Office, I think.

Ms SUE HIGGINSON: Yes, and we had the leading criminal barrister, Phillip Boulten, SC, representing you.

BEVERLEY SMILES: Yes.

Ms SUE HIGGINSON: You won the constitutional challenge in that case. I remember that. Thanks for bringing that up, Wes.

The Hon. WES FANG: That's okay, Ms Higginson.

The CHAIR: I'm not sure how that relates to the terms of reference. I encourage you to bring your questions back to the terms of reference of the Committee.

The Hon. WES FANG: It was just interesting that there was no declaration of that. What did the arrest and charges relate to?

The CHAIR: Mr Fang, is this questioning related to post-mining land use?

The Hon. WES FANG: I'm seeking to understand the motivation for the submission and the evidence, noting that there was no declaration that Ms Sue Higginson had represented Ms Smiles as one of the Wollar Three, who were arrested—

Ms SUE HIGGINSON: Point of order: If you have a problem with another member of the Committee, then we can take that up in an appropriate forum.

The Hon. WES FANG: No, I was just seeking to understand the—

Ms SUE HIGGINSON: I think the discourtesy that is being afforded to the witness should end, at this point.

The Hon. WES FANG: I don't think I was being discourteous at all. I think I was actually being quiet. I was just trying to get an understanding—

Ms SUE HIGGINSON: I have taken a point of order and I am making it to the Chair.

The CHAIR: Mr Fang, I encourage you to bring your questions back to the inquiry's terms of reference and the submission that has been very well put together by the Wollar Progress Association.

The Hon. WES FANG: I'm happy to let Ms Higginson continue.

Ms SUE HIGGINSON: There is an excellent submission—deal with it.

The Hon. WES FANG: I'm happy to let Ms Higginson continue.

The CHAIR: Okay. Ms Higginson?

Ms SUE HIGGINSON: Thank you all for taking the time to come today. Going to your submission, Ms Smiles, you say the beneficial re-use of land for the particular mine needs to be for a biodiversity outcome, because of the biodiversity loss that has been suffered with the mine. In particular, you mention the regent honeyeater. Could you expand on where that perspective comes from?

BEVERLEY SMILES: With both the Wilpinjong mine and the other two that are adjacent mines, there is a set of critically endangered populations and species in our region—the regent honeyeater being one of them. When the mine was first approved, there were regent honeyeater recordings on the site of the approval, and the first approval was a requirement to acquire biodiversity offset land, which occurred to the south-east with an addition to the Wollemi National Park. Then, with the consequent expansions of this mine, there were other pieces of land found adjacent to the Goulburn River National Park as biodiversity offsets to meet the credits for this critically endangered species. So every expansion of this mine was going to clear critical habitat for a critically endangered species.

With the last big expansion, which was the one I was protesting against, the arrangement through the conditions of approval was that most of the currently approved land rehabilitation would have to be converted to regent honeyeater habitat. Some of the rehabilitation the mine had already undertaken under past conditions they've been required to come back and redo, and plant specific species that are habitat for the regent honeyeater. We've also had two 500 kV power lines approved under the Central-West Orana REZ to go through that. So that biodiversity offset now has to be offset somehow, somewhere else, by EnergyCo, to find some more credits to offset the offset. What is happening in our region is this incremental, ongoing loss of critically endangered ecological communities and species, like the Regent honeyeater.

Ms SUE HIGGINSON: In terms of the Regent honeyeater, this is the bird that's down to a couple of individuals. I think the Premier was recently boasting that we've bred some eggs in a zoo somewhere. We really are talking about the last line or frontier.

BEVERLEY SMILES: That was the other part of the conditions, that Peabody Energy has to pay money to Dubbo Zoo for the breeding program.

Ms SUE HIGGINSON: Your submission in relation to this particular project is that, really, it would be perverse if any other end use or rehabilitation was to be taken away from what this vision is here, or the need, and what is set down in the current rehabilitation requirements?

BEVERLEY SMILES: Our key problem with this mine is that it is attempting to continue to expand. The previous Government handed out a new exploration licence that circles the village. We've not only got Peabody not maintaining the houses that it already owns—in a housing crisis—and demolishing them, they are also now looking to continue expanding this mine and continue removing the same threatened species habitat around the village. There is absolutely no certainty at all for my community about what our future looks like. For any of the mines in the Mudgee area, which last year were the three largest coal producers in the State—the three of them are in expansion mode. There are a number of mines in the Hunter in expansion mode, so when this final landform is actually going to occur and under what circumstances, is very uncertain, because it is a moving feast of change.

Listening to the previous speakers talk about strategic planning, in my experience we had the Upper Hunter synoptic plan that had laid out various outcomes, particularly biodiversity corridors. The community tried to revive that about 10 years ago. There were meetings and round tables, and it just disappeared. We had the Upper Hunter *Strategic Regional Land Use Plan*. Again, looking at all of the types of things that we're talking about that is needed now. That happened in, I think, 2012. So we keep sitting around the table going through these processes and they just disappear. For some mines, we are at a pointy end—and I'd like to hand over to Colin and Julia as they probably have some comments—but from my perspective the Peabody coalmine, the Wilpinjong mine, currently has approval until 2033. That's plenty of time to sort out the arrangements. Ulan coalmine is the same, and Moolarben mine has approval to 2038. If the Government is serious about this transition and containing the emissions, both from the State and what is happening globally, it will all come back to bite us, anyway. We have to get serious to not continue expanding these coalmines on into the forever.

Ms SUE HIGGINSON: Ms Imrie, could you expand a little bit on the continuing water management issue—groundwater, surface water? You make a really strong point about this ongoing legacy. We'd love you to expand on that if you could, please? You are on mute.

JULIA IMRIE: One of the drawbacks of coalmining, particularly underground coalmining, longwall coalmining, is that they intercept a lot of groundwater. Of course, in order to be able to mine the area they have to withdraw the water and the whole groundwater system is drawn down. This doesn't affect just the coal seam; it also affects the upper aquifers due to subsidence and, obviously, drainage down into the void, or the goaf, in the case of an underground mine. This has happened to a point in this area where there is a lot of groundwater. They always under-predicted the groundwater—the modelling always under-predicted the groundwater. They still battle with it.

They have licences to discharge up 50 million litres a day of groundwater or of accumulated water. Some of that is surface water, but the bulk of it is groundwater, which is treated to a level that is accepted by the EPA. This is suppressing the whole groundwater situation in this area. Now this is going to take a long time to recover. There is going to have to be mitigation, there is going to have to be management. This has got to be a part of the plan. They can't just walk off and say, "Oh well, in 100 years the groundwater levels will recover. You'll have it back then." Meanwhile, we lose all our groundwater, protected ecosystems, the river doesn't flow whenever it's not raining et cetera.

We run a very successful tourism business here. It supports our family. If we wanted to expand, which we can't because we've got coalmines around us, but there certainly would be lots of options there. There is also a lot of Indigenous cultural value in this area, or significance, and I'm sure that there could be something in that area. The local Indigenous groups could take that a long way as well. At the moment, we are hemmed in by not only the existing mines but also the expansions and the developments they are moving towards now. We're at the pointy end and it really is important that we start acknowledging those long-term impacts; how we might be able to manage them into the future. At the moment they do release this water and it tends to mask the fact that we've lost our base flows to the river. By drawing down the groundwater, we no longer get that into the river, but that is sort of augmented by the fact that they release groundwater from the mines.

Post-mining, that is not going to happen. So that has got to be faced. I can see it nowhere discussed in any future plans. That's those two sides of things. Without water, we can't have development; we can't have people, communities et cetera. At the moment, the area—the Drip Gorge and the Goulburn River—is a very big tourist draw. We have 50,000 people clocked walking down to the Drip and back per year—that's the National Park's figures. There is the potential there for this community to bounce back, but it's got to be acknowledged and it's got to start happening now. I might pass over to Colin.

COLIN IMRIE: I could only add that it's really a matter of stop making things worse. While we've got some amount of our groundwater, some amount of our community left, some structures such as houses in Wollar that Bev was talking about. It will be possible then to rebuild our lost fire brigades, for instance, our lost voluntary organisations and social organisations as well.

Ms SUE HIGGINSON: When you talk about how your community can bounce back, or come back, is there a role for a growing community in the rehabilitation and regeneration of these areas and the continued monitoring of them? Is that part of that vision, of bouncing back post-mining—assuming at some point they do stop?

JULIA IMRIE: I think so. Certainly there is a lot of rehabilitation work that is going to be required, and this is not going to end in five, 10, 20 years. We're talking about long term. This has got to be managed. There are huge problems of weeds and feral animals, and so forth, on this land. It's exacerbated by the way it's been put under pressure from mining. Certainly the open cut areas, where you've got massive disturbances, it's very difficult to get them back to natural, sustainable bushland. I did a fair bit in my undergraduate on mine rehabilitation. You can get trees back on paddocks, but you don't get a self-sustaining ecosystem. Now that is going to have to be managed well into the future. I can see jobs in that area. But there is also jobs in tourism as well. Some of the big dams—not the voids so much, but some of the holding dams and so forth can be used to pumped hydro and also for recreation. I know Ulan has an area where they pump out onto—it's a very shallow dam, area [audio malfunction].

The CHAIR: We will give them a moment to see if they come back online.

JULIA IMRIE: Sorry about that. I think we might have swapped satellites. The one disadvantage with Starlink is that you do tend to swap satellites and lose people for a little while.

Ms SUE HIGGINSON: It is great to have you back, and so quickly.

JULIA IMRIE: It does come back quite quickly. There is a lot of potential there as well—done sensitively, obviously. I agree with Bev in that we can't do this at the loss of biodiversity. We have already lost a lot of biodiversity. This is going to take time to recover. It is going to take management—it is going to take expert management. There is, I think, definitely employment in these areas and the mines should be paying for that.

Ms SUE HIGGINSON: In terms of all the mines that you have a very close lens on, have those mines already commenced an iterative rehabilitation process as part of their approvals? If you are seeing that, is it looking successful? We have seen that in some of the mines with progressive rehabilitation. I am curious.

JULIA IMRIE: Yes, they were required—the newer mines obviously had far more conditions that they had to do a progressive rehabilitation. Most of it tends to occur where you can see it, off the roads and so forth. I don't know how deep it goes. Most of them at the moment are young trees on paddocks. A lot of the places are far too dense. Given time and management, you could thin them out. That's not necessarily a bad thing in the long term, but it does require management. They are looking reasonably healthy—certainly the ones you can see from the road. They are growing quite well. But you've lost your groundwater or your strata where you would have had your groundwater system that would have supported some of these areas.

Around here, we have a reasonable rainfall, but you know where the trees are that get groundwater. There are these massive, big yellow boxes or stringybarks. They don't grow just from the rainfall; they've got their roots down into the groundwater system. That groundwater system has been seriously disrupted, particularly in the footprint and outside the footprint within a kilometre or a couple of kilometres from the mining area. All of this stuff is not really being investigated or understood, I don't believe, for how it's going to respond in the long term. We could be facing quite a serious issue in this area if the mines just move and stopped managing the water. At the moment it's a regulated system—an unofficial regulated system—the way that they release water downriver.

BEVERLEY SMILES: Just back to the job opportunities and the insecurity for the community, because of the current approval conditions for the Peabody mine, it's supposed to be winding down as of next year. We have had a couple of younger people moving back to the district with the expectation that the mine is going to close up and that there will be other work. That type of re-veg work is what some of them have had training in anyway, and ecology. There's lots of skill base. But it's not only the rehabilitated mine land. Because these companies have had to go and acquire biodiversity offset land, some of it has been included into national parks. But Moolarben mine in particular has a lot of biodiversity offset land that is hodgepodge all over the place, nowhere near a national park. National parks aren't interested in taking it off their hands.

So, there's some work there. It's a matter of who is going to be the long-term manager of those biodiversity offset lands once the mine does eventually go away. I think one of the fears we all have is that something will happen internationally, the price of coal will fall through the floor, and these multinational companies, while they

are being our friends and handing money to our sporting bodies and the things that they do—they'll just up stumps and walk away. I know I sound quite cynical, but why wouldn't they? I think that is the concern everyone is expressing. It is the community and the taxpayer that are going to be left with the burden. Again, that is why I don't see there is a strong argument for allowing them to stay here and continue on mining up to 2050.

Ms SUE HIGGINSON: Do you have any knowledge about whether the rehabilitation bonds are commensurate with the obligation and the on-ground reality? I think we have had Auditor-General's reports that suggest that they are not commensurate.

BEVERLEY SMILES: I think everyone has had that concern for a long time. I think, back to your original question about having the rehabilitation happen with the mining, having the Natural Resources Access Regulator—I mean, there was a real change in attitude towards regulating the rehabilitation. When I was on the EPA board, we flew over the Hunter and there was just raw dirt everywhere. Everyone was shocked and the ball started rolling on asking questions about what on earth is going on about the rehabilitation. Things started to move. It has taken some time. While previous speakers were talking about there being rehabilitation management plans and mine operation plans, my understanding is they've now been mashed together into the mine closure plans and there is a requirement to really start thinking sooner rather than later.

But quite a few of the companies, while they are going through the paperwork, what they are actually working on is their next DA. Quite a few of them, that is what they are doing. There is no real certainty about what this rehabilitation plan or transition plan or future plan is going to look like. I was quite interested in today's *Newcastle Herald*. There was a report on the climate predictions that have been done for the Hunter region and have been reported on now. Higher temperatures, lower rainfall, worse droughts, more severe fires—it's a scenario we are not really comfortable with looking down the barrel of. Out our way, we have already had all of that happen to us just recently. The thought that we are going to continue increasing our carbon footprint off into the never-never is quite concerning. Also, that the rehabilitation itself is likely to be affected by these more severe weather effects, and the mining operations themselves.

I have seen, with our three mines, the worst floods in history, the worst drought in history, the worst bushfires in history. They actually prevented those three mines from operating at particular periods of time. It has also really impacted on the one railway line from Ulan to the Port of Newcastle. It takes a train 12 hours to bring a load of coal from those mines down to Newcastle. There was heat buckling in quite a few places along the line. One area caused a train to derail and started a major bushfire, but that buckling had occurred at other places. That railway line has been down being fixed more often now than it is open. We have had an indication from at least one of the companies that one of the reasons they're not producing what they've been given approval to produce is their access to the railway line. There are a whole heap of constraints going on now that are weather-related. I just can't see that there is a long-term future for the industry if it's business as usual and these climate extremes keep getting worse.

The CHAIR: In terms of the post-mining land use that the Committee is looking at, Ms Smiles—and the Imries online as well—would you agree that it is very much on a case-by-case basis and so the situation at Wollar and Ulan is going to be somewhat different to, say, the Mount Arthurs and the Muswellbrook Coals of this world or other things?

BEVERLEY SMILES: Definitely, because the mining has been happening for a lot longer period of time here between Muswellbrook and Singleton and it is such a large percentage of the landform, which is why we're concentrating on what's going on up our area—suddenly realising these are the biggest producers in the State. They're relatively new. While the Ulan mine has been there since the mid-eighties, the other two are relatively new mines. It would be good for them to be contained sooner rather than later. But the whole business of the biodiversity outcomes and the water management is quite critical in our area. The other thing we haven't mentioned is, because it's all sandstone escarpment country, the loss of those habitats is either through subsidence or just being literally knocked over and the scale of the cliffs that are being sheared off, particularly at the Moolarben mine, getting rid of cave overhangs and all that other habitat that critically endangered species like bats use—that's just all totally irreplaceable. So it is the fact that the approvals process is mine by mine. Then, really, what you do with mine by mine is probably what we're facing at the moment.

The CHAIR: The Imries?

JULIA IMRIE: We missed the second half of your question, I'm afraid. We just faded out for a moment.

The CHAIR: The question was around post-mining land use being on a case-by-case basis. The situation you're facing in Ulan is going to be different in some ways to other areas like Muswellbrook Coal.

JULIA IMRIE: Yes, it has to be holistic from the landscape point of view. That's how you manage the landscape: looking at it from all three mines together. There does need to be an overarching plan, definitely.

I would agree with that. Obviously, each mine would have slightly different aspects to it. Ulan at the moment is mainly underground. It doesn't have as much open cut, but it does have a legacy of open cut. I think they've managed to sign off one 30-hectare area of it, but that's dating back to 1985. That's not much considering the time that has gone on. At the moment they don't tend to work together unless they're forced to, the mines. I think that there needs to be some sort of independent panel with the know-how [inaudible] to be able to judge what is working, what isn't working and have a plan obviously to direct the future of these areas such as ours in the Ulan-Wollar area. Not mine by mine, no.

The CHAIR: In terms of the Upper Hunter synoptic plan that you mentioned earlier, Ms Smiles, I just tried to search for the document while we were discussing. Is that something that you think you would recommend the Government go back and look at reinvigorating? Or is it something that is already incorporated enough into the Hunter Regional Plan?

BEVERLEY SMILES: As I say, we tried to re-energise it from the community perspective. There were meetings held in Singleton and it just seemed to have disappeared again and we had a lot more mine expansions after that. The landscape now is actually very different to when it was first developed. But it was a good tool at the time and could still be useful as to what could be happening. That was the aim of the exercise: to look at the landscape holistically and how would the Hunter Valley come back. But the mining then was nowhere near the scale it is now. I think we've left ourselves with a horrendous task, actually.

The Hon. WES FANG: Are all of you members of the Mudgee District Environment Group?

BEVERLEY SMILES: Yes.

JULIA IMRIE: Yes, we are.

The Hon. WES FANG: You had a post that said you were excited about the REZ right up until you realised that EnergyCo might put the transmission line somewhere near an area that you didn't really want and then you protested EnergyCo putting the transmission line near your area. I'm looking at the website now. There is obviously, "Get revved up ... about the REZ", and you've used a photo from Austock, which is probably not quite appropriate but that's okay. You've then indicated that you're unhappy that the transmission line might go near Hands On Rock.

BEVERLEY SMILES: No, that was before the REZ was announced. That was Liverpool wind farm, wasn't it?

The Hon. WES FANG: No, grid transmission.

JULIA IMRIE: What was happening was—just to correct you—there was a plan to run a transmission line from Cassilis through to Ulan taking it right past the front of these very sensitive areas, the Drip, Hands On Rock et cetera, through the last little bit of vegetation that the mines hadn't knocked out, and through some farming country as well, I might add. That was not REZ. That was pre-REZ. What REZ did—they stepped in and they actually removed that transmission line because they identified it as being too destructive and they consolidated it into the one from Wollar through to—

The Hon. WES FANG: Because that would have impacted on your business, wouldn't it?

JULIA IMRIE: Not directly but it would impact on the Drip at Goulburn River. It would have been probably three or four kays away from our business—not on our land at all, no. It wouldn't have impacted our business directly. It would have impacted our sensibility, because every time we'd drive into Mudgee, we'd see all these transmission lines that shouldn't necessarily be there. But the point is that REZ recognised themselves that that was not a good pathway forward.

The Hon. WES FANG: Is it fair to say then that overhead transmission lines for renewable energy zones should not be built at all?

JULIA IMRIE: There is a case to be said that, where you can put them underground in sensitive areas, they should go underground. That is what I support.

The CHAIR: That is all we have time for, Mr Fang.

The Hon. WES FANG: I've got so many questions.

The CHAIR: I know. We are over time and this is the post-mining land use inquiry, I might remind you.

The Hon. WES FANG: "Not in my backyard".

The CHAIR: Thank you so much, both of you online and Ms Smiles, for making the time to appear and give evidence to this inquiry. We really appreciate your time.

JULIA IMRIE: Just to correct, Wes, we're supportive of the REZ. I don't know where you're getting this "not in our backyard". We're supportive.

The Hon. WES FANG: No, the transmission lines.

JULIA IMRIE: No, we're supportive of the REZ done sensitively.

The Hon. WES FANG: And you need to move the power and you need the transmission lines—

The CHAIR: Thank you, Mr Fang.

The Hon. WES FANG: —just as long as it's not in your backyard.

BEVERLEY SMILES: Can I say that both of us have been on standalone solar for the last 30 years. So we don't actually need transmission lines anyway, so thank you.

The Hon. WES FANG: I don't think anybody does. I absolutely agree with you.

The CHAIR: Thank you very much again for appearing. If there are any supplementary questions that the Committee has, the secretariat will be in touch with you.

(The witnesses withdrew.)

Mr CHRISTIAN WILLIAM LAURITZEN, General Manager, Resource Development, MACH Energy Australia, sworn and examined

The CHAIR: Welcome and thank you for making time to give evidence to the inquiry today. Would you like to start by making an opening statement?

CHRISTIAN LAURITZEN: I pay my respects to the traditional owners of this land and to Elders past, present and emerging. I welcome Committee members to Muswellbrook and thank the Committee for the opportunity to testify at this hearing on behalf of MACH Energy. Muswellbrook is a diverse and growing centre, which includes a large and vibrant Aboriginal community, and MACH Energy takes great pride in its role as a large local employer and a major community partner. As the manager of the Mount Pleasant operation, MACH Energy welcomes the opportunity to provide our perspectives on issues of relevance to this inquiry.

At a time of significant adjustment for the Hunter Valley, MACH Energy has a unique perspective on post-mining land use topics. While many other local mines are nearing the end of their operating life, Mount Pleasant, which is our operation, has approval to continue operations until 2048. This provides us with the advantage of significant lead time to optimise the many opportunities associated with post-mining land use. Despite this long mine life, we are taking a proactive approach to rehabilitation, progressively restoring the landform as our mining activities move away from where we sit today. As a newer mine, we have been able to implement modern landform design principles from the start. This work is already improving the visual amenity, as seen from the township of Muswellbrook. In fact, if you look out that window, that's where we are—just across the river. The issue of post-mining land use is of particular importance to this community, given the close proximity of four mining operations, and will have significant ramifications for Muswellbrook for decades to come. I welcome any questions.

The CHAIR: Thank you so much, Mr Lauritzen. I might start by asking you a question with regard to your submission. In your submission, you talk about how MACH considers that the New South Wales Government should explore how regulatory settings can encourage other beneficial and constructive land uses that can coexist with mining operations, which provide material local and regional benefits. I invite you to give an example of what you think, in terms of that regulatory framework. Have you got suggestions for the New South Wales Government in terms of that approach?

CHRISTIAN LAURITZEN: The way we see it is there's a dichotomy where we comply with the requirements of the Mining Act and our rehabilitation management plan, and also our Federal EPBC approval. Essentially, that requires us to rehabilitate all our post-mining land to woodland and, specifically, to the white box threatened ecological community, which was the endemic species prior to white settlement where 200 years of unrestrained land clearing, particularly on slopes and plains, have removed that community pretty well from the environment. That's what we have to do.

The question is, and it's an obviously a question for the Committee, now that we see the coal industry winding down over time—and we can debate what that time frame is but, certainly, there are mines that are nearing end of life, there is a renewable energy transition and there are imperatives of climate change. MACH Energy accepts all of those things. It seems to me that with a large amount of mining land, is woodland the correct use? I'm not saying it's not, but it's not an "either/or". I don't like the "or" word; I like the "and" word. The "and" word means how can we achieve our biodiversity outcomes and leave a positive legacy?

When you look at, for example, our mining approval, it says we're going to use our GeoFluv rehabilitation technique, which we've implemented from the beginning and which creates a natural looking landform. We're going to plant trees all over it. It may be useful for low-intensity agriculture. And we're going to leave a big final void. The reason that we've done that is because, in particular, with the case of a final void, you look for something that, on paper, requires no ongoing management. It's a set and forget. But is that the legacy that the community really wants, and what else could you do?

We think that, at a conceptual level—because we've done some workshops with experts on this, as have BHP—there are lots of things that you could potentially do. You could do high-intensity agriculture. You could utilise the rail infrastructure that we spent \$200 million to build and that we are obligated to tear out. You could use that as a hub for bulk agricultural commodities. I don't know whether these things are viable, but we need to do some work on them. We could use the water in the final void for agriculture. It doesn't have to turn hypersaline. That process takes hundreds of years. If you manage the water in the void and you allow other water to come in, there are all sorts of things that you can use that asset for, which are not set and forget and require management but deliver a different outcome.

The CHAIR: In your submission you also talk about there being an acute need for alignment between various policy settings and assessment time frames to provide the clarity and assurance required for such investment decisions. I wondered if you could expand further on that in terms of what the policy settings and assessment time frames are that you see as needing alignment, and what clarity and surety is needed that is currently lacking?

CHRISTIAN LAURITZEN: We know as well as anyone else that, when you submit an application for a development, there are long lead times and there are challenges. There are always groups that, for whatever reason, might oppose the proposal, and legal challenges can cause very long delays. If we were to explore an alternative land use, then clearly that would have to be a modification to our approval, for example, and the process of going through that would take a long time. We do have a long lead time between now and when we expect to close, so there is time to get that right. Other mines don't have that lead time. If you're close to the end of the life, the hole is going to be where it is and there's not a lot you can do, economically, to change that. We might have more scope to make certain changes to deliver a different outcome apart from what's in our approval, but obviously we have to get those approval settings and be allowed to explore these alternatives.

The CHAIR: You mention a land use transition regulatory framework to be developed that allows for the modification of rehabilitation objectives and final land uses, and the transfer of the associated closure liabilities in parallel with the development of post-mining land use approvals. Are there examples of such a framework that exist elsewhere which you could point the Committee to, overseas or otherwise, or are we starting from the beginning here?

CHRISTIAN LAURITZEN: I'm not aware of that, but I might take that on notice and do some research and hopefully give you an answer.

The CHAIR: Thank you, that would be very helpful. In terms of your submission, there is a comment about how to ensure benefits are shared between the community and the mine operators. Do you have a view around what work needs to be done with regard to the New South Wales Government to better allow that benefit sharing, if anything?

CHRISTIAN LAURITZEN: I'd imagine it would start with a lot of consultation. That's where I would start.

Ms SUE HIGGINSON: To be clear, when you talk about a scheme to allow you, you're clear that nothing stops you from exploring those other potential land uses. But what you're suggesting is that you want something that is, for want of a better term—and I'm not trying to be smug—easier than the current system.

CHRISTIAN LAURITZEN: Yes. We have in the past, without going into details, made some suggestions about ideas that, for example, one of our engineers came up with for an alternative use that could be designed into the landform. We were told the answer was no and to stick to woodland. I guess what I'm after is—

Ms SUE HIGGINSON: Are you suggesting, though, by that that's not the right answer?

CHRISTIAN LAURITZEN: What I'm suggesting is it would be—I mean, there needs to be a government-led process, with consultation, to say, "Okay, here's your obligation. Are there alternatives that deliver the same biodiversity outcome but are a better legacy outcome for post-mining land use?"

Ms SUE HIGGINSON: I'm sorry, I'm sure you've said this but I might have missed it—when is your current approval to mine up until?

CHRISTIAN LAURITZEN: December 2048.

Ms SUE HIGGINSON: So that's a long time away.

CHRISTIAN LAURITZEN: Yes, sure.

Ms SUE HIGGINSON: In that sense, realistically, if a government-led—and I'm not sure that's necessarily the view. I think we've heard more council-led and community-led is the best approach and government trying to broker what that looks like. If there was a different process, it's reasonable for that process to be looking more at the mines that really are looking at closing now and over the next 10 years, with a view to also looking towards those later projects.

CHRISTIAN LAURITZEN: I would agree that it would be a priority to focus on the immediate issue.

Ms SUE HIGGINSON: As the manager of such a big operation, is there anything in your mind's eye that might be planning on contingencies for finish of mining earlier than that in terms of market possibilities and that sort of thing?

CHRISTIAN LAURITZEN: Yes, we believe that the export market will continue until that period, but if it didn't, then we would simply have to implement our closure planning earlier. One of the advantages that we have is we have a low-strip ratio, and, without boring you with the technicalities—

Ms SUE HIGGINSON: I've read it.

CHRISTIAN LAURITZEN: —that puts us right down at the bottom of the thermal coal—global thermal cost curve. If you're in that bottom quartile, by definition, three-quarters of the rest of the seaborne market, which is about a billion tonnes a year out of that total eight billion tonnes of coal that's mined globally. If you're in the bottom quartile, basically there are 750 million tonnes in the market that's higher cost. You could have the situation where the market over time reduced to—pick a number—50 per cent, and then we'll still be down here because that low ratio exists for life of mine. Whereas if you have a mine where you're six to one, which is double us, then you're way up higher in that cost curve and then price fluctuation can do a lot of damage to your bottom line a lot earlier.

Ms SUE HIGGINSON: In essence, though, one of the things that we've had imparted to us quite firmly is that we do have to have a process of looking at potential alternative beneficial re-use of land but that every mine should—even with a strategic process, you still have to deal with each mine by mine, land by land, ultimately. In terms of what you're suggesting, if you're pretty resolute that you'll mine to 2048, realistically, you have a lot of time to consider and start looking at the feasibility of other projects and where they might fit in the mix in terms of your project. You've not got a whole lot to lose, really, have you, by exploring those alternative land uses to woodland? Because you've got all this time and this income and this incredible market that will—

CHRISTIAN LAURITZEN: Yes, that's right.

Ms SUE HIGGINSON: In that sense, you're not materially really disadvantaged compared to, say, a mine right now that's closing, going, "Oh my gosh, if we keep filling in this but we've got this great pumped hydro project"—that would be a real disadvantage to the State, potentially. You're in a different category.

CHRISTIAN LAURITZEN: I'm not concerned about disadvantage. What I'm concerned about—what I'm trying to do is I'm trying to grab opportunities. The sooner we have got line of sight on what can be done or what might be allowed, the more time we can put into planning it because what we as mining companies don't like is uncertainty. We're all engineers or geologists. We like to see, "This is the input. That's the output. Here's the process. This is what we're going to get." The earlier we can see that, the better. But I take your point—we have time, yes.

Ms SUE HIGGINSON: You have more time than others. At the moment your strong message from government agencies is, "No, your re-use really does need to be that critically endangered ecological community return back into the biodiversity budget"—for want of a better term.

CHRISTIAN LAURITZEN: Yes. Again, recognising the long history of land clearing, if there's a biodiversity deficit, I think we probably own a few cents in the dollar of it, compared to agriculture, traditionally.

Ms SUE HIGGINSON: Just with that, have your project and your most recent approval included mine rehabilitation as part of any offset scheme?

CHRISTIAN LAURITZEN: No. We have a very large offset holding in the Merriwa-Cassilis area and a small one in Gunnedah, and we manage that under the EPBC approval. Also, ultimately, we will secure some of that under the New South Wales system. To answer a question that was asked earlier about how that works, when you set up a biodiversity conversation trust, you have to, up-front, pay the full management costs of that land for—I think it's 20 years, but don't quote me. They then double that number. The trust drip-feeds that money back to us as the operator. So if we suddenly went broke or disappeared, the government would hold that money and they could still fund the management of the offsets, because I think that was a concern.

Ms SUE HIGGINSON: I think the issue was that, ultimately, yes, there's some money to do that but the scheme falls a bit—because there's no actual agency that does that, yes. It would have to pass to a government agency to do that.

CHRISTIAN LAURITZEN: Doesn't BCT do that? I think they—

Ms SUE HIGGINSON: No, the BCT is not a boots-on-ground land manager as such.

CHRISTIAN LAURITZEN: No, that's right. But they've got the money to pay someone.

Ms SUE HIGGINSON: I think the submission has identified a really important gap in the system that the Government is going to have to deal with at some point, because you're right—that's the backup scheme, but

it's really cash in a bucket, not boots on the ground. It will be an issue for the Government at some point in the future.

The Hon. WES FANG: In relation to handbrakes on the potential altering of what's approved in relation to rehabilitation, is environmental lawfare the real handbrake that you could risk applying for a change of scope in relation to rehabilitation, only for it to be drawn out in the courts for years and years and years by environmentalists that are really just seeking to wreck development in our communities?

CHRISTIAN LAURITZEN: I want to be careful not to go on a rant because I suppose I could.

The Hon. WES FANG: I'm more than happy, if you would like to.

Ms SUE HIGGINSON: I don't think it's in the terms of reference.

CHRISTIAN LAURITZEN: Let's just say that our system allows people to object to things and take action in the courts. That's their right, and it's also obviously our right to defend our mine, and we like to be as positive as possible.

Ms SUE HIGGINSON: I think you just won yesterday, didn't you? Was that you guys or a different—

CHRISTIAN LAURITZEN: Yes.

Ms SUE HIGGINSON: It was you?

CHRISTIAN LAURITZEN: It was us, yes.

Ms SUE HIGGINSON: There you go. They won in the courts yesterday.

CHRISTIAN LAURITZEN: But you're quite right. Let's say, for example, we had to do a modification to our approval. Once you do that, then you open yourself up for submissions and challenges and all of that.

The Hon. WES FANG: When you do that, when you put in an application to alter what's currently approved for a more beneficial land use for the community, do you receive any government funding or subsidies in relation to any legal challenges or threats that are made to your company?

CHRISTIAN LAURITZEN: No, we generally have to wear the cost of that ourselves.

The Hon. WES FANG: So how does that make you feel, then, that organisations like the Environmental Defenders Office receive government funding to wage war against you and your organisation in order to delay and frustrate the applications that you make and that, effectively, it's our taxpayer dollars that are being used to fund these environmental terrorists?

Ms SUE HIGGINSON: Point of order: We are just so far from the terms of reference.

The Hon. WES FANG: I think it is exactly on the terms of reference.

The CHAIR: A point of order has been raised. I will allow the question, but I remind the member of the terms of reference for the inquiry.

CHRISTIAN LAURITZEN: We're not a fan of it. However, we put our operation and our credentials on the line, and you can make all the promises you want about what you're going to do, but what we prefer to do is deliver.

The Hon. WES FANG: Do you think it would be fairer that an organisation like the Environmental Defenders Office stands on its own two feet and funds its own legal environmental attacks on legitimate and appropriate mining applications, for the benefit of the communities that those sites are in?

CHRISTIAN LAURITZEN: I'll be happy if our project can be judged on its merits. Every mine creates environmental impacts, and the question is do the benefits outweigh the impacts? That's something that we can debate, and people can take legal action if they feel that the balance is unduly in one direction or another or if decisions are being made in approvals that are wrong. I personally believe that we are doing the right thing and that there are very clear positives, and I recognise the impact that we have on climate change, bearing in mind it's our production divided by eight billion tonnes. I also recognise the impact that we have on biodiversity. As a result, we've got our offsets, and we got our rehabilitation where we are planting those species back and doing our best to bring not only the flora but the fauna back. Also, we had an issue with the legless lizard.

The Hon. WES FANG: It is a snake, isn't it?

CHRISTIAN LAURITZEN: It had a lot of press, and what everybody ignores is the fact that it was us that discovered the new species. It was our consultant. As soon as we discovered this, we gave the information to the Government and said, "Hey! Look what we found."

The Hon. WES FANG: You are given no real thanks for that, are you? That great environmental work that you do in your community is just ignored by those who seek to wage warfare against you. Is that right?

CHRISTIAN LAURITZEN: Well, that's politics. Again, I really want to go high—

The Hon. WES FANG: Me too. It is always the best way to go.

CHRISTIAN LAURITZEN: —and other people can go low.

The CHAIR: Given the increasing number of mine closures expected in the coming decade—obviously, you are in somewhat of a different situation at MACH Energy—is the current regulatory framework truly robust enough to handle both the scale and the complexity of future rehabilitation efforts?

CHRISTIAN LAURITZEN: I think so, because what I've found is that these things never happen as fast or as slowly as people say. There was a question about the rehabilitation bond calculations. My view of that is that we just fill out the calculator the government gives us, and they change the rates in it, which increases the amount. If we don't think the RCE is adequate, then fix it.

Ms SUE HIGGINSON: You are at the cutting edge of this field. Do you, in earnest, think that it is enough, or do you think that it might not be quite hitting the mark at the moment?

CHRISTIAN LAURITZEN: I think the number that we've got for our operation is enough, yes—I don't know about others—because the calculator is quite comprehensive. You've got to go through every item of the infrastructure for a demolition cost, and we get an independent expert to come and audit it to make sure that it's right. So I think it's right. However, I would also make the point that construction costs always seem to cost more than you expect.

Ms SUE HIGGINSON: Everything blows out, doesn't it?

CHRISTIAN LAURITZEN: Yes. Nevertheless, I think it is in the ballpark, definitely.

The CHAIR: In your view, how can the industry—in consultation, obviously, with the community and councils and others—balance the need for the traditional rehabilitation obligations with the development of renewable energy projects on post-mining land?

CHRISTIAN LAURITZEN: Again, there are obviously opportunities to develop renewable projects on post-mining land, although I note that the current REZs are not anywhere near any mines, and I think that's because if you want to set up wind farms, for example, you have to set them up on ridge country, which is typically not where we're mining. If you wanted to, say, put up a wind farm on Mount Pleasant, I don't think that would work. We have looked at solar projects ourselves. We have looked at solar projects, both a big one at 50-megawatt scale or one just for the mine's power. The biggest challenge we found there is you can't get access to the—we've got a powerline that runs right in front of the mine, but we can't put our solar power into it because the capacity is already taken up by a renewable project that hasn't even started yet. There are those sorts of challenges where we could look at renewable projects, but to deliver something that would help the people of New South Wales by putting power into the grid is a separate challenge.

The CHAIR: In terms of community opinions, how do you think they are currently incorporated into that post-mining land use approval process, especially where there is a conflict between the community's desires, what might be economically beneficial and the proposed rehabilitation plans?

CHRISTIAN LAURITZEN: I'm not sure how to answer that. What I detect in the community is quite a lot of anxiety about the post-mining future and, particularly in Muswellbrook, there is, I think, some resistance to the idea that the coalmining industry is just going to vanish in the short term. In our case, we obviously don't think it is, and not only are we continuing to 2048 but we are also doubling our employment base. As Mount Arthur goes down—and they've got 2,000 employees—our plan is to go from our 400 up to 800, so we see ourselves as a kind of soft landing for the community. In terms of what the community thinks about post-mining, I am not sure how to answer that, but I know they are very anxious about their livelihoods and how those well-paid mining jobs are going to be replaced by whatever takes its place. I don't blame them for being anxious about that.

The CHAIR: Yes, absolutely.

Ms SUE HIGGINSON: I was just curious about what you see as your role in terms of cultural heritage and the cultural heritage that has been lost over time on the site. What do you see as the role in terms of that First Nations engagement going forward from here to 2048 and then past 2048 for your operations?

CHRISTIAN LAURITZEN: We see this as one of our primary differentiators as a business—our engagement particularly with Indigenous business. We've had a lot of success with partnerships, particularly with

Blackrock. We were the first participant with the Gundi program that takes Aboriginal inmates out of the St Helier's prison. That's been very successful and were very proud of how that's worked out. To the immediate west of the mine, we've got a large Aboriginal cultural heritage area that's been dedicated.

Ms SUE HIGGINSON: A keeping place, do you mean?

CHRISTIAN LAURITZEN: No, land. That land has got to be preserved for Indigenous groups to do cultural practice. We've submitted all the—it's one of our consent requirements to have that and we've got that to the west. When you look at Mount Pleasant, we're kind of boxed in: We've got Dartbrook to the north; we've got Bengalla to the south; to the east we've got the river and the alluvial country; and then to the west we've got our fines emplacement area and this cultural heritage area. So we are well defined. We can't expand or go further. Where our footprint is is pretty well our footprint until 2048. You could go a little bit past 2048, but I'm thinking about retiring before then, so someone else can do that particular application. To answer your question without the other stuff, yes, the participation of Indigenous groups we see as being very valuable in that process.

Ms SUE HIGGINSON: Will that part of the land be handed, in terms of ownership, to the—

CHRISTIAN LAURITZEN: No, it's a covenant that basically forbids any development or any other disturbance on that land and has it available for people to come out—we have used it a little bit. We did a cultural cool burn on it a couple of years ago. It hasn't stopped raining since then, so we haven't done any more.

Ms SUE HIGGINSON: You have a final void.

CHRISTIAN LAURITZEN: Yes.

Ms SUE HIGGINSON: Are there any conceptual views around the beneficial re-use or end use of that final void, aside from the idea of a pumped hydro? If it is to be retained as a final void, I have two points on it. What is the length that the model says it will be until your project reaches equilibrium—how many years?

CHRISTIAN LAURITZEN: It's in the EIS. I can't remember the number. It's a long time.

Ms SUE HIGGINSON: I can't remember. One of them is 400 years or something. Are there conversations happening about what that might look like in terms of the—

The Hon. WES FANG: A hole.

Ms SUE HIGGINSON: Beyond the hole full of water, is there any consideration around that?

CHRISTIAN LAURITZEN: The first point is, we actually did backfill the top half of it. You can't fill it all up because you'd have to tear all your rehab up, so you have to have a void. We had a workshop back in 2021 or 2022—I forget when—where we got Newcastle university representatives, all our engineers and a whole swag of consultants in a room and we came up with ideas. I thought you might ask me this so I wrote them down: pumped hydro; floating solar—

Ms SUE HIGGINSON: I've become the final void woman, haven't I? Sorry.

CHRISTIAN LAURITZEN: —biomass; intensive agriculture; aquaculture; recreation, land and water based; and water supply and storage. We have got a lot of water licences. If you brought fresh water into the void, then it doesn't go hypersaline. Then you've got a water storage—okay, you've got to manage the natural salinity in the coal measure water. I'm not saying there are no issues, but instead of having a zero-management hypersaline lake, admittedly after hundreds of years, you can have something else. These are just thought bubbles, right? I'm not pretending to have done any—but that's where we start. With any project management, you start with concept, then you go order of magnitude, "pre-feas", feasibility. If there was a pathway for that, we would be more than happy—

The Hon. WES FANG: Only to have somebody try to block it in the courts. It must be frustrating.

Ms SUE HIGGINSON: I think it's the coalmining people trying to block it in the courts, not the beneficial re-use—but we won't go there. Thank you. That's very helpful.

The CHAIR: I have a final question. Apologies, it's prompted from listening to some of the discussion. Your submission quotes the Resources Regulator guideline which talks about rehabilitation sign-off. In particular you quote that they "will only accept a change to the final land use once there is certainty that the proposed land use is achievable and will be implemented". What sort of an impact does that have? If there are any changes you would suggest to that framework, what would they be?

CHRISTIAN LAURITZEN: I think I'd just like to see more consultation and discussion. I mean, those are the rules, right? We follow the rules and we'll continue to follow the rules. Under our Federal approval, we have to achieve 1,000 hectares of white box woodland EEC, so we're going to do that. We have to achieve a

natural-looking landform with macro- and micro-relief; it's out there. As it grows, we'll continue to develop that landform and get the trees growing on it and reestablish the habitat. We have to achieve a certain criteria for the final void that it's stable and non-polluting et cetera, so we'll achieve that. If we can have consultation and exploration of other better alternatives so that we get those biodiversity outcomes, but we also get a landscape asset that can be used for the benefit of the community in the long term, then we'll be happy. MACH is quite a diversified company. We're not just a coalmining company. The parent company has interests in agribusiness. Our buffer land is not just land to keep people away from the mine; it's actually high-productivity agriculture land. We've got a Hunter River frontage. We've got partnerships with the original owners of that land to lease it back. There's still a lot of value out there in terms of just the agribusiness side of our holdings.

The CHAIR: That's very helpful. Thank you again, Mr Lauritzen, for making the time to give evidence to the inquiry today. We really appreciate it. For questions that were taken on notice, our Committee secretariat will be in touch with you to confirm the details. I think you'll have the standard 21 days to respond.

(The witness withdrew.)

The Committee adjourned at 15:30.