

---

# Appendix L

Minister for Planning and Public Spaces  
correspondence

---

**Mr Stephen Galilee**  
Chief Executive Officer  
NSW Minerals Council  
PO Box H367  
AUSTRALIA SQUARE NSW 1215

Dear Mr Galilee



Thank you for your correspondence about the NSW Government's climate change policy framework and post mining land use flexibility. I also acknowledge our meeting to discuss these issues on 4 July 2023.

I note the points of discussion raised by your members in relation to the NSW assessment requirements, abatement technologies and NSW Net Zero modelling.

As you are aware, the NSW Government is working towards our goal of achieving net zero emissions by 2050, as set out in the NSW Climate Change Policy Framework. We have set an interim goal to achieve a 47 to 52 per cent emission reduction by 2030, compared to 2005 levels, and a 70 per cent reduction by 2035.

In January 2023, the Environment Protection Authority (EPA) released its Climate Change Policy and Climate Action Plan, which proposes a staged approach for the NSW Government to meet these goals. The Action Plan put forward requirements such as climate change mitigation and adaptation plans, greenhouse gas emission limits and other licence requirements for key industry sectors, including coal and gas.

The Action Plan is likely to result in requirements additional to the Commonwealth's Safeguard Mechanism. These requirements will be carefully considered in the context of Australia's international obligations and the NSW Climate Change Policy Framework. The EPA will be the lead regulator for these requirements, and I encourage you to consult with Michele Weight, Manager Regulatory Policy and Reform ([Michele.Weight@epa.nsw.gov.au](mailto:Michele.Weight@epa.nsw.gov.au)) regarding the matters you have raised.

I can assure you that while the current plans set a framework for achieving reductions in greenhouse gas emissions, the NSW Government acknowledges the importance of coal mining to the State and regional economies. This is supported by the NSW Government's Strategic Statement on Coal Exploration and Mining in NSW which provides greater certainty to all stakeholders about the future of the coal mining industry in NSW.

Until such time that the Action Plan requirements are specified, the assessment of greenhouse gas emissions will continue to be assessed in accordance with planning legislation. This includes a requirement for the consent authority to consider greenhouse emissions and applicable state or national policies, programs or guidelines. It must also consider conditions to minimise greenhouse gas emissions to the greatest extent practicable.

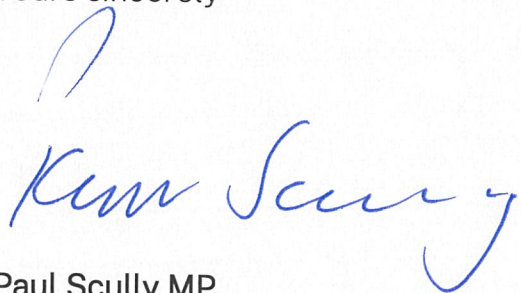
Coal mine approvals over the last 10 to 15 years have included consent conditions that require the preparation and implementation of Air Quality and Greenhouse Gas Management Plans, and more recently conditions have been imposed on mines setting emission targets, offset requirements and emissions minimisation plans. These conditions have been developed in consultation with applicants to ensure they are achievable and that best practice management to minimise greenhouse gas emissions is being adopted.

In regard to post mining land use flexibility, I note that the Department of Planning and Environment works closely with the NSW Resources Regulator and other key NSW and local government authorities to ensure that future land use options are not constrained. The Department is committed to working with the mining industry to ensure that final landform design and retention of any mining infrastructure that may be suitable for future uses is carefully considered as part of closure planning.

Should you have any questions, Steve O'Donoghue, Director, Energy and Resource Assessments at the Department can be contacted on 0477 345 626 or [Stephen.ODonoghue@planning.nsw.gov.au](mailto:Stephen.ODonoghue@planning.nsw.gov.au).

Thank you for bringing this to the NSW Government's attention.

Yours sincerely



**Paul Scully MP**  
Minister for Planning and Public Spaces

17/10/23