



The Hon. James Griffin MP
Minister for Environment and Heritage

MD22/4474

Mr Dan Clarke
Conservation Officer
Australian Plants Society NSW

By email: office@austplants.com.au

Dear Mr Clarke *Dan*

Thank you for your letter regarding Metropolitan Collieries Pty Ltd (Metropolitan) underground coal mine and the recent incident impacting Camp Gully Creek and the Hacking River. I appreciate you bringing your concerns to my attention.

I share your concerns and was disheartened to see the pollution first hand. The NSW Environment Protection Authority (EPA) is taking action to require the clean-up of Camp Gully Creek, as well as require an array of upgrades to the water quality controls at the Metropolitan site.

After receiving the community report of black turbid water flowing from the Metropolitan mine site to Camp Gully Creek, the EPA inspected the area and confirmed that an incident had occurred. The EPA collected water samples and requested a formal Incident Report. The EPA has also undertaken independent assessments to understand the impact on Camp Gully.

On 9 September 2022, the EPA issued a Prevention Notice requiring Metropolitan to take immediate preventative actions. Actions include improving stormwater management practices and monitoring, increasing stormwater storage capacity, and more stringent water quality standards prior to discharging from the site. This work complements additional stormwater management system improvement works underway at the mine which are expected to be completed by December 2022.

On 16 September 2022, the EPA issued a Clean-up Notice requiring the development of a clean-up protocol specific to this incident. The Notice requires the clean-up be undertaken as quickly as possible while minimising any further potential impacts to water quality. This work is required to be overseen by an ecologist and commenced on 20 September 2022.

The EPA is requiring the clean-up to occur in two phases with separate protocols required for each. Phase 1 focuses on coal material above the waterline and phase 2 focuses on coal material beneath the waterline. An independent ecologist has prepared the clean-up approach for phase 1 and the EPA is arranging to make a copy of the ecologist's report available on the EPA website.

The EPA is also undertaking independent inspections of the clean-up works. Clean up works began adjacent to the mine and are progressing down Camp Gully Creek and will ultimately include sections of the Hacking River.

Metropolitan is liaising with the National Parks and Wildlife Service about its access requirements, including preparation of a Review of Environmental Factors for works in the National Park. Clean-up actions cannot commence on these sensitive Park lands until approval is obtained.

I wish to assure you that the EPA is conducting an investigation into this incident and will take appropriate regulatory action if the investigation identifies any breaches.

The proposed release of platypus into the Hacking River in Royal National Park was postponed by the project team in April 2022. Following the record-breaking rains in late February and March 2022, this was a precautionary decision and will ensure that the reintroduction is given the best chance of success. Further monitoring of water and habitat conditions will continue in the lead up to the release, now scheduled for Autumn 2023.

If you have any further questions about this issue, please contact Sarah Thomson, Manager Regulatory Operations, EPA, on 9995 6212 or at sarah.thomson@epa.nsw.gov.au.

Thank you for taking the time to bring this matter to the Government's attention.

Yours sincerely



James Griffin MP
Minister for Environment and Heritage

2/11/22