



Nature Conservation Council

The voice for nature in NSW

26 August 2025

RE: Peabody Metropolitan Mine, Modification 4 Longwalls 317 and 318

The Nature Conservation Council of New South Wales (NCC) is the state's peak environment organisation. We represent over 200 environment groups across NSW. Together we are dedicated to protecting and conserving the wildlife, landscapes and natural resources of NSW.

NCC opposes the above modification proposal. It is not acceptable to extract coal within a drinking water catchment. This is vitally important public infrastructure.

This expansion proposal has been determined under the Commonwealth EPBC Act to be a controlled action with likely impacts on National Heritage places (sections 15B and 15C), listed threatened species and communities (sections 18 and 18A), and a water resource, in relation to unconventional gas development and large coal mining development (sections 24D and 24E).

We make the following observations and recommendations to the Department of Planning, Housing and Infrastructure.

- Additional longwall mining within the Woronora Special Area should not be granted

The proponent indicates the project will seek a new mining lease application over Longwall 318 and 300 Mains and over an area consisting of densely vegetated slopes within the Woronora Special Area. This is not consistent with the intent of the Woronora Special Area: a designation intended to protect the drinking water catchment.

WaterNSW has explicitly recognised that the environmental consequences from mining in the Special Areas are greater than was predicted when mining was approved and has recommended restrictions on future mining at Metropolitan and Dendrobium.

The proponent claims that modification longwalls would be greater than 500 metres from the Woronora Reservoir however significant concerns on impacts on groundwater hydrology and drinking water supply remain. Diagrams of ventilation shafts and sludge ponds are proposed to be situated in upland peat swamp ecosystems. A 2024 study found likely irreversible impacts of longwall mining on upland peat swamps in the region including drying of downstream water courses.



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Water NSW has also recognised the threat to the catchment from mining, and the increasing threat of climate change impacts. It has recommended that mining operations in the catchment increase all buffers around swamps and streams, including 2nd and 3rd order streams.

Given these implications, it is not appropriate for offsets to be employed to compensate for environmental impacts, even if this is anticipated in the original consent.

- Relevant agencies have expressed concerns in relation to longwall mining methods at Metropolitan mine

The Independent Expert Advisory Panel for Mining (IEAPM) has flagged concerns about damage by the proponent's mining extraction activities at Metropolitan Mine.

The IEAPM stated: "... the Panel cannot rule out the possibility that the Metropolitan Mine has had a non-negligible adverse impact.... The Panel considers that the depth of analysis provided in the annual and six-monthly reports, while significant, is incommensurate with the uncertainty regarding mining's potential contribution to the degraded water quality and incommensurate with the consequences of the degradation in terms of the ability of WaterNSW to meet the Raw Water Supply Agreement and in terms of the disruption to operation of the Water Filtration Plant (WFP)."

It is not appropriate to approve a project expansion where existing extraction activities may have non-negligible adverse impacts and where the proponent's monitoring reports fail to provide requisite information to evaluate environmental performance.

Advice from agencies has raised concerns on impacts as it relates to the proposed extraction plan for longwalls 311 to 316. Water NSW identified exceedances of allowable subsidence limits and impacts on swamps, as well as failings of groundwater monitoring points. NSW DCCEEW called out the lack of clarity on extent of water take and groundwater impacts.

- Further threatened species surveys are required

The proponent's Biodiversity Development Assessment Report (BDAR) for this modification proposal acknowledges that the project would involve the extension of underground longwall mining outside of the previously approved underground mining area and result in the clearance of 3.8 ha of native vegetation. The same document indicates that several threatened fauna were identified on site, yet concedes that the

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Indirect Impact Footprint was not conducted in accordance with the Biodiversity Assessment Method (BAM) and species survey guidelines.

The proponent claims that this was due to the size of the area, difficult terrain, potential trampling impacts on sensitive environments and the prescribed nature of the predicted impacts in this area.

Given the proposed project was found to be a controlled action impacting threatened species under the EPBC Act in April 2025, further surveys should be required to be conducted by the proponent.

- Agency advice should be sought for this proposal

Advice should be sought from DCCEEW/NPWS given that thirteen entities at risk of Serious and Irreversible Impacts (SII) are considered relevant to the Modification and thirty-five Matters of National Environmental Significance (MNES) were assessed in relation to the Modification. The assessment concluded that the Modification is likely to have a significant impact on three MNES listed under the EPBC Act: – Coastal Upland Swamp TEC – Giant Burrowing Frog – Littlejohn's Tree Frog.

- History of non-compliance should be accounted for

NCC has previously provided the NSW government with an [expert report](#) outlining the impacts of Metropolitan Mine's operations on groundwater hydrology and swamps. These include fracturing of rock, changes to groundwater flow, drying out of streams, and riverine pollution with heavy metals.

We note that Peabody has demonstrated a poor record of environmental management in mining operations, found to be in breach of licence conditions: [Coal miner Peabody breached licence conditions, to pay \\$500,000 for Royal National Park pollution - ABC News](#). This history of non-compliance should be considered relevant to the project assessment as environmental and water infrastructure damage has flow on economic and social impacts on the community.

The proponent has also been found to have misled the Clean Energy Regulator over emissions reporting. In 2022, the Clean Energy Regulator found Peabody had a [history of filing inaccurate reports required under the National Greenhouse and Energy Reporting Act](#) with reference to its Wombo mine. This included calculation errors, poor record-keeping and inconsistent data collection and analysis.



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This history of non-compliance calls into question the good character of the proponent and is a relevant consideration for assessment of this proposal.

Thank you for the opportunity to make a submission. Your contact person at Nature Conservation Council of NSW is Senior Climate and Energy Campaigner, Jacqui Mills.

Yours sincerely,

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