



**Mining &
Energy
Union**

[REDACTED]
[REDACTED]
T: [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
ABN: 80 814 987 748

President: Robin Williams

Secretary: Shane Thompson

29 January 2026

Independent Planning Commission NSW
135 King Street
SYDNEY NSW 2000

Dear Commissioners

Chain Valley Colliery Consolidation – Independent Planning Commission Submission

1. Introduction

The Mining and Energy Union Northern Mining & NSW Energy District Branch (**‘the MEU’**) welcomes the opportunity to make this submission to the Independent Planning Commission (**‘the IPC’**) in relation to the Chain Valley Colliery Consolidation Project (**‘the Project’**).

The MEU is a registered industrial organisation of employees under the *Fair Work Act 2009* (Cth). The MEU has represented mining and energy workers throughout New South Wales for over 150 years, including workers employed in underground and open-cut coal mines, metalliferous mining operations, and the electricity generation sector, particularly coal-fired power stations.

This submission is made by the principal branch of the MEU representing persons employed in the coal mining industry in New South Wales. The Northern Mining & NSW Energy District of the MEU covers coal mining operations extending from the northern outskirts of Sydney to the Queensland border and represents the majority of production and engineering employees working for coal mine operators and their contractors across the state. At Chain Valley Colliery, all production and engineering employees are eligible to be members of the MEU, and the vast majority of those employees elect to be members of the MEU.

The MEU has a direct and substantial interest in the determination of the Project. That interest arises from the Project’s implications for the ongoing employment of MEU Members, the maintenance of skilled workforces in regional communities, and the broader social and economic outcomes associated with the continuation of established mining operations under contemporary regulatory controls.

While the Department of Planning, Housing, and Infrastructure (**‘the DPHI’**) has not provided an overall recommendation as to approval or refusal, the MEU submits that the comprehensive assessment and evaluation undertaken in the Environmental Impact Statement, the whole-of-government Assessment Report, and the recommended Conditions of Consent demonstrate that the proposed development has been rigorously assessed against all relevant statutory and planning considerations.

On that basis and having regard to the documentation before the IPC, including the Assessment Report and the recommended Conditions of Consent, the MEU strongly submits that the IPC, as the consent authority, should approve the Project subject to the recommended Conditions of Consent.

2. Statutory and Planning Framework Applicable to the Site

The Project has been assessed within the framework established by the Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act), the relevant State Environmental Planning Policies, development standards, and other applicable statutory instruments governing state significant development. The DPHI acting on behalf of the IPC, has undertaken a whole-of-government assessment that expressly considers the provisions of those instruments as they apply to the land and the proposed development.

The Assessment Report demonstrates that the project is permissible within the applicable planning framework and identifies no statutory impediment to approval, subject to the imposition of appropriate conditions. Where potential conflicts or sensitivities were identified, these have been addressed through detailed assessment, agency consultation, and the formulation of site-specific Conditions of Consent. In the MEU’s view, the Assessment Report correctly applies the statutory tests and establishes that the proposal is capable of being lawfully approved subject to conditions.

Importantly, the recommended Conditions of Consent are framed to ensure ongoing compliance with the applicable planning framework throughout the life of the project. They operate not merely as administrative requirements, but as enforceable mechanisms that translate statutory obligations into practical, measurable outcomes. On this basis, the MEU considers that the IPC can be satisfied that the project meets the threshold statutory requirements and accords with the planning controls applicable to the site.

In addition to assessing the environmental and operational impacts of the Project, the Assessment Report identifies a clear regulatory benefit arising from the consolidation of multiple existing consents into a single, contemporary approval. The DPHI notes that consolidation enables the rationalisation and alignment of conditions, improves clarity and enforceability, and reduces the complexity associated with managing overlapping legacy approvals. From a planning and compliance perspective, this

outcome enhances regulatory oversight and provides a more transparent and coherent framework for both the regulator and the community. The MEU supports this approach and submits that consolidation strengthens, rather than weakens, the planning controls applicable to the site.

3. Environmental Impacts on the Natural Environment

The Assessment Report undertakes a comprehensive examination of the likely environmental impacts of the Project on the natural environment, including land, biodiversity, water resources, air quality, noise, and cumulative impacts. The MEU notes that this assessment draws on detailed technical studies prepared as part of the Environmental Impact Statement and subsequent response to submissions, as well as advice from relevant government agencies.

Subsidence beneath Lake Macquarie

A central environmental issue examined in detail in the Assessment Report is the potential for subsidence impacts beneath Lake Macquarie arising from continued underground mining. The Assessment Report acknowledges that subsidence has been a focus of public concern and objection and accordingly subjects this issue to extensive technical scrutiny, including predictive modelling, historical monitoring data, and independent expert review. Importantly, the Assessment Report identifies that the key subsidence-related change associated with the Project is the extension of secondary extraction (Zone B) into parts of the approved Mannering Colliery mining area that were previously limited to first workings only. The DPHI assesses whether this additional secondary extraction can comply with the established subsidence performance measures, limits and barriers that apply beneath Lake Macquarie, and concludes that, subject to strict conditions, subsidence impacts can be managed within the approved regulatory framework. On that basis, the DHI finds that subsidence impacts associated with the Project are not novel, untested, or unregulated, but rather are capable of being managed within an established and closely monitored framework.

The recommended Conditions of Consent give effect to these findings by imposing specific subsidence performance measures, monitoring requirements, and response mechanisms. These conditions ensure that any subsidence effects are detected promptly and managed in accordance with clearly defined thresholds, providing the IPC with confidence that subsidence risks beneath Lake Macquarie can be controlled to acceptable levels over the life of the Project.

Seagrass and Benthic Ecology

The Assessment Report gives detailed consideration to potential impacts on seagrass beds and benthic communities within Lake Macquarie. Drawing on long-term monitoring data and expert ecological

advice, the DPHI concludes that predicted subsidence-related changes would give rise to, at most, negligible environmental consequences for seagrass and minor environmental consequences for benthic communities. The Assessment Report further notes that historical monitoring has not identified any significant or persistent ecological degradation attributable to existing mining operations.

These conclusions are reflected in the recommended Conditions of Consent, which require the ongoing implementation of seagrass and benthic community monitoring and management plans, together with adaptive management measures should any unanticipated impacts arise. The MEU notes that these requirements provide a robust and enforceable mechanism to ensure the continued protection of aquatic ecological values, consistent with contemporary environmental standards.

Greenhouse Gas Emissions and Climate Policy

The Assessment Report also considers the Project in the context of greenhouse gas emissions and relevant climate change policy settings. In doing so, the DPHI notes that the Project does not expand mining beyond the approved mining boundaries or introduce new coal transport routes but does include a throughput increase at the Mannering Colliery pit top from 2.1 to 2.8 million tonnes per annum and a two-year extension of mining operations. The Project does not expand the physical footprint of mining operations but instead consolidates existing approvals and extends the operational life of the mine for a limited period. The Assessment Report further observes that the continuation of coal supply from Chain Valley Colliery avoids the need to source coal from alternative locations, which would be likely to result in additional transport-related emissions.

Having regard to these factors, and to the transitional role of the Project in supporting existing electricity generation infrastructure, the DPHI concludes that the Project does not give rise to greenhouse gas impacts that would warrant refusal and is broadly consistent with the relevant policy framework when assessed in its full planning and energy context. The MEU supports this conclusion and notes that climate considerations have been expressly examined and weighed as part of the overall public interest assessment.

In relation to biodiversity, the Assessment Report identifies the extent of potential impacts on native vegetation and habitat and evaluates those impacts against the relevant biodiversity assessment framework. Where impacts are unavoidable, the proposed Conditions of Consent impose clear requirements for avoidance, minimisation, mitigation, and offsetting, consistent with contemporary environmental standards. These conditions require the preparation and implementation of biodiversity management plans, ongoing monitoring, and adaptive management to ensure outcomes are achieved in practice.

Water impacts have been carefully assessed, including surface water, groundwater, and water quality considerations. The Assessment Report demonstrates that the Project can be managed to avoid unacceptable impacts on surrounding water resources through a combination of engineering controls, monitoring regimes, and contingency measures. The recommended Conditions of Consent require strict compliance with approved water management plans and impose clear triggers for corrective action should monitoring indicate any adverse trends.

Air quality and noise impacts are similarly addressed through a robust assessment framework. The Assessment Report identifies potential impacts during both construction and operation and concludes that, with the application of the proposed mitigation measures and conditions, impacts can be maintained within acceptable limits. The Conditions of Consent include enforceable limits, monitoring requirements, and reporting obligations, providing assurance that impacts will be actively managed over time.

Taken together, the Assessment Report and Conditions of Consent demonstrate that the environmental impacts on the natural environment have been properly identified, assessed, and addressed in a manner consistent with the objects of the EP&A Act and the principles of Ecologically Sustainable Development.

4. Impacts on the Built Environment and Surrounding Land Uses

The Assessment Report also considers the interaction between the proposed development and the existing built environment, including nearby infrastructure, transport networks, and land uses. This assessment recognises the established industrial context of the site and evaluates whether the Project would give rise to land use conflicts or unacceptable impacts on surrounding communities.

Traffic and transport impacts are assessed in detail, with consideration given to construction traffic, operational movements, and cumulative effects in combination with other developments. The Assessment Report concludes that the existing road network has sufficient capacity to accommodate the Project, subject to the implementation of identified management measures. These measures are reflected in the recommended Conditions of Consent, which require traffic management planning, monitoring, and coordination with relevant road authorities.

The MEU notes that the Conditions of Consent are designed to ensure that impacts on the built environment are proactively managed and that any unforeseen issues can be addressed through adaptive management. This approach reflects best practice in major project approvals and provides the IPC with confidence that the development can coexist with surrounding land uses without giving rise to unacceptable amenity impacts.

The Assessment Report also identifies noise and air quality as key amenity considerations for surrounding communities. It acknowledges that, under worst-case modelling scenarios, exceedances of applicable noise criteria may occur at certain receivers and addresses these risks through the consolidation of noise limits, the application of mitigation measures, and enforceable monitoring and compliance mechanisms. The MEU notes that these matters have been expressly considered and regulated through the recommended Conditions of Consent.

5. Social Impacts

The Assessment Report gives detailed consideration to the social impacts of the Project, both positive and negative. This includes impacts on local communities, workers, and the broader region. The MEU considers that the Assessment Report appropriately recognises that social impacts must be understood in context, including the existing role of the project within the regional economy and community.

Potential adverse social impacts, such as changes to amenity or perceptions of industrial activity, are acknowledged and addressed through mitigation measures and Conditions of Consent. These include requirements for community engagement, complaint handling, and transparent reporting. Such measures ensure that community concerns can be raised and addressed in a timely and structured manner.

Equally, the Assessment Report identifies significant positive social outcomes associated with the Project, particularly in relation to employment stability, workforce retention, and the maintenance of skilled jobs in the region. The MEU places particular weight on these matters, given the importance of secure employment to community wellbeing and regional resilience.

6. Economic Impacts and Employment

The Assessment Report identifies the economic and employment consequences of the Project as a central consideration in the overall public interest assessment. In doing so, the DPHI expressly approaches the proposal on the basis that it is neither a new mine nor an expansion of existing operations, but rather a consolidation of existing approvals coupled with a limited extension of mining to align coal supply with the remaining operational life of Vales Point Power Station. On that footing, the DPHI's assessment is directed to employment continuity, the avoidance of sudden socio-economic dislocation, and the maintenance of regional economic stability during a period of structural transition in the energy sector, rather than the creation of new or speculative employment. The Assessment Report also notes that, subsequent to lodgement of the Project, it was announced that the planned closure of Vales Point Power Station has been delayed beyond 2029; however, the Project before the IPC remains limited to a two-year extension to 31 December 2029 and is assessed on that basis.

Within that framework, the Assessment Report finds that the Project would retain approximately 390 direct operational jobs across the consolidated Chain Valley and Mannering operations for the additional two-year life of the mine, to 31 December 2029. These positions span underground mining, surface operations, maintenance, and technical, engineering, and supervisory roles, and represent the continuation of an existing, skilled workforce rather than aspirational or contingent employment. The DPHI places particular weight on the fact that, in the absence of the Project, mining operations would cease earlier, resulting in the premature loss of the entire workforce and a sudden economic shock to the Lake Macquarie and Central Coast region. Against that counterfactual, the Project is assessed as providing certainty of employment for existing workers, continuity of income for workers and their families, and time for orderly transition planning rather than abrupt closure. The MEU submits that these findings are of direct and substantial relevance to its Members and to the broader community, and that they weigh heavily in favour of approval.

The Assessment Report further recognises that the continuation of direct employment would support a significantly larger number of indirect and induced jobs across the regional economy. The DPHI recognises substantial flow-on employment impacts and refers to an estimated 1,000 indirect jobs across the regional economy, expressly acknowledging flow-on employment in local contracting, supply and transport services, equipment maintenance, and professional services, as well as induced employment generated through household spending by mine workers. Continued operation is therefore found to sustain local procurement of goods and services and ongoing expenditure within Lake Macquarie, the Central Coast, and surrounding communities. The DPHI identifies this expenditure as a stabilising influence for small businesses, service providers, and local housing and rental markets. In addition, the Assessment Report identifies ongoing royalties and taxation contributions as a material economic benefit to the state, supporting public services and infrastructure and contributing to fiscal stability during the transition away from coal-fired power generation. The Project would also maintain existing community contributions made under Planning Agreements and Voluntary Planning Agreements, with council submissions acknowledging these contributions as a continuing social benefit.

Taken together, the Assessment Report concludes that the economic and employment benefits of the Project are substantial, real, and time critical. The Project would secure approximately 390 direct jobs for a further two years, support significant indirect employment across the region, maintain local economic activity and community funding, and avoid the sudden socio-economic dislocation associated with early mine closure. The DPHI explicitly links these outcomes to the broader public interest, including considerations of intergenerational equity and energy security during the transition to a lower-emissions energy system. The MEU supports these conclusions and submits that, when assessed against the findings of the Assessment Report and subject to the recommended Conditions of Consent, the economic and employment impacts of the Project weigh strongly in favour of approval.

From the MEU's perspective, the continuation and consolidation of operations at Chain Valley is of critical importance in sustaining direct employment and indirect jobs across the supply chain. The Assessment Report identifies that the Project will support a significant number of ongoing roles, providing income security for workers and their families and contributing to the economic stability of the surrounding communities.

The recommended Conditions of Consent do not merely permit the Project to proceed; they provide a regulatory framework that supports long-term operational certainty while ensuring that economic benefits are delivered in a manner consistent with environmental and social obligations. This balance is central to the public interest test the IPC is required to apply.

7. Site Suitability

The Assessment Report concludes that the site is suitable for the proposed development, having regard to its existing use, location, and physical characteristics. The consolidation of operations within an established site reduces the need for new disturbance elsewhere and allows impacts to be managed within a known and regulated footprint.

The Assessment Report also addresses rehabilitation and mine closure considerations as part of its assessment of site suitability. The DPHI concludes that the Project does not alter the approved rehabilitation outcomes for the site and that existing rehabilitation and closure obligations will continue to apply, updated as necessary to reflect contemporary regulatory requirements. The recommended Conditions of Consent require the ongoing review and implementation of rehabilitation and closure planning, ensuring that the site can be progressively rehabilitated and ultimately managed in a manner consistent with current NSW mine closure standards.

In the MEU's view, these findings reinforce the suitability of the site for the proposed development. Consolidating operations within an established footprint, subject to updated and enforceable rehabilitation obligations, provides a clearer and more accountable pathway to closure than would be achieved under fragmented legacy consents.

The MEU supports this conclusion and notes that site suitability is reinforced by the extensive history of regulated operations at the site, the availability of existing infrastructure, and the capacity to implement effective environmental and safety controls. The Conditions of Consent build on this foundation by requiring ongoing monitoring and review to ensure that site conditions remain appropriate over time.

8. Public Interest and Ecologically Sustainable Development

The public interest test requires the IPC to balance environmental protection, economic development, and social outcomes, including considerations of intergenerational equity.

In assessing the public interest, the Assessment Report also has regard to the role of the Project in supporting energy security during a period of transition in the state's energy system. The DPHI notes that the limited extension of mining operations is intended to align coal supply with the operational life of existing electricity generation infrastructure, thereby avoiding premature disruption while broader transition arrangements are implemented. This context is relevant to the balancing exercise required under the principles of Ecologically Sustainable Development, as it allows for orderly adjustment and planning rather than abrupt economic and social dislocation.

The Assessment Report expressly addresses these matters and concludes that, subject to the recommended Conditions of Consent, the Project is in the public interest.

The MEU agrees with this conclusion. The Project supports ongoing employment and economic activity while embedding strong environmental safeguards and adaptive management requirements. This approach aligns with the principles of Ecologically Sustainable Development by ensuring that current benefits are not achieved at the expense of future generations.

9. Conclusion

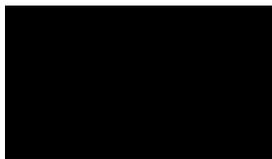
When the material before the IPC is weighed as a whole, including the Assessment Report and the proposed Conditions of Consent, the public interest balance strongly favours approval. The Project consolidates existing approvals into a single contemporary consent, improving regulatory clarity and oversight; it avoids new disturbance and expanded impacts; and it embeds modern environmental safeguards consistent with the principles of Ecologically Sustainable Development. At the same time, it delivers significant and time-critical social and economic benefits, particularly the continuation of employment and economic activity in a region undergoing structural change in the energy sector.

The Assessment Report also makes clear that refusal would carry real and immediate consequences. In the absence of the Project, operations would cease earlier, resulting in the premature loss of the existing workforce and a sudden socio-economic shock to the Lake Macquarie and Central Coast region. Such an outcome would not avoid the impacts already authorised under existing consents but would instead bring forward closure in a manner that is abrupt and disruptive, without corresponding environmental benefit. The MEU submits that this counterfactual is a relevant and legitimate consideration in the IPC's assessment of the public interest.

The MEU represents the vast majority of production and engineering employees at Chain Valley Colliery. It has a direct and legitimate interest in employment continuity, income security, workplace safety, and orderly transition planning for its members. The MEU's support for the Project is grounded in the findings of the Assessment Report and the strength of the recommended Conditions of Consent, not in sentiment or speculation. From the perspective of the workforce most directly affected, the Project provides certainty, stability and time for transition that would not otherwise be available.

For these reasons, and having regard to the Assessment Report, the recommended Conditions of Consent, and the matters raised in this submission, the MEU submits that the IPC can be satisfied that the Project is in the public interest. The MEU therefore asks the IPC to approve the Project subject to the recommended Conditions of Consent, as a lawful, balanced, and responsible outcome that appropriately manages environmental risk while delivering substantial social and economic benefits to workers, the community, and the state.

Yours sincerely



Robin Williams
District President