

YANCOAL SUBMISSION ON OPERATIONAL REHABILITATION REFORM

Yancoal is supportive of the submission made by the NSW Minerals Council in relation to the revised Operational Rehabilitation Reforms, and we note the improvements in the revised proposals in relation to greater flexibility and reduced administrative burden.

Further to the submission made by NSW Minerals Council, Yancoal would like to highlight the duplication of requirements between development consents and Mining Leases, and the need for further flexibility in relation to the transitional arrangements.

As noted in the NSW Minerals Council submission, development consents for SSD mining projects generally include conditions that relate to rehabilitation objectives, strategies and management plans. We are concerned that the introduction of such requirements in the standard conditions under the proposed reforms will lead to unnecessary duplication of rehabilitation reporting requirements.

In addressing this duplication, we support the NSW Minerals Councils recommendation that completion of a Rehabilitation Management Plan in accordance with the Form and Way documents automatically satisfies development consent conditions that relate to rehabilitation.

In relation to the transitional arrangements, we support RR/MEG's initiative to vary all mining instruments before the commencement of the Standard Conditions. However, in the event that the variation process takes longer than expected or implementation takes longer than expected, the Regulation should include a mechanism to extend these timeframes. Additionally, should the Standard Conditions commence before the instrument is varied, the Regulation should clarify which conditions prevail to the extent of any inconsistency.