

Thank you for the opportunity to make a further submission regarding the Metropolitan Mine Modification 4 ((MP08_0149-Mod-4), as per an email of 11th September from Gabriel Wardenburg.

I am writing to express my concern that the Independent Environmental Audit (IEA) for the latest 3 years was completed, but was not made available on the Peabody website until **after** the Exhibition period was over. **Why was there this delay?**

Previously the IEAs have been published in May or June, never as late as September. I note that the latest IEA is dated May 1 2025 on the front page, and the responses were sent to the Department on June 17 2025.

There are a number of important issues raised in the Audit but I address just the two below.

Impacts on watercourses flowing to the Woronora reservoir

Overall, I note that there are very few photographs available in the IEA, none of the Eastern Tributary. Apparently EMM accompanied a site inspection but surely a photographic record should be required and made public.

Appendix B has only 2 photos of Waratah Rivulet, both showing water with extensive iron staining. Destroying stream beds and then grouting with PUR is not an acceptable way to carry out mining. The Audit notes that performance measures state:

Negligible environmental consequences over at least 70% of the stream length (that is no diversion of flows, no change in the natural drainage behaviour of pools, minimal iron staining and minimal gas release.

I also note on page 45 of the Audit that:

Some diversions of surface flows have been observed, however no material impacts on the water supply to the reservoir have been observed.

The surface water specialist noted that their experience is that in the event that diversions occurs, this is considered “take” and requires a WAL. Peabody indicate based on consultation with regulator this is not required.

Which regulator? Surely this needs further investigation.

Although the company claims that vertical subsidence does not reach the surface, the IEA in Appendix A1 Page 8 of 32, states:

“An analysis of the observed versus predicted maximum vertical subsidence, tilt and curvature was undertaken by specialist consultants Mine Subsidence Engineering Consultants and presented in each Extraction Plan report for LW305- 307, 308-310 & 311 - 316.

The measured subsidence for the project area to-date have not exceeded predictions by more than 15%. “

The above illustrates the problem of using the word “negligible” in conditions. In most situations a change of 15% would be considered observable and not negligible.

I also note that the measured subsidence was always greater than predicted.

There are no End of Panel reports required, a condition which I suggest the Department should require immediately.

Surface Facilities Water management

The water pollution caused by the release of coal fines and sludge into Camp Gully Creek has caused great community concern. There is a recommendation made on page 3 of the Audit that the company should ...

“Review and revise the Surface Facilities Water Management Plan to reflect the current water management system and improvements implemented”

The response given by the company is ***“Metropolitan Coal updated the Surface Facilities Water Management Plan in November 2023, which is currently under review by the EPA. “***

And we see this same statement repeated many times in the document.

I note the following in the Plan, 2019...

In accordance with Condition 4, Schedule 7 of the Project Approval, this SFWMP will be reviewed within three months of the submission of:

- *an audit under Condition 8 of Schedule 7;*
- *an incident report under Condition 6 of Schedule 7;*
- *an annual review under Condition 3 of Schedule 7; and if necessary, revised to the satisfaction of the Director-General (now Secretary) of the Department of Planning and Environment (DP&E), to ensure the SFWMP is updated on a regular basis and to incorporate any recommended measures to improve environmental performance.*

On checking with the EPA I was told that the Surface Facilities Water Management Plan is indeed currently with them.

Six years have passed since 2019, yet the Plan has never been updated.

Surely this plan should have been required to be expedited by both parties, considering the severe pollution known to be happening over a long period. I note that the EPA did not make any comment at all when initially requested by the Auditors.

Future extraction is planned to be at a greater rate and therefore producing more reject material, possibly requiring updating the surface facilities.

I believe it is relevant to point out that this company appears to be in a great hurry to rush through this modification. It is not unusual to modify extraction plans, and in this case the

geology and gas factors which have become apparent make the previous mine plans impossible. However, the company has plans for mining Longwalls 312 to 316, which will provide product coal and employment until the end of 2027 according to the Forward Program. Surely this leaves sufficient time for a less hurried process.
