

Evidence-gated mine lease relinquishment for New South Wales coal regions: process improvements for land transition and legacy hazard management

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Abstract

Mine closure in New South Wales (NSW), Australia, coal regions is increasingly a land transition challenge as regional economies seek new anchors of employment and growth. Regulatory reform in NSW has improved rehabilitation performance, but the system still treats relinquishment as a largely binary end state rather than a staged transition process. This creates delays between the point at which land is physically capable of supporting new uses and the point at which tenure can be released for investment. The paper argues that this timing gap is emerging as a material barrier to regional transition, particularly in the Hunter Valley, where the numbers of highly paid, vocationally trained coal worker are forecast to decline as mines close. Drawing on current NSW policy settings and practitioner experience, including managing the successful relinquishment strategy for the Rhondda Colliery to facilitate redevelopment, the paper proposes an evidence-gated relinquishment model that separates land use planning from tenure release while linking both to measurable closure performance and explicit residual risk positions. It sets out 4 release gates, explains how engineered landforms create a technical ‘long tail’, and recommends a regional transition toolkit to improve certainty for operators, regulators, councils and investors. The core proposition is that NSW does not only have a mine closure problem; it has a land release problem that can be addressed through staged, risk-informed relinquishment.

Keywords: *relinquishment, mine closure, mined land transition, residual risk, investment barriers, legacy hazard management*

1 Introduction – from closure to transition

Mine closure in New South Wales (NSW), Australia, coal regions is no longer simply an environmental compliance exercise. In the Hunter Valley region, it is increasingly an economic transition problem with material timing consequences. Oxford Economics Australia’s report *Regional economic transition analysis – economic outlook for Hunter* (Oxford Economics Australia 2025) estimates that the Hunter Valley currently supports around 15,000 direct coal mining jobs and that the region could lose up to 14,000 industrial jobs by 2035 under its central transition scenario, with much of that decline concentrated in mining-related activity.

The same report shows that the Hunter Valley’s direct coal mine workers are disproportionately younger than many other affected cohorts and therefore less likely to voluntarily leave the workforce as employment retracts. Compounding this, coal mine workers are more likely to hold Vocational Education and Training qualifications rather than university degrees. In other words, the transition challenge is not confined to broader economic output or diminishing royalties; the central challenge is about generating new opportunities for a younger, technically skilled/vocationally trained workforce.

The emerging replacement economy is not synchronised with closure timing or the very uncertain timing of lease relinquishment and land release. Nor are opportunities in emerging replacement economies forecast

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to be shared evenly across Hunter Valley mining communities. New opportunities in energy, manufacturing, logistics, services and tourism are developing unevenly across coal regions, often requiring different land configurations, different skills profiles and different investment horizons (Oxford Economics Australia 2025). This will increasingly create a practical paradox: land capable of supporting new economic uses may remain locked in mining tenure precisely when regions need it most.

Recent NSW reforms have strengthened rehabilitation requirements and increased the evidentiary burden associated with closure outcomes (NSW Resources Regulator 2021), but it remains weakly configured for staged land transition. The framework has been developed around an implied position reflected in standard mining lease rehabilitation conditions; that is, that mine closure is principally a site-scale environmental task culminating in a final relinquishment decision. Recent mining lease relinquishment determinations in NSW have, arguably, demonstrated an overly cautious and risk-averse government position towards determining satisfactory rehabilitation.

This paper argues that the NSW Government's responsibility for risk-based decision-making is not simply to assess whether a mine has been rehabilitated to a safe and stable condition. It is whether timely land transition can occur and responsibility for managing mined land can be transferred to others with sufficient certainty to support beneficial uses that generate new employment and new investment.

Put another way, NSW does not only have a mine closure problem; it has a land release problem. The distinction matters. Closure asks whether the operator has met environmental and rehabilitation obligations. Land release asks when, how and on what conditions parts of a mining lease can move into viable post-mining uses without compromising closure outcomes, creating unmanaged liabilities and exposing land users to unacceptable risks.

This represents a fundamental change in objectives for risk-based relinquishment decision-making. New evidence-based approaches are required to propose clear, transparent processes to attract investors, encourage engagement from mining companies and support regional economic strategies that leverage off existing skilled workforces. The price of failure may result in the Hunter Valley's most-exposed local economies entering a prolonged economic decline.

The problem has been recognised across all levels of government. The recent NSW Parliamentary inquiry into beneficial and productive post-mining land use pointed to complexity, fragmentation, legacy risk and limited pathways for partial site transition as persistent barriers to productive re-use (Standing Committee on State Development 2025). The Hunter Regional Plan 2041 similarly acknowledges the problem and commits to addressing barriers to post-mining land use and to targeting former mined lands for economic renewal (NSW Department of Planning and Environment 2022).

The federal Net Zero Economic Authority (NZEa) is currently undertaking a raft of initiatives to examine the potential economic impacts of a transition from fossil fuel industries, including commissioning Oxford Economics Australia's Regional Economic Transition Analysis (Oxford Economics Australia 2025). NZEA is also funding mined land transition pilot projects in the Hunter Valley to identify beneficial re-use opportunities that can inform post-mining master plans, including Glencore's closed Macquarie Coal Complex site at Lake Macquarie (Figure 1). These initiatives follow the successful relinquishment and current redevelopment of the Northern (Rhondda) Colliery, which adjoins Macquarie Coal's southern border (Figure 1).

These government initiatives are focused on economic analysis and appropriate development opportunities to inform regional strategic plans and mine site-scale master planning. However, this paper argues that in a mining region where the mining companies are generally the landowner, barriers to facilitating miners divesting landholdings without carrying significant residual risk remains a stubborn issue for transition. This paper therefore focuses on process improvements that could accelerate safe, staged relinquishment of suitable land parcels while protecting access to closure footprints and preserving accountability for residual risk.

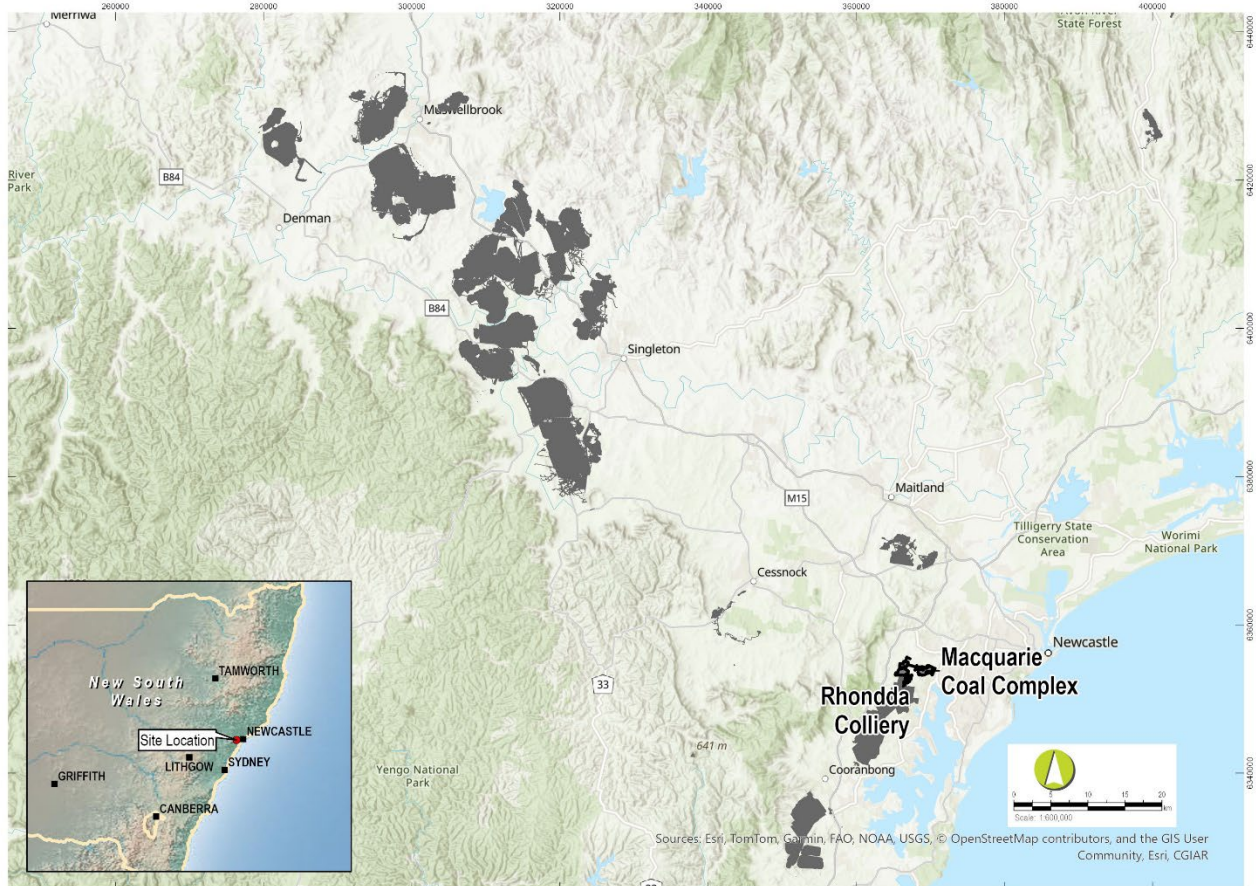


Figure 1 Current coal mine locations in the Hunter Valley, the closed Glencore Macquarie Coal Complex, and the former Rhondda Colliery site located to the west of Lake Macquarie

2 Why current pathways delay land transition

2.1 The linear path from operations to relinquishment

A primary reason current pathways create delay is structural. NSW mine closure pathways remain largely sequential: operations cease, rehabilitation works continue, performance is monitored and relinquishment is considered only after completion criteria have been met. That sequencing is rational if the objective is to determine whether (generally) vegetated landforms that can be passively managed have been achieved and the mining lease is ready to exit mining control. It is far less useful when the objective is to enable earlier activation of low-risk land parcels for new economic uses. This linear process extends closure time frames, presenting both a deterrent to investment and to mining companies ceding control of leased land.

The extended delays of the current linear pathway are self-evident at sites that have entered closure in the Hunter Valley. Glencore's Macquarie Coal ceased operations in May 2016 and is still executing rehabilitation in some infrastructure areas, and Glencore has not publicly indicated that land releases are likely soon. The Rhondda lease relinquishment and land transfer to Black Rock was finalised in 2024, almost 5 years following the approval of the Black Rock post-mining development. These time frames are problematic for both investors and government agencies tasked with delivering the post-mining economy.

In practice, different areas of mine lease do not progress towards closure criteria uniformly. Former infrastructure areas, haul roads, laydown areas or rehabilitated emplacement surfaces can often reach an investable condition well before technically complex landforms such as tailings dams are fully resolved.

Unlike Western Australia (WA), where relinquishment expressly contemplates landform-scale relinquishment (WA Department of Mines, Industry Regulation and Safety 2021), NSW has legal pathways for part cancellation and progressive sign-off. In practice, however, miners have remained disincentivised from releasing land progressively.

For a range of reasons, including a regulatory framework that does not support miners transferring leases (and ongoing rehabilitation obligations) to non-mining entities, there is little incentive for miners to progressively divest land parcels or enter shared control of lease land and infrastructure no longer needed for mining. This is exacerbated if the mining operator considers that a proposed post-mining development may complicate their ability to operate or execute ongoing rehabilitation activities in other portions of the lease.

This inhibitor is also self-evident in NSW, where there are very few examples of miners entering into arrangements with third-party developers to progressively redevelop lease land. Rare examples include the current Idemitsu Muswellbrook Pumped Hydro Energy Storage Project and Yancoal's proposed Stratford Renewable Energy Hub at Stratford coal mine. However, in both of these projects, the miner is also the post-mining development proponent; which reduces the commercial and liability risks associated with transferring control for portions of the lease before lease-wide closure execution is complete.

2.2 Regulatory alignment is weak

The second reason is regulatory alignment. Development consents, mining lease conditions, rehabilitation objectives and local planning controls have evolved for good reasons, but they do not always work together to support adaptive land transition. A recurring difficulty in NSW is that the approved post-mining land use can become both a performance benchmark and a 'hard' stakeholder expectation. Where rehabilitation commitments were framed around agriculture, woodland or biodiversity restoration, later proposals to introduce other productive uses can be seen as inconsistent with earlier representations, even when they may deliver stronger long-term regional outcomes. The parliamentary inquiry highlighted exactly this tension, noting that current settings can discourage alternative land uses, infrastructure retention and partial site transition (Standing Committee on State Development 2025).

Operators in the Hunter Valley, such as Macquarie Coal, are obligated under consent conditions to remove all built infrastructure and revegetate all disturbed areas. A challenge for the Macquarie Coal transition pilot project is to unpack the implications of a streamlined transition pathway to land uses that do not conform with Macquarie Coal's current rehabilitation obligations. Implications may include compelling mine operators to amend their mining consents and manage reputational risks associated with changed rehabilitation outcomes.

2.3 Risk adversity inhibits knowledge sharing, collaboration and land transfer

The third reason is liability. Miners are understandably reluctant to relax control over lease areas where the future treatment of residual hazards is uncertain. Developers are equally cautious where tenure timing, ongoing obligations or latent land constraints are unclear. This is not simply a matter of legal drafting. It is also a matter of information architecture.

In many closure contexts, the knowledge bank required to understand residual hazards may not be well understood until detailed closure investigations are completed (generally after cessation of operations) and sit with the miner and specialist consultants up to the point of seeking lease relinquishment. This is not compatible with developing a durable, investor-facing knowledge base that can support investment opportunity assessments, valuation, land transfer and future management.

There is also, in the author's experience, a significant deterrent for miners to engage in post-mining development discussions due to the uncertainties regarding transfer of liability for managing residual mining hazards. Under provisions of the *Mining Act 1992* (Mining Act), the government can call on the 'responsible person', being the last holder of the mining lease, to address a risk of harm, or an actual environmental harm, associated with the former mining operations. There are in fact very few examples of the government calling

upon a former leaseholder following a formal lease cancellation decision. Regardless, the lack of a clear pathway to transfer liability for maintaining mining-related hazards to an acceptable standard is a significant barrier for miners seeking to divest mined land holdings (Standing Committee on State Development 2025).

2.4 The technical ‘long tail’ of rehabilitation

A central reason why the current regime produces a long lag between mining and beneficial re-use is the technical ‘long tail’ of mine closure. As outlined above, not all closure issues resolve in the same time frame; complex engineered landforms can drive verification periods that extend for years or decades beyond the practical readiness of other lease areas. Final voids, pit lakes, tailings storage facilities, drainage structures, backfilled subsidence features and large overburden emplacements often require long-term monitoring before their performance measures to demonstrate ‘safe and stable’ can be characterised with sufficient confidence for relinquishment decisions. In some cases, engineered features may also require continuing maintenance or land use controls after relinquishment to support acceptable performance.

These long-tail features matter because they currently drive the time frame for whole-of-lease relinquishment. A single final void with unresolved water balance questions, or a large emplacement still being verified for stability and erosion performance, can hold back the release of land elsewhere on the lease that is already functionally suitable for development. While there may be current pathways to part-relinquished lease parcels, the constraints highlighted above, particularly understanding risk and the transfer of liability, are a strong deterrent for mining operators to seek partial relinquishment. The result is lost opportunities for staged closure verification and land transition; the slowest-to-stabilise landform dictates the timing for the whole title, even where other areas are demonstrably capable of supporting productive uses.

The policy problem is therefore not that long-tail hazards exist; they are a normal feature of mine closure. The problem is the absence of a standardised process for separating them from lower-risk land in a way that remains auditable and fair. In current practice, operators may need to maintain control of extensive landholdings simply to preserve access to a smaller residual closure footprint or to avoid ambiguity about future liability. From a transition perspective, that is inefficient. It delays investment, undermines strategic land use planning and can harden the perception that mine lands are unavailable until closure is fully complete. The NZEA research paper *Productive re-use of former mining and power station lands* (2026) captures this point succinctly: ‘the future of former mining lands is shaped less by site potential than by the interaction of policy, liability, planning and investment settings’ (Net Zero Economy Authority 2026).

Research and policy work beyond NSW points in a similar direction. CRC TiME’s *Resources on integrated mine transitions* emphasise that closure planning should be connected to operational planning and to post-mine transition pathways rather than treated as a narrow ‘end-of-life’ task (Dzakpata et al. 2023; CRC TiME 2023).

3 Short case study – Northern (Rhondda) Colliery

Rhondda was a historical underground colliery that ceased mining in 1969 and was subsequently affected by approximately 30 years of fire in the shallow underground workings, resulting in extensive subsidence cracking, contamination risks associated with the fire extinguishment process and legacy operations, and uncertainty regarding the potential for fire reignition. Following completion of bulk rehabilitation works in the early 2000s, the then owners of Rhondda sought potential purchasers to redevelop the site.

Rhondda eventually progressed through rehabilitation assessment and lease relinquishment to allow the approved Black Rock Motor Resort (Black Rock) development to proceed. The relinquishment strategy and regulatory opportunities it exposed are set out in the paper *Regional-scale post-mining land use transition: opportunities and challenges for industry and regulators* (Cooper 2024).

The NSW Resources Regulator, which is the NSW Government agency tasked with determining rehabilitation completion and lease relinquishment determinations, has published articles regarding the relinquishment process from the Regulator’s perspective (NSW Resources Regulator 2024a and b). The Regulator noted that

the developer would take responsibility for ongoing matters such as subsidence crack repairs, erosion controls and bushfire management as part of binding transition land management arrangements (NSW Resources Regulator 2024a).

This outcome was not achieved under any specific provisions in the Mining Act to transfer residual risk obligations, but under a bespoke model agreed between the Regulator, Lake Macquarie City Council (as consent authority for the Black Rock development), Black Rock and Yancoal. The model included a land management plan to be attached to the land title that was based on Yancoal first demonstrating that the hazard profile of mining impacts was acceptable in the context of the proposed Black Rock development by meeting 3 proposed conditions:

- The mechanism for any hazard was well understood.
- The associated risk to Black Rock activities was quantifiably acceptable.
- Maintaining an acceptable risk profile was technically and financially within the means of the Black Rock operators.

To inform the agreed land management activities, Yancoal provided spatial data and other related data to Black Rock. It should be acknowledged that this model accounted for predictable events and did not extinguish Yancoal's potential liability under the Mining Act as the last lease holder (and therefore the 'responsible person') for any low likelihood/high consequence event, or 'black swan' event.

As a case study, Rhondda is useful for 3 reasons. Firstly, it shows the merit of residual risk being assessed relative to a specific, defined future land use that sets out proposed infrastructure, anticipated activities and numbers of people expected to be exposed to any mining-related hazards, rather than through generic completion criteria for more passive land uses typically prescribed in mining consents.

In other words, 'acceptable risk' becomes meaningful when tied to a known use case and a realistic management regime (Cooper 2024).

Secondly, it demonstrates that successful transition may depend on explicit knowledge transfer to the incoming landholder, not just a sign-off that rehabilitation works have been completed. It is noteworthy that any beneficial re-use that requires development consent in NSW will require the proponent to assess and address any environmental or safety hazards in the associated development application. The assessment would in part rely on baseline information regarding the mining activities and land condition. Therefore, access to reliable data to profile rehabilitated mining landforms (i.e. the mine closure knowledge base) would benefit investors and developers exploring opportunities on mined land at the concept stage without the lag waiting for miners to complete rehabilitation and seek relinquishment.

Thirdly, Rhondda reveals a key policy gap regarding transfer of liability. Black Rock was able to proceed because there was a motivated developer willing to secure development consent before lease relinquishment or securing land ownership and engage in a bespoke pathway with the miner and Regulator to overcome NSW's lack of policy regarding long-term risk management for mined land. That may not be replicable at larger NSW coal mines. While the Black Rock development footprint covered the whole of the Rhondda landholding, many complex sites are unlikely to attract a single 'take all' investor. Staged land release may require multiple future landholders, each with different risk appetites, transaction horizons and land use objectives.

Rhondda therefore demonstrates what is possible, but it should not be assumed to be a scalable template under the current framework. It is better understood as an indicator for policymakers that a transition approach that is risk explicit and use specific is possible. The lesson is not that every mine can replicate Rhondda's strategy, but that relinquishment decisions can be improved when regulators, miners and future landholders are working from a shared understanding of residual hazards, management requirements and intended end use.

4 An evidence-gated relinquishment to transition model

The process improvement proposed here is an evidence-gated model for staged relinquishment to support land transfer and enable beneficial re-use of mined land. Its core logic is straightforward: land use planning and tenure release should be treated as related but distinct processes. Both should be linked to measurable closure evidence, an explicit statement of residual risk for the intended land use, and mechanisms to transfer liability to maintain an acceptable risk profile for the land. This will alleviate a false choice between ‘full release’ and ‘no release’ while providing a structured basis for releasing suitable parcels while other areas remain under active closure management.

The evidence- gate model is shown conceptually in Figure 2. The following subsections outline the function for each evidence gate in the model.

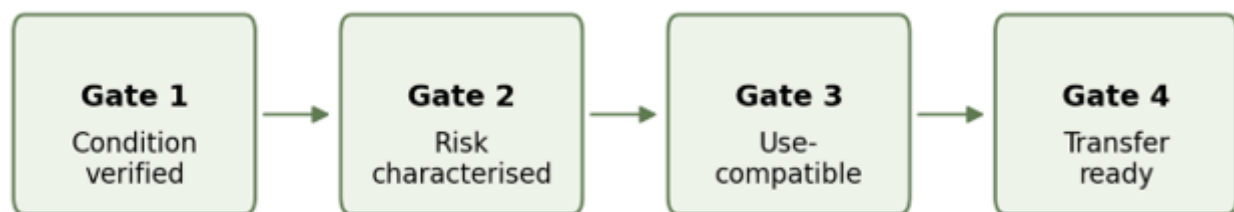


Figure 2 Conceptualised evidence-based gate pathway to land transition

4.1 Rehabilitation condition is verified

The first gate is condition verified. At this point a parcel has been rehabilitated to a condition where immediate hazards are controlled, relevant landform performance is demonstrated and basic constraints are understood. Facilitating timely land transfer and new job-creating opportunities for the Hunter Region will require regulatory frameworks with an explicit flexibility to define the suitable rehabilitation ‘cutover’ condition for subject land on a site basis.

There are likely to be a range of land use types required for a transition to a post-fossil fuel economy, and opportunities such as renewable energy projects in the Hunter Valley are gaining momentum. Under the current regulatory framework, miners are generally obligated to deliver functional vegetation communities for the whole of the mining leases as a prerequisite for relinquishment. However, many of the potential land uses that will emerge to support new economies may not benefit from the miners this requirement. New thinking will be required to allow regulators to contemplate the appropriate condition that rehabilitated land parcels must achieve to support a particular post-mining development.

This is a different approach for regulators that shifts the assessment from binary closure logic (yes/no assessment of miners’ rehabilitation criteria) to a land condition optimisation logic that supports miners delivering land parcels that are investable. This distinction matters because the physical condition needed to satisfy a conventional closure pathway is often not the same as the physical condition needed to support a new development.

A simple example is a capped emplacement or other constructed landform. The operator may be obligated to install a cap system suited to pollution control and a passive vegetated land use. A post-mining developer may instead need a different geotechnical outcome, settlement tolerance, drainage arrangement or surface specification to support a future development. If the operator completes the passive-use treatment first, the developer may have to remove, rework or surcharge that treatment later. The regulatory framework needs to support relinquishment assessments that consider the suitable rehabilitation condition that supports a specific post-mining development.

4.2 Residual risk profile is characterised

The second gate is risk characterised. Here, the mine operator defines the broad residual hazard profile for the parcel, supported by auditable technical evidence and spatial information. At this stage of the closure

process the mine operator may not be able to qualitatively assess all residual risks or estimate the cost of any residual risk bond scheme that may be developed in NSW. This is not the objective; the risk characterisation goal is to provide transparency for decision-makers – including prospective developers and investors – that can be carried forward into project assessments and subsequent determinations by consent authorities that a land parcel affected by mining is compatible with the proposed development.

4.3 Land use compatible

The third gate is use compatible. This requires regulators and relevant planning authorities to determine that the parcel's residual risk position is acceptable for a specified post-mining use, together with any ongoing controls or obligations. Controls and obligations that are necessary to maintain an acceptable risk profile for the proposed beneficial land use should be identified and documented in a residual risk management plan to support the post-mining development application, mining lease relinquishment and land transaction processes.

Since this is fundamentally a question around land use activities it is proposed that this determination best fits within the planning regulatory framework. Land use compatibility would be assessed in the post-mining development application, since it is the onus of the proponent to demonstrate the land's suitability for the proposed development and appropriate land management considerations.

In this model, maintaining the land in accordance with the land management plan would be conditioned as an enforceable obligation under the jurisdiction of the consent authority. This is important since it sets a clear regulatory role for the consent authority to oversee the post-mining land user's effective management of any residual mining hazards. This is an improvement on the current framework, which does not have a clear and proactive role for any agency to oversee appropriate management of mined land beyond relinquishment.

Currently, post-relinquishment oversight falls to the Resources Regulator to take retrospective action against the last mining leaseholder under the provisions of the Mining Act, should an unacceptable residual hazard be identified and the Regulator notified. However, this provision is considered weak as long-term protection since it relies on others to identify a concern and notify the Regulator, and the last leaseholder entity to persist as a corporation following relinquishment.

4.4 Transfer ready

The fourth gate is transfer ready. At this point the legal, commercial and governance instruments needed to support tenure release have been put in place, including access rights, land management obligations and any financial arrangements required to maintain an acceptable residual risk profile.

Following the granting of post-mining development consent, this model proposes that the post-mining land use obligations cascade to redefine the miner's rehabilitation obligations under the mining consent and lease conditions. This could trigger what would essentially be an administrative pathway to relinquishment of the land parcel.

Formalising this process is important to signal to potential investors that there will be certainty in all regulatory processes to facilitate timely relinquishment decisions and facilitate any land transaction as precursors to commencing the development. In fact, this would give the developer a degree of control over the overall time frames since the development application process becomes the primary driver.

The purpose of this model is not to remove all uncertainty regarding risk, which is rarely achievable in long-tail closure contexts, but to make uncertainty explicit, bounded and allocated in a way that gives investors and regulators confidence in the transition pathway. Investors do not need a promise that a site carries no residual risk; they need confidence that:

- the risk is understood
- the transfer of any regulatory obligation is clear and transparent

- any ongoing obligations are proportionate and durable.

Likewise, regulators need confidence that parcel release will not compromise any remaining closure activities or create ambiguity about who is responsible if a long-tail issue emerges later.

The release-gate concept also creates a common language across stakeholders. Operators can plan closure and divestment sequencing with greater clarity. Councils can consider the attributes of likely release parcels into planning instruments. Developers can assess feasibility against a clearer risk and tenure pathway. State agencies can focus their effort on the information and instruments needed to move parcels from one gate to the next. This is especially important in coal regions where multiple mines with associated, and often interconnected, utilities and transport corridors may be transitioning within the same time frame.

5 What New South Wales would need to do to operationalise the model

A workable staged-release system would need more than new language in relinquishment guidance notes. It would require a regional transition toolkit that improves certainty for operators, regulators, councils and investors. At minimum, that toolkit should include:

- a staged relinquishment approval pathway recognised by the mining regulator and planning agencies
- a durable hazard data architecture capable of carrying forward closure knowledge
- standardised methodologies for determining mined land capabilities and constraints to inform land use compatibility classes
- model instruments for transferring or sharing long-term management obligations where residual risks cannot reasonably be eliminated.

5.1 The importance of consistently presented regional mine hazard mapping

The data component is particularly important. Transparent mine hazard registers, built on defensible spatial information and supported by plain-language interpretation, would allow future landholders and decision-makers to understand what constraints remain and what management obligations may be attached to them. Without that transparency, residual risk remains a specialist matter understood by a small group of technical advisers rather than an investable proposition. The goal is not to make complex hazards appear simple; it is to make them legible enough for planning, due diligence and governance.

5.2 New South Wales government does not need to start with a blank page

Queensland has developed a residual risk framework intended to link the surrender of mining approvals to residual risk assessment, management planning and financial provision. Victoria's Mine Land Rehabilitation Authority offers another model, in which government plays a stronger, long-term stewardship role over declared mine impacts. NSW may not adopt either model wholesale, but both illustrate the kind of institutional and financial mechanisms needed if long-tail closure risks are to be managed without simply delaying all land release indefinitely.

For NSW coal regions, the stronger test is whether the toolkit can work at a regional scale. The Hunter Regional Plan 2041 and the parliamentary inquiry both point to a need for more coordinated, place-based approaches to former mine and power station lands. That suggests the staged-release model should sit within wider regional transition planning, not operate solely as a site-by-site technical process. In practice, that means identifying where former mine lands are likely to be needed for energy, logistics, manufacturing, conservation, agriculture, recreation or mixed uses, and then aligning release-gate evidence requirements to those likely futures rather than waiting for closure to conclude in the abstract.

6 Conclusion

The argument advanced here is deliberately pragmatic. New South Wales, Australia, does not need to lower rehabilitation standards to improve post-mining transition outcomes. It needs a better process for separating land use planning from binary tenure release and for linking both to evidence, risk and use-specific management obligations. That is the purpose of an evidence-gated relinquishment model.

In coal regions such as the Hunter Valley, this matters because timing matters. The current regulatory framework, with its challenging combination of sequencing, misalignment and liability issues, will likely continue to produce a familiar outcome: a transition lag between land readiness and land availability.

Regions experience this as lost time. Councils experience it as limited ability to integrate mine lands into place-based planning. Developers experience it as timing and bankability risks. Miners experience it as an extended stewardship burden that may persist long after mining has ceased.

The workforce transition is already underway, councils are already planning for new economic anchors, and investors require clearer pathways if former mine lands are to move into productive use before regional confidence erodes. A whole-of-lease relinquishment model that waits for every long-tail issue to be resolved before any land can move is increasingly misaligned with that reality.

A staged, parcel-based release system will not remove technical complexity nor eliminate the need for careful residual risk management. But it would provide a clearer, more bankable and more regionally useful pathway for land transition. That is the shift NSW now needs: from closure as a singular end point to relinquishment and land use transition as a managed sequence of evidence-based release decisions.

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