

## Improving Mine Rehabilitation in NSW

### Discussion Paper

#### Mining and its contributions

“mining brings significant benefits and employment opportunities to people living in regional and rural areas of the state. Coal production also supports the state electricity needs”

The state electricity generation production will diversify and the reliance on coal will change, due to the age of the generators, investment changes and the industry is private enterprise.

As for the benefits to rural communities and the regional areas, not everyone benefits, and the industry can cause a greater gap in economic wealth of the citizens in the area, which has a flow on effect related to housing affordability, rental availability and the cost of goods and services.

The other issue is the post mining era, when the resource has been removed and the mining ceases, the impact on the regional area and the employment availability changes, land value and whether the community can adapt to the changed conditions.

#### Mine Rehabilitation regulation

The preparation of the EIS by the proponent should be making a full costing report of the rehabilitation, monitoring and maintenance requirements. The land classification when returned and the market value of the land at the rehabilitated state. Importantly the type of flora will be used or vegetation and water availability, surface water impacts and ground water impacts related to the rehabilitated land and how this will impact on the area, neighbouring properties. The economic cost to the shire related of cumulative impacts of rehabilitation and final voids, also the impacts the land will have on future use and employment.

So therefore, the assessment phase of the application the public and the government departments are provided with all the information and allowed a greater understanding of the consequences and risks associated with the rehabilitated land.

The application of a modification to a premise should now place onus on the applicant to produce all costings report as discussed prior two paragraphs that a final void and rehabilitation once approved can now be revaluated under the new policy framework.

The security deposit assessment using the RCE must be upgraded to incorporate the final void, management, monitoring and maintenance- as stated by the industry XXXX amount of years to fill with saline water or it would become a groundwater sink but the fact it is unknown factor therefore a security deposit must reflect this issue and cover the compensation issue when the void becomes polluting and the cumulative impact has on other landholders or water supply to others and the impact this has on the economy. So, the return of a security deposit would be considered unknown and unreturnable to proven otherwise.

#### Final Voids

The development of a policy framework for the assessment of final voids is important and the statement of the department that a final void will not be considered acceptable as a part of new mining project is a positive statement. As the United states of America have legislation in place related to final voids and they are to be filled in as they are a health and safety concern.

The negative statement is that the policy exemption to final voids already approved under the EP&A act 1997 and the government is considering these under the synoptic plan- hunter valley. A plan that is over twenty years old and not relevant to the climatic conditions, changes to the valley floor and the number of final voids in the valley, as the upper hunter itself has approximately 30 final voids but due to lack of a data base with the government departments this number could be incorrect.

As discussed prior a modification constitutes a revaluation and therefore opens the premise to scrutiny and the applicant must produce a full report under the new rehabilitation policy framework and especially the final voids which have a major impact, the approval of the said void is removed.

### Proposal 1

As for the statement in 1. Which needs improvement to enforce the fact pre-mining the land was useable in some form, that post mining must deliver all the land back to this useable state.

The draft principles have positive aspects 2 through to 7

Proposal one should not be used for a new state mining project only, it should be robust to be used existing approved mines which request a modification, it is these modifications that continually change the land form and should not be exempt in providing the information.

### Proposal 2

2.1 The policy framework for acceptability of final voids is not acceptable as the land becomes sterile and future impacts are unknown factor, estimations and guesses are not acceptable. All final voids should be filled.

2.2 The issue of the cost of filling a final void is unknown as the department has not requested a full costing report and the public has not been provided with this information. Also the department has not provided the public with the land value of a final void, the case of the Hunter Valley operations final void in the hunter valley which the department of planning recommended approval will be hypersaline and unusable, so therefore what would be value of the rehabilitation with a polluting toxic void \$0.00 net worth but the other factor what happens when this void impacts on the groundwater or the surface water system, causes health and safety issues what is the economic cost then to the state or shire.

### Proposal 3

AS stated before that all costing, maintenance, monitoring, land value should be a part of the EIS, that management plans should be provided a part of the EIS, to allow scrutiny by the public. The standard the rehabilitation will be assessed and the location of the standard on the website.

### Proposal 4

The importance of land classification criteria and AS applied to be available on the department website for the public to understand the process.

A through independent audit system of the rehabilitation in which the report is publicly available and the auditor has no conflict of interest

No refund of security deposit until the whole site has been rehabilitated and proven safe, non-polluting, and economically viable and the land value has been assessed by an independent assessor.

Any land approved with a polluting or unusable landform will require to maintain a security deposit system in-place to cover compensation or cost associated to the rehabilitated site. The case of the HVO final void no doubt will approved by the Planning Assessment Commission soon in 2018.