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MITSUI & CO.

Date : 24 April 2018

Please address reply to

Coal Div.

24 April 2018

Mr Oliver Holm  
Executive Director, Resource Assessments and Compliance  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Oliver,

**Application to modify Mount Pleasant Development Consent (DA 92/97) - Modification 3**

On 14 July 2017, Mitsui & Co. Ltd, (**Mitsui**) lodged a submission in connection with the above application (**MOD 3 Application**).

Mitsui Bengalla Investment Pty Ltd, a wholly owned subsidiary of Mitsui, owns 10% of the Bengalla Mine. Mitsui wishes to inform the Department that, having regard to the agreements which have been reached and the commitments made by MACH Energy in relation to the Mt Pleasant mine in its Modification 3 (copy attached), Mitsui is of the view that the MOD 3 Application will not have a material adverse impact on the operations of the Bengalla Mine.

Accordingly, Mitsui wishes to immediately withdraw its submission and express its support for the MOD 3 Application.

Yours faithfully,

Mitsui & Co. Ltd

Tetsuya Fukuda  
General Manager, Coal Div, Mineral & Metal Resources Business Unit

### **Proposed Statement of Commitments for DA 92/97 MOD3**

#### **Removal of Mount Pleasant Infrastructure South of Wybong Road**

MACH Energy Australia Pty Ltd (**MACH Energy**) or any person/s who rely on any development consent to carry out the Mount Pleasant development (as modified or replaced by a new development consent from time to time) will, by no later than 31 October 2022:

- a) remove all infrastructure associated with the Development within Mining Lease No. 1645 (**ML 1645**) south of Wybong Road (other than infrastructure which the operator of the Bengalla Mine agrees in writing can remain in situ);
- b) do all things available to transfer or cause the grant of a mining lease over that part of ML 1645 south of Wybong Road to the operator of Bengalla Mine or its nominee;
- c) transfer the freehold land owned by MACH Energy within ML 1645 south of Wybong Road to the operator of Bengalla Mine (or its nominee) at rural market value; and
- d) release the easements for pipeline and rail spur within or in the vicinity of ML 1645 south of Wybong Road which benefit land owned by MACH Energy.

Note: The obligations under this commitment are not subject to the grant of development consent or any other approvals or access arrangements for alternative coal transport infrastructure for the Development and must be satisfied irrespective of the existence of any such approvals or infrastructure.