

Enquiries
Please ask for
Direct
Our reference

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CM 26/20063

17 April 2026

Kiera Plumridge
Environmental Assessment Officer
NSW Department Planning and Environment

Dear Ms Plumridge,

Mount Pleasant Mine (MOD8) - Muswellbrook Shire Council comments on the Modification Report

Reference is made to the following:

- 'Mount Pleasant Operation Modification 8 – Modification Report' (Resource Strategies) (Modification Report); and
- Request to provide comment on the Modification Report via the Major Projects Portal.

Mount Pleasant Operation (MPO) is an existing open cut coal mine located approximately 3 km north-west of Muswellbrook. Originally approved in 1999 under Development Consent DA 92/97 (as modified), the mine has an approved capacity of up to 10.5 million tonnes per annum (Mtpa) of Run of Mine (ROM) coal and approved for mining until 31 Dec 2026.

MACH Mount Pleasant Operation Pty Ltd (MACH) has lodged Modification 8 to DA 92/97 (MOD8) with Department of Planning Housing and Infrastructure (DPHI) to allow:

- A six-year extension of permitted ROM coal mining operations to 31 December 2032; and
- An increase in approved ROM coal extraction rate from 10.5 Mtpa to 12.5 Mtpa.

MACH previously lodged a development application and Environmental Impact Statement (EIS) for the Mine Optimisation Project (SSD 10418) in 2020 under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), seeking to increase coal extraction to 21 Mtpa and extend operations until 2048. This was approved by the NSW Independent Planning Commission on 6 September 2022. SSD 10418 is currently subject to legal proceedings.

Council have reviewed the Modification Report and provide the following comments. Council has also taken the opportunity to comment on certain existing consent conditions that are outdated.

MOD8 Project Features

Council notes the following features of MOD8, as stated in the Modification Report:

- Mining in North Pit is limited to the Vaux Seam, and this depth limit would continue under MOD8. In contrast, SSD 10418 authorises mining in North Pit to the basal economic seam (Edderton Seam floor) (Section 3.4.2);
- DA 92/97 allows for truck and excavator and/or dragline operations. However, MOD8 would only include truck and excavator open cut strip and terrace mining methods (Section 3.4.4);
- Operational employment would be up to 575 personnel, compared to 380 currently approved under DA 92/97;
- The average number of laden trains leaving the site per day will increase from three to four;
- MOD8 would allow extraction of approximately 68 million tonnes (Mt) of additional ROM coal beyond cessation in December 2026 under DA 92/97; however, total extraction would remain below the 197 Mt approved in 1999 (Section 1.4); and
- DA 92/97 was granted in December 1999 prior to the introduction of NSW offsetting policies (Section 1.2.10). MACH considers existing offset areas adequately address impacts within the approved disturbance footprint, consistent with previous advice provided by the State Government (Section 6.8).

Operational Timeframe Extension

1. Closure of MPO in 2026 (without MOD8) will result in unplanned mine closure, given limited closure planning has occurred to date. Council supports the proposed six-year extension under MOD8 to allow for either of the following to occur:
 - Orderly closure planning, workforce transition and post-mining land use outcomes under DA 92/97; or
 - Resolution of the legal process associated with SSD 10418 and continuation of mining until 2048.

“Substantially the Same Development” Considerations

2. Notwithstanding the position above, Council considers that the scale and operational intensity of the changes proposed under MOD8 warrant careful consideration in determining whether the proposal remains substantially the same development as originally approved. MOD8 proposes:
 - An increase in extraction rate by approximately 19% (from 10.5 Mtpa to 12.5 Mtpa) and increased number of haul trucks and other mobile fleet;
 - An increase in operational employment of approximately 51% (from 380 personnel to approximately 575 personnel);
 - A 19% increase in total daily traffic (from 1,128 vehicles/day to 1,338 vehicles/day); and
 - An increase in average daily train movements of approximately 33% (from three to four train movements per day).

Collectively, these changes represent a material increase in the intensity and duration of operations at MPO.

3. Council also recognises that many of the predicted impacts are not greater in scale than those already approved under DA 92/97, however the proposed extension to 2032 would prolong the duration of those impacts.

Mine Closure (including unplanned mine closure)

4. If MOD8 is approved, MPO will cease in 2032 unless mining continues under SSD-10418. In this context, closure planning will need to commence within the MOD8 operational timeframe. DA 92/97 includes outdated conditions relating to the management of social impacts during mine closure. Council considers that the condition included in MP 09_0062 (MOD2) for the Mount Arthur Coal Mine provides a more contemporary and appropriate framework for managing these impacts. Council requests that a similar condition be applied to DA 92/97 (MOD8) upon determination, given the uncertainty around future opportunities to seek its inclusion.

The Applicant must prepare a Closure Social Impact Management Plan for the Mt Arthur mine complex to the satisfaction of the Secretary. This plan must:

- a) be submitted to the Secretary for approval within six months of the approval of Mod 2, unless otherwise agreed with the Secretary;*
 - b) be prepared by suitably qualified and experienced person/s;*
 - c) be developed in consultation with Council and the CCC;*
 - d) include a Stakeholder Engagement Framework including details about communications with relevant stakeholders, including local services providers, and particularly focussed on the Muswellbrook community, and incorporating risk communication techniques;*
 - e) describe the measures that would be implemented to manage and mitigate negative (and cumulative) social impacts from mine closure,*
 - f) describe the community benefits funding arrangements to support the transition to closure of the mine, having regard to local and NSW State Government initiatives to support workforce and community transition following closure including the relevant Future Jobs and Investment Authority;*
 - (g) include a program to monitor, review and report on the effectiveness of these measures including:*
 - (i) identifying performance indicators, incorporating trigger action response plan*
5. During the assessment of Modification 2 for the Mount Arthur Coal Mine, BHP agreed to provide a contribution to offset the foreseeable adverse socio-economic consequences associated with mine closure. If MOD8 is approved and MPO ceases operation in 2032 (i.e. does not continue to operate until 2048 under SSD-10418), Council requests consideration of a comparable arrangement to support workforce transition and local economic adjustment. Council suggests that discussions regarding such an arrangement commence by 2030 to allow time for planning and implementation prior to closure.
 6. If MOD8 is not approved, Council requests consideration of a more substantial arrangement to address the limited closure planning undertaken to date; to support workforce transition, mitigate impacts to local businesses, and facilitate coordinated post-mining land use planning.

Planning Agreement

7. Council notes that MOD8 proposes a six-year extension to the operational timeframe and requests that the existing Planning Agreement be reviewed and updated to a contemporary format, including provision for contributions to be directed to the Muswellbrook Shire Community Benefit Fund (MSCBF). This approach is consistent with Council's recently

adopted [MSCBF Policy](#), which provides a transparent framework to guide the allocation of planning agreement contributions associated with major projects in the Shire.

Final Land Use

As stated in Section 3.12 of the Modification Report, ‘MACH recognises that government and community stakeholders may identify final land uses that provide greater net benefits to the locality. MACH would encourage and be supportive of other community and government proposals or initiatives for the use of MACH-owned land or infrastructure that can co-exist with the Mount Pleasant Operation’.

8. Council encourages MACH to have regard to the findings of the inquiry ‘Report No. 53 Beneficial and productive post mining land use’ and the pilot project at Mount Arthur Coal Mine that has commenced and is intended to identify practical impediments and opportunities to support beneficial post-mining land use outcomes.

Final Landform and Final Void/s

9. Section 3.12 of the Modification Report states that ‘the final void would be shaped to reflect a less engineered profile that is more consistent with the surrounding natural environment’. Council does not agree that MACH has designed the final void/s in accordance with this commitment and has concerns regarding the proposed landform shape and overall geometry of the two interconnected final voids in the South Pit and North Pit. The current configuration does not reflect a natural landform outcome and appears highly engineered, particularly in the North Pit where the proposed void geometry forms an unnatural Y-shaped profile with straight, steep edges that do not integrate with the surrounding landscape. Further consideration is required to reshape the final voids to achieve a more natural profile that better integrates with the surrounding landscape.
10. The shape and geometry of the proposed final voids also do not align with contemporary best-practice final void rehabilitation approaches in the region. For example, the Rix’s Creek North Continuation Project (SSD-60774228) proposes the use of alternate mining methods to create landforms shaped as shallow grassy depressions without high walls in the final landform. Council requests MACH consider opportunities to reduce the height of the out-of-pit emplacement areas through additional backfilling of final voids, particularly the North Pit void.
11. DA 92/97 allows for landform elevations up to approximately 320 metres Australian Height Datum (AHD) (Section 1.2.9). While Section 6.14.2 of the Modification Report states that the proposed MOD8 final landform heights would be ‘lower in comparison to SSD 10418’, clarification is required regarding the maximum final landform heights proposed under MOD8 relative to those currently approved under DA 92/97.
12. Clarification is also required regarding whether highwalls would remain as part of the final landform and the maximum slopes proposed for the rehabilitated landform.

Spontaneous Combustion

Council regularly receives community complaints relating to spontaneous combustion odour, which is at times detectable within Muswellbrook township. It is understood that spontaneous combustion has historically been an issue at MPO.

MOD8 does not include an assessment of spontaneous combustion. Instead, the Greenhouse Gas Assessment and Mitigation Plan (Table 3) states that ‘coal oxidation (i.e. spontaneous combustion) will continue to be managed in accordance with the Air Quality and Greenhouse Gas Management Plan’.

13. Given the proposed extension of time proposed under MOD8, Council considers that spontaneous combustion warrants further assessment, including consideration of potential off-site impacts associated with sulphur dioxide (SO₂) and hydrogen sulphide (H₂S).
14. Council also notes that DA 92/97 does not currently include gas concentration criteria for SO₂ or H₂S. Council requests that DPHI consider the inclusion of appropriate gas concentration limits as conditions of consent.

NSW Coal Industry Policy 2026-2050

15. The *NSW Coal Industry Policy 2026–2050*, published in March 2026, states that the local impacts of Scope 3 emissions will be considered through the planning framework. MACH should provide a discussion demonstrating how MOD8 addresses the *NSW Coal Industry Policy 2026–2050*, particularly the local impacts of Scope 3 emissions in the context of rehabilitation outcomes and community impacts associated with the extended operation of the site, for example:
 - Consideration of projected future climate conditions in rehabilitation design and landform stability modelling
 - Implications for long-term community safety and infrastructure performance, including the resilience of bunds, stormwater diversion works, drainage systems and bushfire risk management measures under projected future climate conditions

Waste Tyres – Local Tyre Recycling

Council notes that MOD8 proposes to continue disposing of waste tyres in open cut voids in accordance with existing approvals and the current Waste Management Plan. MACH is also permitted to dispose of waste tyres in accordance with Environment Protection Licence 20850.

Tyre Stewardship Australia (2020) identifies constraints associated with scale and processing capability, and DPHI (2021) notes that tyre management options for mining operations across NSW and Australia remain limited due to the availability of recycling technologies and transportation challenges. Notwithstanding these constraints, the *Waste Avoidance and Resource Recovery Act 2001* establish waste avoidance as the highest priority and resource recovery (reuse, recycling, reprocessing and energy recovery) as the next preferred outcome.

In 2022, Bengalla Mining Company provided Council with a contribution of \$50,000 to support investigations into potential industry opportunities for waste tyres that may deliver more sustainable outcomes consistent with the NSW waste hierarchy and support the local economy. This contribution is assisting Council to explore opportunities for local businesses to establish recycling and resource recovery initiatives within the Shire.

16. Council requests that MACH contribute to the value of \$50,000 to support investigations into potential industry opportunities for waste tyres. This may include a monetary contribution or identifying suitable land that could facilitate interim storage or stockpiling of used mining tyres to support the establishment of local recycling solutions. Council would welcome the opportunity to work collaboratively with MACH to progress these initiatives.

Traffic

Council notes that MOD8 would result in an increase of approximately 210 additional daily vehicle movements on the local road network in 2026, comprising 194 light vehicle movements and 16 heavy vehicle movements. The most notable increase occurs during the morning peak hour, with approximately 74 additional light vehicle movements associated with workforce access to the site (Road Transport Assessment Table 6.1).

Council notes that the Road Transport Assessment concludes that no upgrades are required to mitigate the impacts of the Modification on the local road network, and that existing Traffic Management Plan measures are considered adequate to manage Modification-generated traffic. The assessment also indicates that key access roads and intersections are expected to continue operating at satisfactory levels of service under cumulative traffic conditions.

17. Section 4.1 of the Transport Assessment assumes states that MACH may operate shuttle bus services between Muswellbrook and the Mount Pleasant Operation should the construction workforce. Clarification is required on the pick-up and drop-off locations of these buses in Muswellbrook.

Noise and Blast

Council notes that the Noise and Blasting Impact Assessment concludes that MOD8 is expected to comply with existing noise and blasting criteria under DA 92/97, with mitigation measures continuing to be implemented. While some receivers may experience road traffic noise exceedances during peak construction activities, these are not predicted to represent new exceedances and are generally considered minor.

18. Section 3.4.5 of the Modification Report states that 'a temporary noise bund (e.g. up to 20 m above natural ground level) would be constructed and subsequently integrated into the final landform'. Council requests further clarification on the proposed location of the bund and how it is intended to be integrated into the final landform. If the bund will be visible from public roads or surrounding vantage points, Council's preference is that it be removed following completion of its noise mitigation function to support improved visual outcomes, rather than retained as part of the final landform.

Air Quality

Council notes that the Air Quality Impact Assessment concludes that MOD8 is predicted to have minimal additional air quality impacts beyond those already approved. While cumulative PM₁₀ and TSP exceedances are predicted at two privately owned receptors, these exceedances are expected to occur irrespective of MOD8 and are largely attributed to background conditions and nearby mining operations. The two receptors are also already afforded acquisition rights under DA 92/97. The assessment also indicates that no privately owned receivers are predicted to exceed modification-only criteria for PM_{2.5}, PM₁₀ or dust deposition.

Water

Section 3.9 of the Modification Report states that the 'water management system may experience periods of reduced supply reliability ... and to reduce make-up water demand, MACH may ... source excess mine water from adjoining mines (e.g. Dartbrook and Bengalla), subject to any required approvals'.

19. Council Staff are developing a strategy to enable project proponents to use recycled water for construction activities where potable water is not required. Consultation should be undertaken with Council to determine the availability, capacity, and suitability of recycled water sources.

Visual

Council notes that the Landscape and Visual Impact Assessment identifies moderate visual impacts at Viewpoints 1, 4 and 6, and concludes that overall visual impacts associated with MOD8 would remain largely consistent with previously approved impacts, with mitigation measures such as integrated emplacement design, infrastructure siting and progressive rehabilitation continuing to be implemented.

Biodiversity and Offsetting

20. As shown in Figure 16 of the Modification Report, MACH holds substantial landholdings adjacent to the Hunter River. As MACH considers that existing offset areas adequately address impacts within the approved disturbance footprint (Section 6.8) and noting that none of these offsets are located within the Muswellbrook Shire (Figure 5), Council requests that MACH investigate opportunities to undertake river riparian rehabilitation works along the Hunter River corridor within its landholdings. Such works would support improved riparian condition, bank stability and habitat connectivity, and would provide a locally relevant environmental outcome for the Muswellbrook community. This is particularly important given the generally poor health of sections of the Hunter River and the cumulative pressures associated with agriculture, mining, regulated flows and catchment disturbance.

Council would welcome the opportunity to work collaboratively with MACH to identify suitable locations and potential partnership approaches to support riparian restoration outcomes.

Social

Council notes that the Social Impact Assessment identifies that approval of MOD8 largely continue existing social impacts (both positive and negative) associated with MPO including workforce, traffic and amenity-related effects, while maintaining significant community partnerships and local economic benefits.

Aboriginal Cultural Heritage

Council notes that the Aboriginal Cultural Heritage Assessment (ACHA) prepared for the Mount Pleasant Optimisation Project has been relied upon for MOD8. A total of approximately 1,736 Aboriginal sites are recorded within MPO, predominantly comprising open artefact scatters and isolated artefacts. The ACHA proposes a range of management measures including additional archaeological survey where required, targeted salvage and excavation, reassessment of conservation areas, implementation of a Ground Disturbance Permit process, ongoing involvement of Registered Aboriginal Parties, cultural heritage awareness training for staff, and procedures for managing previously unrecorded sites and skeletal remains prior to disturbance.

Other

21. Section 3.7 of the Modification Report references mining in the Wynn Seam in the context of potential acid-forming (PAF) material. However, clarification is required regarding the deepest seam proposed to be mined in the South Pit under MOD8.

Council appreciates the opportunity to comment and would be pleased to provide additional information, if requested. Should you need to discuss any of the above, please contact Tracy Ward, Environmental Planning Officer on 02 6549 3700 or email council@muswellbrook.nsw.gov.au.

Yours faithfully

A handwritten signature in dark ink, appearing to be 'SP', is positioned above the printed name and title.

Sharon Pope
Director Environment and Planning