

23 September 2025

SUBMITTED VIA PLANNING PORTAL

Director – Energy Assessments
Department of Planning, Housing and Infrastructure

Dear Director – Energy Assessments,

Hunter Transmission Project (SSI-70610456)
Yancoal Australia Ltd Submission

1. Background

- 1.1 We refer to Critical State Significant Infrastructure Application SSI-70610456 (**CSSI Application**) lodged by the Energy Corporation of NSW (**EnergyCo**) for the Hunter Transmission Project. The CSSI Application seeks approval for the development of a new overhead twin double circuit 500 kilovolt (**kV**) transmission line (**Transmission Infrastructure**) between the proposed Bayswater South and the Olney switching stations to provide connections to the Central-West Orana (**CWO**) and New England (**NE**) Renewable Energy Zones (**REZ**).
- 1.2 Mount Thorley Warkworth (**MTW**) is an integrated operation of two open cut mines, Mount Thorley Operations (**MTO**) and Warkworth Mining Limited (**WML**). MTW is managed and operated by Coal & Allied (NSW) Pty Ltd, a wholly owned subsidiary of Yancoal Australia Ltd (**Yancoal**).
- 1.3 Mining operations at MTW are approved until 15 February 2037 and are carried out in accordance with State Significant Development (**SSD**) Consents SSD-6465 (MTO) and SSD-6464 (WML). MTW is operated under the authority of exploration licenses and mining tenements granted under the NSW *Mining Act 1992*, including Consolidated Coal Lease (**CCL**) CCL753 which is relevant to the CSSI Application.
- 1.4 EnergyCo has advised Yancoal that they will be acquiring interests over parts of land parcels owned by MTW entities for the purposes of construction and operation of the Transmission Infrastructure. The Environmental Impact Statement (**EIS**) for the CSSI Application provides that the Transmission Infrastructure would intersect approximately 53 hectares of land owned by MTW entities (referred to as the **Easement** in this submission), of which approximately 36 hectares is within CCL753 (refer to Section 12.2.6, Table 12.4 of the CSSI Application EIS [page 537]).
- 1.5 Land parcels owned by MTW entities relevant to the CSSI Application and Transmission Infrastructure are listed in Schedule 1 of this submission. For a graphical representation of the Transmission Infrastructure and relevant land owned by MTW entities, please refer to:
 - (a) Map 2, Figure 3.8 of the CSSI Application EIS (page 93); and
 - (b) the Land Ownership Plan (Schedule 2 of this submission) prepared by Yancoal, which shows the alignment of the Transmission Infrastructure as agreed with EnergyCo, and the alignment shown in the CSSI Application EIS.
- 1.6 Yancoal makes this submission in response to the public exhibition of the EIS for the CSSI Application, on behalf of the MTW entities.

2. Submission

- 2.1 Prior to submission of the EIS, EnergyCo engaged Yancoal in commercial discussions regarding the interaction between the Transmission Infrastructure and land owned by MTW entities. As part of these commercial discussions, Yancoal raised various concerns with EnergyCo regarding the location of the Transmission Infrastructure alignment corridor and associated construction areas within land owned by MTW entities.
- 2.2 In this regard, the alignment of the Transmission Infrastructure which may ultimately be approved across land owned by MTW entities must take into account various obligations, rights and existing uses including, but not limited to:
- (a) various environmental, biodiversity, heritage, management and reporting requirements and other obligations under CCL753 and SSD-6464;
 - (b) various work health and safety obligations under CCL753;
 - (c) Yancoal's rights (subject to SSD-6464) to conduct coal exploration activities and other activities within CCL753; and
 - (d) Yancoal's rights to undertake agricultural activities on its highly-productive agricultural land either directly or via lessees and/or licensees.
- 2.3 As a result of the commercial discussions, Yancoal and EnergyCo agreed on a Transmission Infrastructure alignment which would minimise potential impacts to land owned by MTW entities and satisfy the requirements of both parties (referred to as the **Agreed Alignment** in this submission).
- 2.4 The Transmission Infrastructure alignment which intersects land owned by MTW entities as presented in the CSSI Application EIS on public exhibition (referred to as the **EIS Alignment** in this submission) is not consistent with the Agreed Alignment. Additionally, the EIS provides a number of discontinued Transmission Infrastructure alignment options (Map 2 of Figure 3.8 of the CSSI Application EIS). A comparison of the Agreed Alignment and the EIS Alignment and discontinued alignment options within land owned by MTW entities is presented in Schedule 2 of this submission.
- 2.5 The EIS Alignment would have material implications for agricultural activities currently undertaken on land owned by MTW entities (including on centre-pivot irrigated pasture).
- 2.6 With respect to the alignment of the Transmission Infrastructure, Yancoal would like to draw the Department of Planning, Housing and Infrastructure's attention to the following matters:
- (a) Section 6.5.8, Table 6.8 of the CSSI Application EIS (page 260) provides that "*EnergyCo are in the process of developing a Third Party Agreement, details will be finalised through ongoing engagement*". At the time of this submission, no arrangement has been reached between EnergyCo and Yancoal for the grant of the Easements required across land owned by MTW entities. This agreement/arrangement should be finalised prior to the approval of the CSSI Application.
 - (b) The construction, ongoing maintenance and operation of the Transmission Infrastructure is at odds with Yancoal's obligations under CCL753 and SSD-6464, specifically:
 - (i) there is currently no pathway for EnergyCo to meet (and fully indemnify Yancoal against potential breaches of) Yancoal's obligations at MTW under the *NSW Work Health & Safety (Mines & Petroleum Sites) Act 2013* and *NSW Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*; and
 - (ii) the construction, operation and maintenance of the Transmission Infrastructure across the land owned by MTW entities will complicate Yancoal's ability to comply with its various environmental, biodiversity, heritage, management and reporting requirements and other obligations under CCL753 and SSD-6464.

- (c) Section 12.3.3 of the CSSI Application EIS (page 547) provides that the “*project has been refined based on engagement with landowners to minimise impacts on agriculture*”. Additionally, Section 3.6.2 of the CSSI Application EIS (page 91) provides that “*refinements within Mount Thorley-Warkworth Mine land, adjacent to the Golden Highway, shifted the transmission line alignment away from the Hunter River, further west*”, appearing to refer to the Agreed Alignment. These “refinements” are not reflected in the EIS Alignment presented in the CSSI Application EIS. EnergyCo will need to resolve the discrepancies between the EIS Alignment and the Agreed Alignment prior to approval.
- (d) Section 6.5.8 Table 6.8 of the CSSI Application EIS (page 259) provides that a “*detailed assessment of Aboriginal and heritage impact [was] undertaken to avoid and minimise impacts where possible*”. Considering the discrepancies between the Transmission Infrastructure alignments, it is not clear how the detailed assessment has identified avoidance and minimisation of impacts to known Aboriginal cultural heritage sites within the relevant land owned by MTW entities.
- (e) The CSSI Application EIS does not discuss, consider or assess impacts that possible electrical earthing, lightning, induction, or current or voltage transfer from the Transmission Infrastructure will have on the work health & safety of MTW mine workers, MTW fixed and mobile plant and equipment, rail movements and/or agricultural lessees and/or licensees operating on land owned by MTW entities.

2.7 It is acknowledged that a number of Yancoal’s concerns regarding the locations of temporary support sites and laydown areas, have been addressed by EnergyCo in the EIS Alignment and “construction impact area” provided in the CSSI Application EIS.

2.8 Yancoal expects that the issues highlighted above can be resolved with EnergyCo (or addressed by EnergyCo) prior to approval for the CSSI Application being granted. However, if this is not the case, Yancoal requests that any approval granted for the CSSI Application is granted subject to conditions requiring that:

- (a) ‘*construction across land owned by MTW entities shall not commence until:*
 - (i) *the Transmission Infrastructure [as defined in this submission] alignment, Easement [as defined in this submission] and other EnergyCo work areas are updated to reflect the Agreed Alignment [as defined in this submission], or an agreed alternative alignment is developed in consultation with Yancoal;*
 - (ii) *EnergyCo has developed a third-party agreement with Yancoal that reflects the Agreed Alignment (or agreed alternative) and Easements, and an agreed outcome for management of work health & safety of MTW mine workers, MTW fixed and mobile plant and equipment, rail movements and agricultural lessees and/or licensees operating on land owned by MTW entities, to the satisfaction of the Resources Regulator and the Secretary of Planning.’*

If you would like to discuss this submission, please contact Kelly Adamthwaite (Superintendent, Tenures) via email kelly.adamthwaite@yancoal.com.au.

Yours faithfully

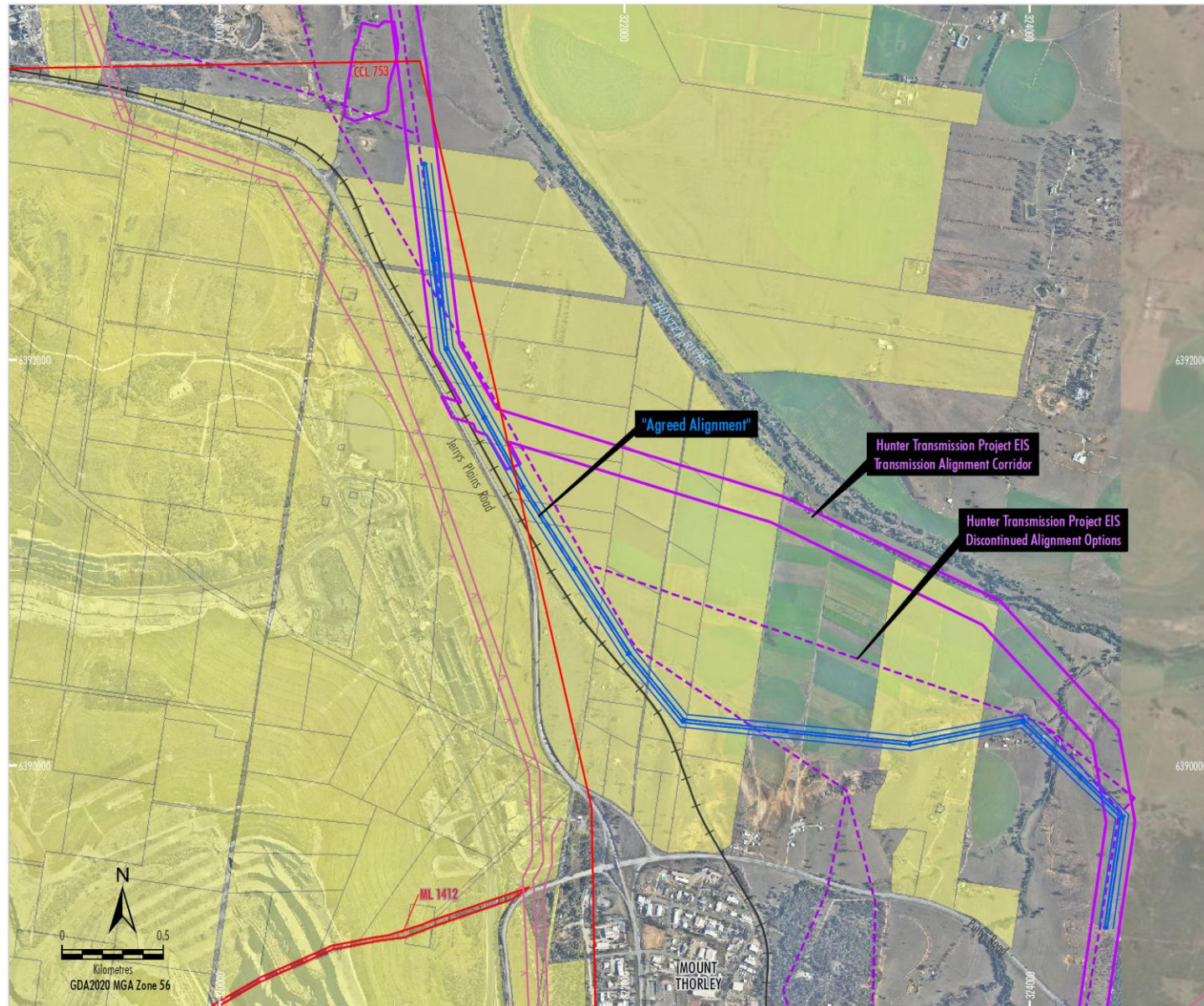


Mark Jacobs
Executive General Manager – Environment & External Affairs
Yancoal Australia Ltd

SCHEDULE 1 – RELEVANT LAND OWNED BY MTW ENTITIES

Lot	DP	Landowner
8	861728	Mount Thorley Operations Pty Limited
3a	37572	Warkworth Mining Limited
5	1051532	Miller Pohang Coal Co Pty Limited
12	595344	Warkworth Mining Limited
9	37572	Warkworth Mining Limited
8b	37572	Warkworth Mining Limited
6b	37572	Warkworth Mining Limited
18	755267	Warkworth Mining Limited
2	827333	Warkworth Mining Limited
2	129822	Warkworth Mining Limited
22	625709	Warkworth Mining Limited
2	130264	Warkworth Mining Limited
4	658759	Warkworth Mining Limited
1	130276	Warkworth Mining Limited
1	130264	Warkworth Mining Limited
1	130275	Warkworth Mining Limited

SCHEDULE 2 – LAND OWNERSHIP PLAN



LEGEND

- Existing High Voltage ETL
- Mining and Coal Lease Boundary (CCL, CL, ML)
- Land owned by MTW Entities
- "Agreed Alignment"
- Hunter Transmission Project EIS Transmission Alignment Corridor
- Discontinued Alignment Options

Source: EMM (2025); EnergyCo (2025); Yancoal (2020);
 NSW Spatial Services (2020)
 Orthophoto: Yancoal (2020)

YANCOAL
 新加坡大和有限公司
 MT THORLEY WARKWORTH
 Hunter Transmission Project Alignments

Figure 1