

Mr Wayne Grout
Design and Approvals Manager – Stage 2 Infrastructure
MACH Energy Australia Pty Ltd
Via email: wayne.grout@machenergyaustralia.com.au

05/08/2020

Dear Mr Grout

**Mount Pleasant Open Cut Coal Mine - Modification 4 Rail Infrastructure (DA 92/97)
Flood Impact Assessment and Independent Review**

I refer to the following documentation that was submitted by MACH Energy Australia Pty Ltd (MACH Energy) in accordance with Conditions 44C and 44D of Schedule 3 of the consent for the Mount Pleasant Open Cut Coal Mine (DA 92/97):

- Letter requesting the Planning Secretary's approval of the final report detailing the independent review outcomes for the Mount Pleasant Operation (DA 92/97) MOD 4 rail infrastructure final design, dated 23 July 2020;
- Mount Pleasant Rail Loop Stage 2 - Rail Modification Flood Impact Assessment prepared by WRM Water and Environment, dated 29 May 2020;
- Rail Spur Design Flood Impact Assessment Review prepared by Haskoning Australia Pty Ltd, dated 1 June 2020;
- Addendum No. 1 (to the Rail Modification Flood Impact Assessment) prepared by WRM Water and Environment Pty Ltd, dated 26 June 2020; and
- Biodiversity Conservation Division letter regarding the Mt Pleasant Coal (DA92/97-PA-2 MOD 4) - Review of flood studies for new rail infrastructure, dated 24 June 2020.

I wish to advise that the Department is satisfied with the documentation provided, the outcomes of the assessment and considers that the final design of the MOD 4 rail infrastructure and independent review meets the criteria outlined in Conditions 44C and 44D of Schedule 3 of the development consent.

Accordingly, the Planning Secretary has approved the final report in accordance with condition 44D of Schedule 3, subject to the conditions outlined below:

Unless otherwise agreed by the Planning Secretary, MACH Energy must:

- *provide relevant flood modelling results to the Logues Lane residents and provide these residents with a clear understanding of the potential flood risks, the need to monitor flood conditions and respond to warnings and evacuate advice early in a flood event, by the **31st August 2020**; and*
- *provide final design drawings for the MOD 4 rail infrastructure to the Planning Secretary which have been endorsed by a suitably qualified and experienced engineer, certifying that the infrastructure, including any associated hydraulic structures:*
 - *has been designed to withstand a 1% Annual Exceedance Probability flood event; and*
 - *do not pose a significant risk to public safety during such a flood event,*

*by no later than **30th September 2020**; and*

Mach Energy may not undertake any construction works that would increase flood risks at property 23 until such time as the purchase of this property from Jabetin Pty Ltd has been finalised and MACH Energy has provided notification of settlement to the Planning Secretary.

For the sake of clarity, I wish to confirm that construction of the MOD 4 rail infrastructure may commence from the date of this letter, subject to compliance with the above conditions.

The Department notes that if MACH Energy wishes to make any further adjustments or changes to the final design of the MOD 4 rail infrastructure, including any associated hydraulic structures, these changes may require further review and approval of the Planning Secretary.

It is requested that MACH Energy place the MOD 4 Rail Infrastructure Flood Impact Assessment and Independent Review is placed on the project website at your earliest convenience.

If you have any questions, please contact Tegan Cole via email at Tegan.Cole@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Sprott', written in a cursive style.

Matthew Sprott
Director
Resource Assessments (Coal & Quarries)
as nominee of the Planning Secretary