

Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1, as set out in Schedule 2.



Howard Reed
Director, Resource Assessments

Sydney

29 March

2017

SCHEDULE 1

The development consent (DA 92/97) for the Mount Pleasant coal mine and associated infrastructure, granted by the Minister for Urban Affairs and Planning on 22 December 1999.

SCHEDULE 2

- Delete the Applicant name in Schedule 1 and replace with "MACH Energy Australia Pty Ltd".
- In the list of definitions, delete the terms "Aboriginal stakeholders", "Applicant", "Department", "Development", "Director-General", "DRE", "EIS", "Mine Water", "Minister", "MSB", "NOW", "RTA" and their definitions, and insert the following terms and definitions in alphabetical order:

Aboriginal stakeholders	Wonaruah Local Aboriginal Land Council, Wonnarua Tribal Council and any other relevant Aboriginal groups
Applicant	MACH Energy Australia Pty Ltd, or any person/s who rely on this consent to carry out development that is subject to this consent
Conveyor/service corridor	The conveyor and supporting infrastructure located within the area shown in blue on the Project Layout Plan
Department	Department of Planning and Environment
Development	The development as described in the documents listed in condition 2(a) of Schedule 2
DPI Water	Department of Primary Industries - Water
EA (MOD 1)	The Environmental Assessment for the Mt Pleasant Project Modification prepared by EMGA Mitchell McLennan, dated October 2010; the associated response to submissions, dated December 2010; and the addendum to the environmental assessment, dated 31 August 2011
EA (MOD 2)	The Environmental Assessment titled <i>Mount Pleasant Operation (DA 92/97) – South Pit Haul Road Modification</i> prepared by MACH Energy Australia Pty Ltd dated 30 January 2017
EIS	The Environmental Impact Statement for the Mt Pleasant Mine, prepared by ERM Mitchell McCotter and dated September 1997, as modified by the Applicant's submissions to the Commission of Inquiry into the establishment and operation of the Mt Pleasant Mine
Mine water	Water that accumulates within, or drains from, active mining and infrastructure areas and any other areas where runoff may have come into contact with coal or carbonaceous material
Minister	Minister for Planning, or delegate
RMD	Resources and Mining Division within the Department
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
SANSW	Subsidence Advisory NSW
- Replace all references to "shall" with "must", except in condition 3 of Schedule 2 and the second and fifth references in condition 6 of Schedule 4.

4. Replace all references to “schedule” and “schedules” with “Schedule” and “Schedules”, respectively, except in conditions 15 and 40 of Schedule 3.
5. Replace all references to “Director-General” with “Secretary”, except in conditions 13 and 14, and Table 14 in condition 53, of Schedule 3.
6. Replace all references to “DRE” with “RMD”, except in condition 28 of Schedule 3.
7. Replace all references to “the Executive Director, Mineral Resources in DRE” with “RMD”.
8. Replace all references to “NOW” with “DPI Water”.
9. Replace all references to “the RTA” with “RMS”.
10. Delete condition 2 of Schedule 2 and insert the following:
 2. The Applicant must carry out the development:
 - (a) generally in accordance with the EIS, EA (MOD 1), EA (MOD 2) and project layout plan; and
 - (b) in accordance with the Statement of Commitments and conditions of this consent.

Notes:

 - *The project layout plan is shown in Appendix 2.*
 - *The Statement of Commitments is reproduced in Appendix 3.*
11. In condition 3 of Schedule 2:
 - (a) delete the words “above documents” and replace with “documents listed in condition 2(a) of Schedule 2”; and
 - (b) at the end of the condition, delete the full stop and insert “with the documents listed in condition 2(a) of Schedule 2 or the Statement of Commitments.”
12. In condition 4 of Schedule 2:
 - (a) at the end of sub-paragraph (a), delete “; and” and insert “(including any stages of these documents);” and
 - (b) after sub-paragraph (a), insert the following:
 - (aa) any reviews, reports or audits commissioned by the Department regarding compliance with this consent; and
13. Delete condition 13 of Schedule 2.
14. Delete all sub-headings titled “Operating Conditions”, and replace with (respectively) “Noise Operating Conditions” before condition 8 of Schedule 3, “Blast Operating Conditions” before condition 15 of Schedule 3 and “Air Quality Operating Conditions” before condition 22 of Schedule 3.
15. In condition 8 of Schedule 3:
 - (a) in sub-paragraph (a), before the word “operational”, insert “construction,”; and
 - (b) at the end of the condition, insert the following note:

Note: Monitoring under this consent is not required at all residences and the use of representative monitoring locations can be used to demonstrate compliance with criteria, if agreed to by the Secretary.
16. In conditions 9, 17, 23, 28, 32, 36, 47 and 52 of Schedule 3:
 - (a) delete the words “and implement”;
 - (b) at the end of the condition insert the following:

The Applicant must implement the approved management plan as approved from time to time by the Secretary.
17. In condition 13 of Schedule 3:
 - (a) delete the words “has been approved by the Director-General” and insert “is acceptable to both parties”; and
 - (b) after sub-paragraph (b), insert the following:

If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the property inspection report, either party may refer the matter to the Secretary for resolution.
18. In condition 14 of Schedule 3:
 - (a) delete the words “has been approved by the Director-General” and insert “is acceptable to both parties”; and
 - (b) after sub-paragraph (b), insert the following:

If there is a dispute over the selection of the suitably qualified, experienced and independent person, or the Applicant or the landowner disagrees with the findings of the property investigation report, either party may refer the matter to the Secretary for resolution.

(c) replace all references to “Director-General” with “Secretary”.

19. In condition 29, 33 and 54 of Schedule 3:
(a) delete the words “and implement”;
(b) at the end of the condition insert the following:

The Applicant must implement the approved strategy as approved from time to time by the Secretary.

20. In Table 9 in condition 20 of Schedule 3, delete the reference to note “a” and replace with note “b”.
21. Delete condition 21 of Schedule 3, including the sub-heading.
22. In condition 22 of Schedule 3:
(a) In sub-paragraph (a), delete “offsite” and replace with “the”;
(b) delete sub-paragraphs (b) to (e) and replace with the following:
(b) minimise visible air pollution generated by the development;
(c) minimise, where reasonable and feasible, the extent of potential dust generating surfaces exposed on the site at any given point in time;
(d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see Note d above under Tables 8-10);
(e) regularly assess the real-time air quality monitoring and meteorological forecasting data and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this consent; and
(f) co-ordinate the air quality management on site with the air quality management at nearby mines (including the Bengalla mine) to minimise cumulative air quality impacts from the mines,

23. In condition 24 of Schedule 3, delete “OEH” and replace with “Secretary”.
24. In condition 27 of Schedule 3:
(a) after the word “equivalent” where first-occurring, insert “, in quality and volume,”; and
(b) delete “within 24 hours of the loss being identified” and insert “as soon as practicable after the loss is identified, unless otherwise agreed with the landowner”
25. In condition 28 of Schedule 3, delete “DRE” and replace with “EPA”.
26. In conditions 31 and 37 of Schedule 3, delete the word “Mineral”.
27. In condition 31 of Schedule 3:
(a) delete the words “quantity surveyor” and insert “, independent and experienced person”;
(b) after sub-paragraph (b), insert the following:

The calculation of the Conservation Bond must be submitted to the Department for approval at least 1 month prior to the lodgement of the bond.

The Conservation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following:

- (a) an update or revision to the Biodiversity Management Plan;
(b) the completion of an Independent Environmental Audit in which recommendations relating to the implementation of the Biodiversity Offset Strategy have been made; or
(c) in response to a request by the Secretary.
28. In condition 35 of Schedule 3, replace “Proponent” with “Applicant”.
29. In the sub-heading above condition 51 of Schedule 3, delete “Diposal” and replace with “Disposal”.
30. In Table 14 in condition 53 of Schedule 3, delete “Director-General” and replace with “RMD”.
31. At the end of condition 55 of Schedule 3, insert the following:

All reasonable and feasible measures must be taken to minimise the total area exposed for dust generation at any time. Interim stabilisation and temporary vegetation strategies must be employed when areas prone to dust generation cannot be permanently rehabilitated.

Note: It is accepted that some parts of the site that are progressively rehabilitated may be subject to further disturbance at some later stage of the development.

32. In condition 56 of Schedule 3:
- (a) delete the words “and implement”;
 - (b) at the end of the condition insert the following:

The Applicant must implement the approved management plan as approved from time to time by RMD.

33. In condition 1 of Schedule 4, and conditions 3 and 11 of Schedule 5, delete “EIS” and replace with “documents listed in condition 2(a) of Schedule 2”.

34. After condition 1 of Schedule 4, insert the following:

1A. Prior to entering into any tenancy agreement for any land owned by the Applicant that is predicted to experience exceedances of the recommended dust and/or noise criteria, the Applicant must:

- (a) advise the prospective tenants of the potential health and amenity impacts associated with living on the land, and give them a copy of the NSW Health fact sheet entitled “Mine Dust and You” (as may be updated from time to time); and
- (b) advise the prospective tenants of the rights they would have under this consent, to the satisfaction of the Secretary.

35. After the first paragraph of condition 3 of Schedule 4, insert the following:

If the Secretary is not satisfied that an independent review is warranted, the Secretary will notify the landowner in writing of that decision, and the reasons for that decision, within 21 days of the request for a review.

36. Delete conditions 4 and 5 of Schedule 4.

37. In condition 1 of Schedule 5:

- (a) delete the first sentence of the first paragraph, and insert “If the Secretary requires, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary.”; and
- (b) at the end of the condition, insert the following:

The Applicant must implement the approved strategy as approved from time to time by the Secretary.

38. Following condition 1 of Schedule 5, insert the following:

Adaptive Management

1A. The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.

Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:

- (a) take all reasonable and feasible steps to ensure that the exceedance ceases and does not recur;
- (b) consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
- (c) implement remediation measures as directed by the Secretary, to the satisfaction of the Secretary.

39. After condition 2 of Schedule 5, insert the following:

Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

40. In condition 3 of Schedule 5:

- (a) delete the word “December” and insert “March”;
- (b) delete the word “review” where first-occurring and insert “submit a report to the Department reviewing”;
- (c) in sub-paragraphs (a) and (b), after “past”, insert “calendar”;
- (d) in paragraph (a), after “next”, insert “calendar”.

41. At the end of condition 4 of Schedule 5, insert the following:

Within 4 weeks of conducting any such review, the Applicant must advise the Secretary of the outcomes of the review, and submit any revised documents for the approval of the Secretary.

42. After condition 4 of Schedule 5, insert the following:

Updating & Staging Strategies, Plans or Programs

- 4A. The Applicant may at any time submit revised strategies, plans or programs for the approval of the Secretary. With the agreement of the Secretary, the Applicant may also submit any strategy, plan or program required by this consent on a staged basis.

With the agreement of the Secretary, the Applicant may prepare a revision or stage of any strategy, plan or program required under this consent without undertaking consultation with all parties nominated under the applicable condition in this consent.

Notes:

- *While any strategy, plan or program may be submitted on a staged basis, the Applicant must ensure that the existing operations on site are covered by suitable strategies, plans or programs at all times.*
- *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.*

43. In condition 6 of Schedule 5, delete “Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version)” and replace with “Department’s *Community Consultative Committee Guidelines State Significant Projects November 2016*, or its latest version.”

44. Delete condition 7 of Schedule 7 and replace with the following:

The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

45. In condition 9 of Schedule 5:

- (a) after the word “commission”, insert “, commence”;
- (b) at the end of sub-paragraph (b), insert “and the CCC”;
- (c) in sub-paragraph (c), after “Lease”, insert “or necessary water licences”;
- (d) delete the word “instruments” and replace with “approvals”;
- (e) at the end of sub-paragraph (d) delete “; and” and insert “(including whether the development has met or is trended towards the progressive performance and completion criteria detailed in these strategies, plans or programs);”;
- (f) at the end of sub-paragraph (e), delete the full stop and insert “; and”;
- (g) insert the following sub-paragraph:
 - (f) be conducted and reported to the satisfaction of the Secretary.
- (h) delete the second dot point in the Notes.

46. Delete condition 10 of Schedule 5, and replace with the following:

Within 12 weeks of commencing any audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary and any other NSW Government agency that requests it, together with its response to any recommendations contained in the audit report and a timetable for the implementation of these recommendations, as required. The Applicant must implement the audit report recommendations, to the satisfaction of the Secretary.

47. Delete Appendices 1 and 2, and replace with the following:

**APPENDIX 1
SCHEDULE OF LAND**

Mount Pleasant Project Schedule of Lands				
LOT	SECTION	DP	COMMENTS	PROPERTY OWNER
11		112742		ANGLO COAL (DARTBROOK) PTY LIMITED, MARUBENI THERMAL COAL PTY LIMITED, SSANGYONG RESOURCES PTY LIMITED
1		911212		ANGLO COAL (DARTBROOK) PTY LIMITED, MARUBENI THERMAL COAL PTY LIMITED, SSANGYONG RESOURCES PTY LIMITED
12		659924		ANGLO COAL (DARTBROOK) PTY LIMITED, MARUBENI THERMAL COAL PTY LIMITED, SSANGYONG RESOURCES PTY LIMITED
13		750926		ANGLO COAL (DARTBROOK) PTY LIMITED, MARUBENI THERMAL COAL PTY LIMITED, SSANGYONG RESOURCES PTY LIMITED
7		1051153		ANGLO COAL (DARTBROOK) PTY LTD, MARUBENI THERMAL COAL PTY LTD, SSANGYONG RESOURCES PTY LIMITED
1453		628493		ANGLO COAL (DARTBROOK) PTY LTD, MARUBENI THERMAL COAL PTY LTD, SSANGYONG RESOURCES PTY LIMITED
1		213293		BENGALLA MINING COMPANY LIMITED
1		629491		BENGALLA MINING COMPANY LIMITED
5		801249		BENGALLA MINING COMPANY LIMITED
27		745897		BENGALLA MINING COMPANY LIMITED
29		731706		BENGALLA MINING COMPANY LIMITED
261		561919		BENGALLA MINING COMPANY PTY. LIMITED
1		742324		BRUCE LEONARD BATES, MARY LLEWELLYN BATES
3		236668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
5		560963		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
16		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
18		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
20		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
21		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
22		776758		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
22		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
24		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
25		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
26		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
27		1072668		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
A		925975		CNA BENGALLA INVESTMENTS PTY LIMITED, TAIPOWER BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
1		1072667		CNA BENGALLA INVESTMENTS PTY LIMITED, WESFARMERS BENGALLA LIMITED, TAIPOWER BENGALLA PTY LIMITED, MITSUI BENGALLA INVESTMENT PTY LTD
1	1	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
1	2	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
1	3	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
1	4	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
1		634490		COAL & ALLIED OPERATIONS PTY LIMITED*
1		104563		COAL & ALLIED OPERATIONS PTY LIMITED*
1		944232		COAL & ALLIED OPERATIONS PTY LIMITED*
1		1100374		COAL & ALLIED OPERATIONS PTY LIMITED*
1		312392		COAL & ALLIED OPERATIONS PTY LIMITED*
1		998239		COAL & ALLIED OPERATIONS PTY LIMITED*
1		998477		COAL & ALLIED OPERATIONS PTY LIMITED*
1		194043		COAL & ALLIED OPERATIONS PTY LIMITED*
1		114090		COAL & ALLIED OPERATIONS PTY LIMITED*
1		706645		COAL & ALLIED OPERATIONS PTY LIMITED*
1		744333		COAL & ALLIED OPERATIONS PTY LIMITED*
1		544039		COAL & ALLIED OPERATIONS PTY LIMITED*
1		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
1		1081385		COAL & ALLIED OPERATIONS PTY LIMITED*
1		318999		COAL & ALLIED OPERATIONS PTY LIMITED*
1		1080962		COAL & ALLIED OPERATIONS PTY LIMITED*
1		915913	CNA POSSESSORY TITLE FOLLOWING WATTS SALE – NAME ON TITLE DAVID SMALL	COAL & ALLIED OPERATIONS PTY LIMITED*

LOT	SECTION	DP	COMMENTS	PROPERTY OWNER
1		905281	NAME ON TITLE W E WHITE & J HUTCHINSON. RESIDUE IN TITLE IN NAME OF MARY ANNE HORNE. TITLE NOTE SUBJ TO THE PAYMENT OF TESTATRIX'S (THE WITHIN NAMED M A HORNE'S) DEBTS AND FUNERAL AND TESTAMENTARY EXPENSES - CNA POSSESSORY TITLE FOLLOWING WATTS SALE	COAL & ALLIED OPERATIONS PTY LIMITED*
1		2770		COAL & ALLIED OPERATIONS PTY LIMITED*
1		780673		COAL & ALLIED OPERATIONS PTY LIMITED*
1		2770		COAL & ALLIED OPERATIONS PTY LIMITED*
2	1	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
2	2	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
2	3	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
2		634490		COAL & ALLIED OPERATIONS PTY LIMITED*
2		104563		COAL & ALLIED OPERATIONS PTY LIMITED*
2		915913		COAL & ALLIED OPERATIONS PTY LIMITED*
2		998239		COAL & ALLIED OPERATIONS PTY LIMITED*
2		801249		COAL & ALLIED OPERATIONS PTY LIMITED*
2		998477		COAL & ALLIED OPERATIONS PTY LIMITED*
2		194043		COAL & ALLIED OPERATIONS PTY LIMITED*
2		114090		COAL & ALLIED OPERATIONS PTY LIMITED*
2		706645		COAL & ALLIED OPERATIONS PTY LIMITED*
2		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
2		1081385		COAL & ALLIED OPERATIONS PTY LIMITED*
2		780673		COAL & ALLIED OPERATIONS PTY LIMITED*
2		629491		COAL & ALLIED OPERATIONS PTY LIMITED*
3	2	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
3	3	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
3		998239		COAL & ALLIED OPERATIONS PTY LIMITED*
3		998477		COAL & ALLIED OPERATIONS PTY LIMITED*
3		194043		COAL & ALLIED OPERATIONS PTY LIMITED*
3		791576		COAL & ALLIED OPERATIONS PTY LIMITED*
3		629491		COAL & ALLIED OPERATIONS PTY LIMITED*
3		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
4	2	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
4	3	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
4	4	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
4	29	758554		COAL & ALLIED OPERATIONS PTY LIMITED*
4		801249		COAL & ALLIED OPERATIONS PTY LIMITED*
5	1	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
5	2	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
5	3	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
5		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
6	1	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
6	2	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
6	3	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
6		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
6		749716		COAL & ALLIED OPERATIONS PTY LIMITED*
6		821183		COAL & ALLIED OPERATIONS PTY LIMITED*
7	2	192121		COAL & ALLIED OPERATIONS PTY LIMITED*
7		821183		COAL & ALLIED OPERATIONS PTY LIMITED*
7		749716		COAL & ALLIED OPERATIONS PTY LIMITED*
8		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
9		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
10		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
11		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
12		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
12		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
13		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
13		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
14	8	2770		COAL & ALLIED OPERATIONS PTY LIMITED*
14		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
14		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
15		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
15		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
15		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
16		255048		COAL & ALLIED OPERATIONS PTY LIMITED*
16		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
16		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
17		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
17		2770		COAL & ALLIED OPERATIONS PTY LIMITED*
18		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
19		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
19		112742		COAL & ALLIED OPERATIONS PTY LIMITED*
20		112742		COAL & ALLIED OPERATIONS PTY LIMITED*

LOT	SECTION	DP	COMMENTS	PROPERTY OWNER
256		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
258		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
259		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
260		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
261		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
262		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
263		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
264		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
265		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
268		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
268		567444		COAL & ALLIED OPERATIONS PTY LIMITED*
269		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
270		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
271		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
272		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
273		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
274		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
275		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
276		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
278		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
279		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
280		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
280		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
282		750926		COAL & ALLIED OPERATIONS PTY LIMITED*
A		432713		COAL & ALLIED OPERATIONS PTY LIMITED*
A		174071		COAL & ALLIED OPERATIONS PTY LIMITED*
B		432713		COAL & ALLIED OPERATIONS PTY LIMITED*
B		174071		COAL & ALLIED OPERATIONS PTY LIMITED*
3	28	758554		COLIN RODNEY HOATH, NERIDA JOAN HOATH*
4	28	758554		COLIN RODNEY HOATH, NERIDA JOAN HOATH*
5	28	758554		COLIN RODNEY HOATH, NERIDA JOAN HOATH*
6	28	758554		COLIN RODNEY HOATH, NERIDA JOAN HOATH*
				CROWN LAND - CLOSED ROAD SOUTH SIDE 242//750926
				CROWN LAND - NE CORNER 2//915913
				CROWN LAND - SOUTH OF 44//750926
				CROWN LAND - NORTH SIDE 2//915913
				CROWN LAND - NORTH SIDE 2//915913
			ENCLOSURE PERMIT 45233 - CNA	CROWN ROAD*
			ENCLOSURE PERMIT 409840 WAS LONERGAN	CROWN ROAD*
			ENCLOSURE PERMIT 45292 WAS WATTS	CROWN ROAD*
			ENCLOSURE PERMIT 45237 - CNA	CROWN ROAD*
			ENCLOSURE PERMIT 160063 - CNA	CROWN ROAD*
			ENCLOSURE PERMIT 45292 WAS WATTS	CROWN ROAD*
20		747226		DAPKOS PTY. LIMITED
7		112742		DOROTHY RUBY BLUFORD
1	5	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
1	6	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
1	8	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
2	5	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
2	6	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
2	8	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
3	5	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
3	8	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
4	5	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
4	6	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
4	8	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
5	4	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
5	6	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
5	8	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
6	8	2770		DOUGAL HAMISH HAMILTON MACINTYRE*
2	4	2770		GAVIN MICHAEL CASEY
86		750926		GAVIN MICHAEL CASEY
94		665393		GAVIN MICHAEL CASEY
152		750926		GAVIN MICHAEL CASEY
153		750926		GAVIN MICHAEL CASEY
154		750926		GAVIN MICHAEL CASEY
3	1	2770		JAMES STEPHEN LONERGAN
1	1	2770		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
1	2	2770		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
4	1	2770		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
4	2	2770		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
9		750926		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
10		750926		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
22		870608		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN

LOT	SECTION	DP	COMMENTS	PROPERTY OWNER
73		750926		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
74		750926		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
200		750926		JAMES STEPHEN LONERGAN, NELLIE MARIA LONERGAN
1		655691		JONATHON BUCHANAN MOORE
164		635272		KEITH JOSEPH YORE, GEORGINA MASKERY YORE*
269		567444		KERRIE MAREE LEE
3	29	758554		MAXWELL JOHN ADNUM, ROBERT GEORGE ADNUM
7		236668		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
8		236668		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
8		821183		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
24		742543		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
41		792447		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
43		792447		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
92		620639		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
111		551930		MCDA BENGALLA INVESTMENT PTY. LIMITED, TAIPower BENGALLA PTY LIMITED, WESFARMERS BENGALLA LIMITED, PEABODY BENGALLA INVESTMENTS PTY. LIMITED
2		791576		MICHAEL JOHN FARRELL*
1		1143545		MUSWELLBROOK SHIRE COUNCIL
266		750926		MUSWELLBROOK SHIRE COUNCIL
8		1072668		ROAD
9		1072668		ROAD
10		1072668		ROAD
11		1072668		ROAD
12		1072668		ROAD
17		1072668		ROAD
19		1072668		ROAD
1		791576		RODNEY MICHAEL FARRELL, SYLVIA DIANNE FARRELL*
12		1112792		ROSEBROOK PTY LIMITED*
13		1112792		ROSEBROOK PTY LIMITED*
14		1112792		ROSEBROOK PTY LIMITED*
15		1112792		ROSEBROOK PTY LIMITED*
16		1112792		ROSEBROOK PTY LIMITED*
1		401237		ROSEBROOK PTY. LIMITED*
7001		93329		THE STATE OF NEW SOUTH WALES
1		906668		THE TRUSTEES OF CHURCH PROPERTY FOR THE DIOCESE OF NEWCASTLE*
				HUNTER RIVER
				VARIOUS COUNCIL AND CROWN PUBLIC AND UNFORMED ROADS

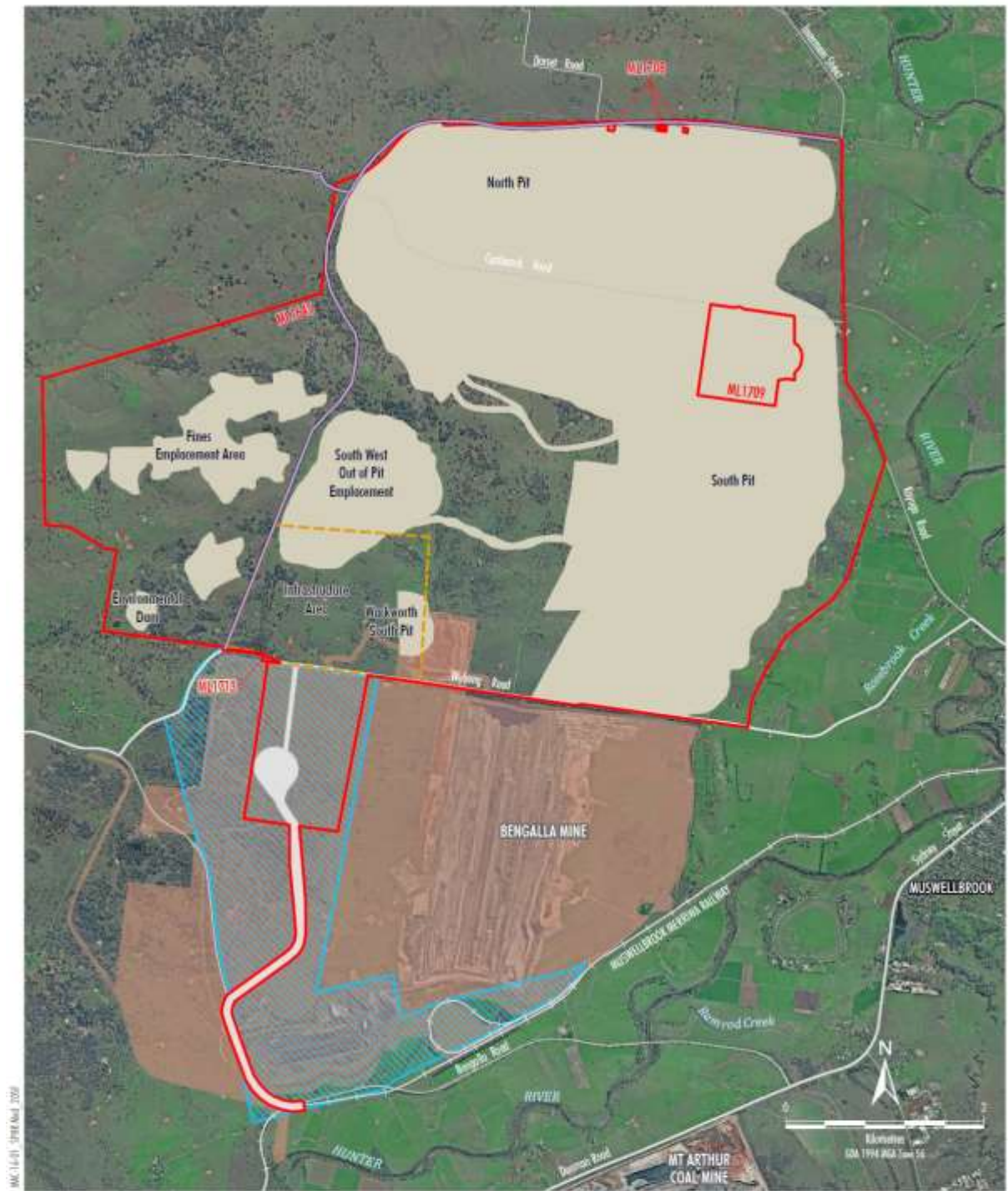
NOTE:

BOUNDARIES USED HAVE BEEN COMPILED FROM VARIOUS SOURCES INCLUDING THE LPMA DCDB, HAVE NOT BEEN SURVEYED AND SHOULD BE CONSIDERED APPROXIMATE ONLY.

AS BOUNDARIES HAVE NOT BEEN SURVEYED HISTORICAL UNIDENTIFIED RESIDUES OF TITLES MAY EXIST OWNERSHIP AS SEARCHED THROUGH LPI FEBRUARY 2010

* MACH ENERGY AUSTRALIA PTY LTD IS THE BENEFICIAL OWNER OF THIS LAND IN WHOLE OR IN PART

APPENDIX 2 PROJECT LAYOUT PLAN



MACH 14/11 - 15/08/2016

- LEGEND:**
- Mining Lease Boundary
 - Infrastructure Area Envelope
 - Approximate Extent of Approved Surface Development (1997 EIS Year 20)
 - Indicative Offsite Coal Transport Infrastructure
 - Conveyer/Services Corridor Envelope
 - Bengalla Mine (SSD-5170)
 - Northern and Western Link Road

Source: NSW Land & Property Information (2015); NSW Division Resources & Energy (2016); Department of Planning and Environment (2016)

MACHEnergy
MOUNT PLEASANT OPERATION
Project Layout Plan

48. In Appendix 3:
- (a) in the 5th dot point replace the reference to "Coal & Allied" with "The Applicant";
 - (b) in the 10th dot point, delete "Rio Tinto Coal Australia guidelines and relevant Coal & Allied" and replace with "Applicant";
 - (c) in the 13th dot point, delete "CHWG members" and replace with "Aboriginal stakeholders";
 - (d) in the 17th dot point, delete "the temporary cultural heritage storage facility at Coal & Allied's Hunter Valley Services or at";
 - (e) in the 18th dot point, delete "Rio Tinto Coal Australia Cultural Heritage Management System" and replace with "Aboriginal Heritage Management Plan"; and
 - (f) in the Note, before the word "tables", insert "abbreviations,".
49. In Appendix 4 replace all references to "Coal & Allied" with "The Applicant", except for the second reference, replace instead with "Applicant".
50. Adjust the TABLE OF CONTENTS to reflect changes made by this instrument.