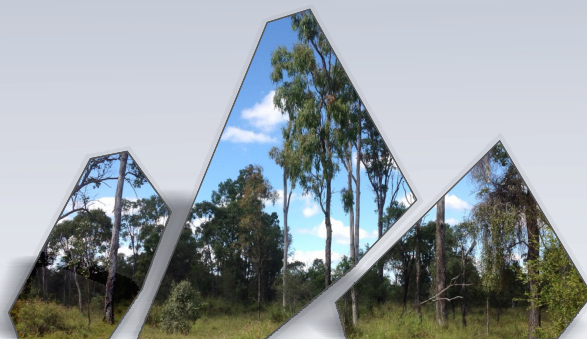




MIDDLEMOUNT COAL MINE

SOUTHERN EXTENSION PROJECT EPBC Act Preliminary Assessment Documentation (EPBC 2021/8920)

Attachment M
Responses to Public Comments



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5 December 2025

Helen Reid
Director | Environment Assessments Queensland Branch | Queensland North Assessment Section
Department of Climate Change, Energy, the Environment and Water
GPO Box 3090 | Canberra ACT 2601

Dear Helen,

RE: EPBC 2021/8920 – Middlemount Southern Extension – Response to Public Comments

Middlemount Coal Pty Ltd (MCPL) is seeking approval of the Southern Extension Project (the Action) under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) (EPBC 2021/8920). On 17 June 2021, the Commonwealth Minister declared the Action to be a controlled action to be assessed by Preliminary Documentation. The Preliminary Documentation and supporting information were publicly notified with an invitation for comment for an extended period from 16 October 2025 to 13 November 2025.

Three submissions from non-government organisations were received within the public notice period. No public submissions were received within the public notice period. A summary of the non-government organisations' comments and MCPL's responses to the comments are included in Table 1. Given the comment themes were generally consistent throughout the three submissions, Table 1 responds to each comment topic and identifies which organisation's submission relevantly commented on each topic.

One submission from an individual was received after the end of the public notice period. For completeness, a summary of the individual submitter's comments and MCPL's responses to the comments are also included in Table 2.

In accordance with section 95B(1) of the EPBC Act, this document provides the Department of Climate Change, Energy, the Environment and Water (DCCEEW) with:

- i. a description of the information given to the Minister previously in relation to the Action, with any changes or additions needed to take account of the public comments; and
- ii. contains a summary of the comments received and how those comments have been addressed.

Copies of the public comments were provided to DCCEEW on 14 November 2025.

No changes or additions to the Action have been made following the public notification of the Preliminary Documentation.

Yours sincerely,

Michael Moore
Group Approvals Manger
Yancoal Australia Ltd
On behalf of Middlemount Coal Pty Ltd

Table 1 – Summary of Non-Government Organisation Comments and MCPL Responses

Comment Summary	Submitter 1	Submitter 2	Submitter 3	MCPL Response
<p>The impact from the Action on threatened species habitat and threatened ecological communities should not be approved.</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>Potential impacts of the Action on threatened species and ecological communities have been avoided, minimised or mitigated as far as reasonably practicable. Relevant avoidance, minimisation and mitigation measures for each relevant threatened species and ecological community are described in Sections 2.1.4, 2.2.4, 2.3.4, 2.4.4, 2.5.4 and 2.6.4 of the Preliminary Documentation.</p> <p>Further, mitigation measures to address potential impacts to habitat connectivity are described in Section 2.8.1 of the Preliminary Documentation.</p> <p>The potential residual significant impacts from the Action are proposed to be offset through land-based biodiversity offset areas on MCPL-owned land located immediately west of the Middlemount Coal Mine. The proposed Southern Extension Offset Area is approximately 1,554.7 ha in size, comprising approximately 1,303.76 ha of woodland vegetation and approximately 250.94 ha of derived grassland and vegetation in the early stage of regrowing from past clearance. The proposed biodiversity offset area is located to the north and south of the existing Western Extension Commonwealth Offset Area (EPBC 2017/8130), thus providing connectivity to existing conserved habitat.</p>
<p>Considers the cumulative impact assessment on ecological values is superficial and does not analyse downward trends at local or regional scales.</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>A cumulative impact assessment in consideration of the approved disturbance at the Middlemount Coal Mine was conducted for each relevant listed threatened species and ecological community. These specific assessments are in Sections 2.1.3, 2.2.3, 2.3.3, 2.4.3, 2.5.3 and 2.6.3 of the Preliminary Documentation.</p> <p>Further consideration of potential cumulative impacts with other mining operations in the region is included in Section 2.7 of the Preliminary Documentation. It is noted that the closest mining operation to the Action (besides the approved Middlemount Coal Mine) is the German Creek East mine, located approximately 5 km south of the Action. The next closest mining operation is 12 km south-east of the Action. Accordingly, there is not a high intensity of mining development in the region of the Action that could materially contribute to significant cumulative impacts.</p> <p>There are also cumulative areas of conserved habitat from these developments, many times the size of the areas of impact. The Offset Area to be established for the Action is the fourth EPBC Act Offset Area that will be established by MCPL. The other EPBC Act Offset Areas are the Middlemount Coal (Stage 2) Project Commonwealth Offset Area (EPBC 2010/5394), the North-eastern Extension Commonwealth Offset Area (EPBC 2016/7717), and the Western Extension Commonwealth Offset Area (EPBC 2017/8130). These offsets are all local as shown Figure 20 of the Preliminary Documentation. The total size of the existing and proposed offset areas is approximately 7,400 ha.</p>

Comment Summary	Submitter 1	Submitter 2	Submitter 3	MCPL Response
<p>Considers insufficient evidence on the effectiveness of biodiversity offsets has been provided and that the proposed offset is not in accordance with the EPBC Environmental Offsets Policy.</p>	✓	✓	✓	<p>As described above, the Offset Area to be established for the Action is the fourth EPBC Act Offset Area that will be established by MCPL. The other EPBC Act Offset Areas are the Middlemount Coal (Stage 2) Project Commonwealth Offset Area (EPBC 2010/5394), the North-eastern Extension Commonwealth Offset Area (EPBC 2016/7717), and the Western Extension Commonwealth Offset Area (EPBC 2017/8130). The offset areas for each project are shown Figure 20 of the Preliminary Documentation. Although these are individual offset areas established for each specific component of the Middlemount Coal Mine, MCPL manage them as one collective offset area. Accordingly, a uniform set of management measures would be used to manage offset outcomes across the collective offset areas.</p> <p>An Offset Management Plan (OMP) has been prepared for the Action (Attachment G of the Preliminary Documentation) based on the currently approved EPBC Act OMP for the other three actions. The OMP has been reviewed by Biodiversity Australia (Appendix D of the OMP). Biodiversity Australia concluded it was satisfied with the revised plan and found it to adequately address the setup, environmental management and monitoring requirement of the offset area.</p> <p>The confidence in the result is in accordance with the EPBC Environmental Offsets Policy as proposed offset actions that are designed to have a lower risk of failure have a higher confidence in result score. The confidence in result captures the level of certainty about the successful achievement of the proposed increase in quality by one point. In other words, the confidence in the result would be lower if a higher changes in quality were targeted, but an increase by one point has a lower risk of failure and a high confidence. The confidence in result also captures the level of certainty about the strength and effectiveness of the proposed risk-mitigation measures and the capacity of these measures to mitigate the risk of loss of the site. The Preliminary Documentation describes the benefits to each of the threatened species and ecological communities.</p> <p>All inputs into the EPBC Offsets Assessment Guide (Department of Sustainability, Environment, Water, Population and Communities, 2012) have been justified which indicates 100% of the offset requirements is satisfied. Therefore, the proposed offset is in accordance with the EPBC Environmental Offsets Policy.</p>

Comment Summary	Submitter 1	Submitter 2	Submitter 3	MCPL Response
States that the assessment relies on 2017 vegetation data and the listing of the Koala and Greater glider as vulnerable rather than endangered.	✓	✓	✓	As described in Section 2.5 of the Preliminary Documentation, the Koala was listed as 'Vulnerable' under the EPBC Act at the time of the controlled action decision (17/06/2021) and is therefore assessed as 'Vulnerable' not 'Endangered' (refer section 158A of the EPBC Act). Notwithstanding, and in recognition of the change to the listing, the <i>Conservation Advice for Phascolarctos cinereus (Koala) combined populations of Queensland, New South Wales and the Australian Capital Territory</i> (DAWE, 2022a) and the <i>National Recovery Plan for the Koala Phascolarctos cinereus (combined populations of Queensland, New South Wales and the Australian Capital Territory)</i> (DAWE, 2022b) were considered and referenced within Section 2 of the Preliminary Documentation.
Considers the disturbance of the Roper Creek riparian corridor will have more than a temporary impact on connectivity and the proposed measures to address loss of connectivity are inadequate.	✓	✓	✓	As described in Section 2.8.1 of the Preliminary Documentation, impacts to connectivity along Roper Creek would be mitigated through the staged development of the open cut extension over a number of years such that there would not be an immediate total impact to connectivity. Revegetation works would be undertaken immediately upon completion of the earthworks for the Roper Creek Diversion 2 with the installation of connectivity measures such as glider poles and fauna culverts to facilitate connectivity while the vegetation establishes. These connectivity works are described in the <i>Roper Creek Diversion 2 Fauna Connectivity Management Plan</i> (Biodiversity Australia, 2025) which was included as Attachment I to the Preliminary Documentation. The measures to maintain connectivity are in addition to the land-based biodiversity offset proposed for the Southern Extension Project (as described in Section 2.9 of the Preliminary Documentation).
Considers the IESC recommendations have not been addressed.	✓	✓	✓	The IESC provided its advice on the SEP Preliminary Documentation to DCCEEW on 7 June 2022 (letter dated 6 June 2022). In response to the IESC advice, MCPL commissioned Engeny (2022) to prepare additional information regarding the Roper Creek 2 diversion design and potential impacts to surface water resources and riparian vegetation. A report by Engeny (2022) was submitted to DCCEEW on 6 September 2022 along with a response to all IESC comments and a revised Preliminary Documentation. MCPL considers that the IESC comments have been appropriately addressed.

Comment Summary	Submitter 1	Submitter 2	Submitter 3	MCPL Response
Considers the Greenhouse Gas Assessment is inadequate	✓	✓	✓	<p>The Greenhouse Gas Assessment completed as part of the Qld Environmental Authority Amendment Application (Katestone, 2020) used global warming potentials for greenhouse gases that were accurate at the time of the assessment. It is recognised that the global warming potential for methane has subsequently changed from 25 to 28. The majority of greenhouse gas emissions at the Middlemount Coal Mine are associated with diesel combustion (60%) with fugitive methane emissions making up 34% of total emissions. Updating the calculation of greenhouse gas emissions associated with the Action with the current global warming potential for methane is not predicted to materially change the assessment outcome that the Action would not significantly increase the total greenhouse gas emissions of the Middlemount Coal Mine.</p> <p>The Middlemount Coal Mine is regulated under the Safeguard Mechanism framework and reports its greenhouse gas emissions in accordance with the National Greenhouse and Energy Reporting Scheme (NGER).</p> <p>Consideration of potential climate change impacts on the long-term final void water levels was completed as part of WRM’s final void water balance. WRM concludes that using alternative climate change scenarios is not expected to change the conclusion that the final voids would remain groundwater sinks in perpetuity, with no leakage of stored void water.</p>
Considers the justification for the retention of final voids is inadequate and requests backfilling of the southern final void.	✓			<p>Assessment of the final voids is discussed in Section 3.8.3 of the Preliminary Documentation. The design of the final landform took into consideration the disposal of waste rock in-pit to minimise the size of the final voids where reasonable and practicable. It is not reasonable or practical to further fill in the voids because:</p> <ul style="list-style-type: none"> • the cost to rehandle spoil material from the out of pit emplacements to the final voids (to fill the voids or make them smaller) would be prohibitive; • rehandling spoil material from the out of pit emplacements (e.g. East Dump) to the final voids (to fill the voids or make them smaller) would delay rehabilitation; and • additional material handling would increase the air quality and noise emissions from the site beyond that currently proposed. <p>The final voids are predicted to act as groundwater sinks which would prevent any off-site migration of potentially contaminated groundwater. Rehandling material to backfill the final voids would cause adverse environment risks by changing this predicted groundwater behaviour such that a groundwater gradient towards the void would no longer be in effect, allowing potentially contaminated water to migrate off-site.</p>

Comment Summary	Submitter 1	Submitter 2	Submitter 3	MCPL Response
<p>Considers a lack of justification for the Action.</p>		✓	✓	<p>Section 1.2.2 of the Preliminary Documentation describes the justification for the Action. If the Action were not to proceed, MCPL would forgo opportunities to improve mining efficiency and rehabilitation outcomes at the Middlemount Coal Mine.</p> <p>The Action presents an opportunity to extend the Middlemount Coal Mine life to enable the ongoing economic and social benefits associated with the mining operation to continue. These benefits include direct and indirect employment opportunities for the local and regional communities and royalty and tax payments to the State and Commonwealth.</p>
<p>Considers the use of the Voluntary Declaration process is not appropriate for long-term protection of the offset areas.</p>			✓	<p>As described above, the Offset Area to be established for the Action is the fourth EPBC Act Offset Area that will be established by MCPL. The other EPBC Act Offset Areas are the Middlemount Coal (Stage 2) Project Commonwealth Offset Area (EPBC 2010/5394), the North-eastern Extension Commonwealth Offset Area (EPBC 2016/7717), and the Western Extension Commonwealth Offset Area (EPBC 2017/8130). These are all secured under Voluntary Declarations. Securing biodiversity offset areas through the <i>QLD Vegetation Management Act 1999</i> is considered an appropriate mechanism that has been used effectively by MCPL for previous offset areas and by numerous other proponents in Qld. Any future land use of the offset areas following the removal of the Voluntary Declaration covenant would be subject to relevant local, State and Commonwealth legislation.</p>

Table 2 – Summary of Individual Comments and MCPL Responses

Comment Summary	MCPL Response
<p>Considers there is inadequate description and justification of achieving habitat quality improvements in the proposed offset areas and offset calculations are not correct.</p>	<p>MCPL worked closely with DCCEEW during preparation of the Preliminary Documentation and the biodiversity offset calculation which included critical reviews of the proposed calculator inputs by DCCEEW and comprehensive justification of inputs by MCPL and its ecology specialists. This process resulted in a number of changes to the calculator inputs to address DCCEEW comments, increasing the biodiversity offset area proposed for the Action.</p> <p>The Offset Area to be established for the Action is the fourth EPBC Act Offset Area that will be established by MCPL. The other EPBC Act Offset Areas are the Middlemount Coal (Stage 2) Project Commonwealth Offset Area (EPBC 2010/5394), the North-eastern Extension Commonwealth Offset Area (EPBC 2016/7717), and the Western Extension Commonwealth Offset Area (EPBC 2017/8130). The offset areas for each project are shown Figure 20 of the Preliminary Documentation. Although these are individual offset areas established for each specific component of the Middlemount Coal Mine, MCPL manage them as one collective offset area. Accordingly, a uniform set of management measures would be used to manage offset outcomes across the collective offset areas.</p> <p>An Offset Management Plan (OMP) has been prepared for the Action (Attachment G of the Preliminary Documentation) based on the currently approved EPBC Act OMP for the other three actions.</p> <p>The OMP has been reviewed by Biodiversity Australia (Appendix D of the OMP). Biodiversity Australia concluded it was satisfied with the revised plan and found it to adequately address the setup, environmental management and monitoring requirement of the offset area.</p> <p>All inputs into the EPBC Offsets Assessment Guide (Department of Sustainability, Environment, Water, Population and Communities, 2012) have been justified which indicates 100% of the offset requirements is satisfied.</p>
<p>Considers the use of the Voluntary Declaration process is not appropriate for long-term protection of the offset areas.</p>	<p>As described above, the Offset Area to be established for the Action is the fourth EPBC Act Offset Area that will be established by MCPL. The other EPBC Act Offset Areas are the Middlemount Coal (Stage 2) Project Commonwealth Offset Area (EPBC 2010/5394), the North-eastern Extension Commonwealth Offset Area (EPBC 2016/7717), and the Western Extension Commonwealth Offset Area (EPBC 2017/8130). These are all secured under Voluntary Declarations. Securing biodiversity offset areas through the QLD <i>Vegetation Management Act 1999</i> is considered an appropriate mechanism that has been used effectively by MCPL for previous offset areas and by numerous other proponents in Qld.</p>