

23 November 2017

NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Matthew Sprott, Associate Director, Resource Assessments

Dear Matthew,

RE: MOUNT PLEASANT OPERATION MODIFICATION 3 – AGENCY COMMENTS ON RTS

Further to the email from the Department of Planning and Environment (DPE) on 10 November providing agency responses to the Response to Submissions (RTS) on the Mine Optimisation Modification (Modification 3), please find below MACH Energy Australia (MACH Energy) responses to the agency comments provided by the Department.

The following regulatory agencies provided no residual comments and therefore require no response from MACH Energy:

- Office Environment and Heritage;
- Heritage Council; and
- Department of Industry.

Three regulatory agencies either reiterated some previous concerns, raised a new issue, or provided some further commentary including:

- NSW Health;
- Environment Protection Authority (EPA); and
- Muswellbrook Shire Council (MSC).

MACH Energy provides a summary response to each of the key issues or commentary raised by these agencies below.

NSW Health

Air Quality – Cumulative PM 10 Criteria

NSW Health reiterated its concern regarding cumulative annual PM₁₀ predictions with the contributions with other nearby mines and the fact that some residences were, based on conservative modelling assumptions, predicted to exceed the new EPA cumulative annual average PM₁₀ criteria of 25 micrograms per cubic metre (µg/m³).

In the first instance it should be noted that the Modification is not expected to increase impacts on the air quality environment. Rather, contemporary cumulative assessment conducted for the Modification indicates that EPA's new impact assessment criteria $25 \mu\text{g}/\text{m}^3$ would be exceeded by cumulative emissions at a limited number of private receivers. It is noted that these private residences are located in closer proximity to other local mining operations than to the proposed modified elements of the Mount Pleasant Operation.

MACH Energy concurs that air quality emissions management should be an area of ongoing NSW Government regulatory focus. MACH Energy has committed to significant management and monitoring in this regard. MACH Energy expects that the DPE will recommend relevant conditions.

Further, MACH Energy anticipates that other industrial operations will also have their relevant emissions criteria tightened over time to reflect contemporary emissions standards, which will naturally alter cumulative assessment outcomes.

Further, in the event that the new EPA new impact assessment criteria for annual average PM_{10} ($25 \mu\text{g}/\text{m}^3$) were exceeded at any monitoring locations maintained by MACH Energy on private property that is outside of the Mount Pleasant Operation's acquisition upon request zone, MACH Energy would review its on-site air management control measures and consult further with the EPA.

Air Quality – Future Standards

NSW Health raised concerns regarding potential compliance with future air quality standards.

MACH Energy reiterates that development in the State of NSW is assessed against the NSW Government assessment standards that apply at the time. Compliance with future cumulative emission standards will always be a function of the controls applied by all elements of industry and the nature of development at the time, including agricultural and suburban emissions.

MACH Energy anticipates that Development Consents and Environment Protection Licenses for local mines will be periodically contemporised to reflect the relevant NSW Government air quality standards of the day.

Potable Water Supply

NSW Health reiterated the requirements for the management of potable water under the *Public Health Act, 2010* and subsidiary regulation.

MACH Energy will provide a copy of the quality assurance programme of its current water supplier (i.e. is trucked to site) to NSW Health. In the event that an on-site potable water supply using treated Hunter River water is developed at a later stage, MACH Energy would develop and submit a quality assurance programme consistent with NSW regulatory requirements.

Environment Protection Authority

Water Management

The EPA has reiterated that it will not authorise any site water releases that do not comply with section 120 of the *Protection of the Environment Operations Act, 1997* unless approved via a variation of the relevant Environment Protection Licence.

MACH Energy is aware of the requirements of section 120 of the *Protection of the Environment Operations Act, 1997*. MACH Energy will seek a variation to Environment Protection Licence 20850 to permit releases of mine water in accordance with the Hunter River Salinity Trading Scheme.

Air Quality

EPA advised DPE that it should consider the significance of the predicted air quality impacts when determining the proposed Modification.

MACH Energy concurs that air quality emissions management should be an area of ongoing NSW Government regulatory focus. MACH Energy has committed to significant management and monitoring in this regard. MACH Energy expects that the DPE will recommend relevant conditions.

Further, MACH Energy anticipates that other industrial operations will also have their relevant emissions criteria tightened over time to reflect contemporary emissions standards, which will naturally alter cumulative assessment outcomes.

Operational Noise

EPA advised DPE that it supports either the use of a 60m high inversion monitoring tower and a temperature lapse rate in the Development Consent specifying applicable meteorological criteria, or conversely the on-site measurement of stability categories and the applicable stability categories being specified in the Development Consent.

As stated in the RTS, MACH Energy intends to measure stability category with the on-site meteorological station and therefore requests that an update to the draft Consent Conditions is drafted accordingly.

Muswellbrook Shire Council

MSC has provided a lengthy response to the RTS, however this primarily comprises suggested draft conditions and the explanation of the Council's position with respect to the proposed conditions.

MACH is generally agreeable to the intent of Council's response to the RTS, however, is opposed to the following suggestions:

- The Development Consent including specified noise limits for each individual item of major mobile equipment (refer to the RTS); and
- The Mount Pleasant Operation being required to fund an update to the Thomas Mitchell Drive Contributions Study.

MACH Energy notes that the Road Transport Assessment for the Modification identified that the Mount Pleasant Operation contribution to the total traffic on Thomas Mitchell Drive would be minor, and that in practice the 2016 surveyed traffic movements on the road network were significantly reduced in comparison to previous assessment predictions.

MACH Energy would be prepared to proportionally contribute (with the contribution of other key industrial users of the road) towards an update to the Thomas Mitchell Drive Contribution Study.

MACH Energy requests an opportunity to review any revised draft Consent Conditions that are prepared by DPE based on the MSC's advice, and provide further feedback as appropriate.

Please do not hesitate to contact the undersigned if the Department requires further information.

Yours faithfully



Chris Lauritzen
General Manager, Resource Development
Mount Pleasant Operation