



Australian Government

Department of Climate Change, Energy,  
the Environment and Water

## Notification of approval

### Mount Pleasant Optimisation Project, near Muswellbrook, NSW (EPBC 2020/8735)


This decision is made under section 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.

# OFFICIAL

## Approved Action

<b>person to whom the approval is granted (approval holder)</b>	MACH Energy Australia Pty Ltd
<b>ACN of approval holder</b>	608 495 441
<b>Action</b>	To realign the approved Northern Link Road, increase the open cut coal extraction up to 21 Mtpa within the approved Mount Pleasant Project (EPBC 2011/5795) development area, including accessing deeper coal reserves in the North Pit, continued use of the controlled release dam and associated infrastructure as described in the Continuation of Bengalla Mine, NSW, Water Management Plan, (EPBC Act referral 2012/6378), and to extend the life of the mine to 22 December 2048 [See EPBC Act referral 2020/8735].

## Approval decision

<b>decision</b>	My decisions on whether or not to approve the taking of the Action for the purposes of each controlling provision for the Action are as follows.						
	<table border="1"><thead><tr><th><b>Controlling Provision</b></th><th><b>Decision</b></th></tr></thead><tbody><tr><td>Listed threatened species and communities (section 18 and section 18A)</td><td>Approved</td></tr><tr><td>Unconventional gas or large coal mining development with impact on water resources (section 24D and section 24E)</td><td>Approved</td></tr></tbody></table>	<b>Controlling Provision</b>	<b>Decision</b>	Listed threatened species and communities (section 18 and section 18A)	Approved	Unconventional gas or large coal mining development with impact on water resources (section 24D and section 24E)	Approved
<b>Controlling Provision</b>	<b>Decision</b>						
Listed threatened species and communities (section 18 and section 18A)	Approved						
Unconventional gas or large coal mining development with impact on water resources (section 24D and section 24E)	Approved						
<b>period for which the approval has effect</b>	This approval has effect until 22 December 2058.						
<b>conditions of approval</b>	The approval is subject to conditions under the EPBC Act as set out in Annexure A.						
<b>Person authorised to make decision</b>							
<b>name and position</b>	Kate Gowland Branch Head Environment Assessments (NSW, ACT)						
<b>signature</b>							
<b>date of decision</b>	24 September 2024						

## Annexure A

Note: Words appearing in **bold** have the meaning assigned to them at PART C – DEFINITIONS.

---

### Part A – Conditions specific to the Action

---

#### Listed threatened species and ecological communities

The objective of conditions 1 to 5 is to minimise impacts and compensate for residual impacts of the action on **EPBC Act** listed threatened species and ecological communities.

1. The **approval holder** must not exceed the **clearing** limits specified below.
  - a) 26.4 hectares of **White Box-Yellow Box-Blakely's Red Gum Grassy Woodland TEC** (as depicted in Annexure 2);
  - b) 27.4 hectares of **Striped legless lizard (*Delma impar/Delma vescolineata*) habitat** (as depicted in Annexure 3).
2. The **approval holder** must not **clear** outside the **Mount Pleasant Optimisation Project Area** (as depicted in Annexure 1) as part of this Action.
3. Prior to commencement of **construction** of the Northern Link Road, or other timeframe agreed to by the **Minister**, the **approval holder** must **retire** 307 **Biodiversity credits** for Northern Link Road Option 1 or 229 **Biodiversity credits** for Northern Link Road Option 2 (or additional credits as agreed by the **NSW Planning Secretary**) for the listed **White Box-Yellow Box-Blakely's Red Gum Grassy Woodland TEC**.
4. Prior to 16 July 2026, or other timeframe agreed to by the **Minister**, the **approval holder** must **retire** 293 **Biodiversity credits** for Northern Link Road Option 1 or 225 **Biodiversity credits** for Northern Link Road Option 2 for either *Delma impar* or *Delma vescolineata*.
5. The **approval holder** must comply with conditions B63, B64 and B65 of Part B of the **State development consent** to prepare and implement the **Biodiversity Management Plan** and conditions B87, B88, B89, B90, B91 and B92 of Part B of the **State development consent** to prepare and implement a Rehabilitation Strategy and Rehabilitation Management Plan.

#### Water Resources

The objective of conditions 6 to 19 is to minimise the impacts of the Action on **water resources**.

6. The **approval holder** must not extract more than 21 million tonnes of **run-of-mine coal** from the **Mount Pleasant Optimisation Project Area** as part of the Action in any calendar year and must cease extraction by 22 December 2048.
7. The **approval holder** must ensure the Action has no **adverse effect** on the **function** of a **water resource**.
8. The **approval holder** must comply with conditions B39, B40, B41, B42, B43, B44, B45, B46, B47, B48, B49, B50, B51, B52, B53, B54, B87-B92 of Part B of the **State development consent**.
9. The **approval holder** must, within 5 **business days** of its approval by the **NSW Planning Secretary** (including any approval of a revised version), submit to the **department**:
  - a) the **Water Management Plan**

- b) a table stating every **trigger level** and where it is specified in the **Water Management Plan** and
  - c) if a revised version of the **Water Management Plan** is approved by the **NSW Planning Secretary**, a document specifying what changes have been made from the previous version (including by supplying a copy with these changes marked in track mode) and a description of any implications of the changes for **protected matters**.
10. The **approval holder** must notify the **department** within 5 **business days** of submitting a request to have a revised version of the **Water Management Plan** approved by the **NSW Planning Secretary**.
11. If, at any time until the end date of this approval, the **approval holder** predicts or detects the reaching of a **trigger level**, the **approval holder** must notify the **department** of the predicted or actual reaching within 10 **business days** of predicting or detecting the reaching of the **trigger level**, and publish on the **website**, within 3 months of the detection or reaching, the notification and a description of any relevant corrective actions that have been undertaken to prevent the breach of a **performance measure**.
12. Upon receiving notification of a predicted or actual reaching of a **trigger level** under condition 11, the **Minister** may direct the **approval holder** to undertake specific corrective actions to minimise impacts to **water resources**. The **approval holder** must implement any specific corrective actions to minimise impacts to **water resources** as directed by the **Minister**.
13. If the **approval holder** predicts or detects a breach of a **performance measure**, the **approval holder** must notify the **department** of the predicted or actual breach within 5 **business days** of predicting or detecting the breach.
14. If the **approval holder** predicts or detects a reaching of a **performance measure** the **approval holder** must submit to the **department**, within 60 **business days** of predicting or detecting an exceedance of the **performance measure**, for the **Minister's** approval, an Impact Response Plan. The Impact Response Plan must:
- a) be prepared by a **suitably qualified expert**;
  - b) describe all potential and actual impacts to **water resources** arising from the breach;
  - c) describe and, where possible, include local scale numerical modelling of, all potential contributing activities;
  - d) derive a scientifically robust rectification strategy based on multiple lines of evidence and field data to support the assessment of the **environmental value** of any affected **water resources** (including the groundwater-dependence of any potential **GDEs**)
  - e) explain why any further investigations are or are not required to determine the cause of the reaching of the **performance measure** and to propose effective corrective actions;
  - f) specify the mitigation and management measures that the **approval holder** has taken and/or proposes to take to address the reaching of the **performance measure**, including demonstrating the effectiveness of the mitigation and management measures using relevant data;

## OFFICIAL

- g) specify the duration for which the Impact Response Plan must be implemented;
  - h) provide justification for how the proposed mitigation and management measures will prevent or reverse the reaching of the **performance measure** and ensure compliance with condition 7; and
  - i) include a **peer review** and details of how the **approval holder** has addressed any inadequacies raised in the **peer review**.
15. If the **approval holder** reaches a **performance measure**, the **approval holder** must, no later than 9 months after the date on which reaching of the **performance measure**, cease any element of mining as part of the Action that has contributed to reaching of the **performance measure** until or unless the Impact Response Plan in relation to reaching of the **performance measure** has been approved in writing by the **Minister**. The **approval holder** must commence implementing each approved Impact Response Plan within 5 **business days** of it being approved by the **Minister** and continue to implement it for the period specified in the approved Impact Response Plan.
16. The **approval holder** must publish each approved Impact Response Plan on the **website** within 5 **business days** of its approval. The **approval holder** must notify the **department** within 5 **business days** of an Impact Response Plan being published and keep the Impact Response Plan published on the **website** until the end date of this approval.
17. If the **Minister** is not satisfied that the corrective actions or rectification measures specified in an Impact Response Plan will or are likely to achieve the outcome(s) required by condition 7, the **Minister** may direct the **approval holder** to undertake specific corrective action(s) to limit and/or prevent further impacts to **water resources**. The **approval holder** must implement any specific corrective actions to minimise impacts to **water resources** as directed by the **Minister**.
18. If the **Minister** directs the **approval holder** to undertake specific corrective action(s) under condition 17, the **approval holder** must, no later than 6 months after the date on which the **Minister** gave such a direction under condition 17, cease any element of mining as part of the Action that has contributed to reaching of the **performance measure** as part of the Action until or unless the **Minister** notifies the **approval holder** in writing that it may resume these elements of mining.
19. The **approval holder** must include in each **compliance report** a copy of all monitoring reports required by the Surface Water Management and Monitoring Plan (required under condition B52.(f)(iii) of the **State development consent**) and the Groundwater Management Plan (required under condition B52.(f)(iv) of the **State development consent**) included in the **Water Management Plan** to be provided to the NSW Government in the subject period of that **compliance report**.

---

## Part B – Administrative conditions

---

### Submission and publication of plans

20. The **approval holder** must submit all **plans** required by these conditions electronically to the **department**.
21. Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish each **plan** on the **website** within 15 **business days** of the date:
  - a. of this approval, if the version of the **plan** to be implemented is specified in these conditions, or
  - b. the **plan** is approved by the **Minister** in writing, if the **plan** requires the approval of the **Minister**, or
  - c. the **plan** is submitted to the **department** in accordance with a requirement of these conditions, if the **plan** does not require the approval of the **Minister**, or
  - d. the **plan** is approved by a state or territory government official as required under a state or territory government condition which must be complied with in accordance with these **EPBC Act** conditions.
22. The **approval holder** must keep all published **plans** required by these conditions on the **website** until the expiry date of this approval.
23. The **approval holder** is required to exclude or redact **sensitive ecological data** from **plans** published on the **website** or otherwise provided to a member of the public. If **sensitive ecological data** is excluded or redacted from a **plan**, the **approval holder** must notify the **department** in writing what exclusions and redactions have been made in the version published on the **website**.

### Notification of date of commencement of the action

24. The **approval holder** must notify the **department** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.
25. If the **commencement of the action** does not occur within 5 years from the date of this approval, then the **approval holder** must not **commence the action** without the prior written agreement of the **Minister**.

### Compliance records

26. The **approval holder** must maintain accurate and complete **compliance records**.
27. If the **department** makes a request in writing, the **approval holder** must provide electronic copies of **compliance records** to the **department** within the timeframe specified in the request.

**Note:** **Compliance records** may be subject to audit by the **department**, or by an **independent** auditor in accordance with section 458 of the **EPBC Act**, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's** website or through the general media.

28. The **approval holder** must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
29. The **approval holder** must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
30. The **approval holder** must submit all **monitoring data** (including **sensitive ecological data**), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within 20 **business days** of the submission of a **compliance report**.

### Annual compliance reporting

31. The **approval holder** must prepare a **compliance report** for each 12-month period following the date of this approval decision, or as otherwise agreed to in writing by the **Minister**.
32. Each **compliance report** must be consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2014.
33. Each **compliance report** must include:
  - a. Accurate and complete details of compliance and any non-compliance with the conditions and the **plans**, and any **incidents**.
  - b. One or more **shapefile** showing all **clearing of protected matters**, and/or their habitat, undertaken within the 12-month period at the end of which that **compliance report** is prepared.
  - c. A schedule of all **plans** in existence in relation to these conditions and accurate and complete details of how each **plan** is being implemented.
34. The **approval holder** must:
  - a. Publish each **compliance report** on the **website** within 60 **business days** following the end of the 12-month period for which that **compliance report** is required.
  - b. Notify the **department** electronically, within 5 **business days** of the date of publication that a **compliance report** has been published on the **website**.
  - c. Provide the weblink for the **compliance report** in the notification to the **department**.
  - d. Keep all published **compliance reports** required by these conditions on the **website** until the expiry date of this approval.
  - e. Exclude or redact **sensitive ecological data** from **compliance reports** published on the **website** or otherwise provided to a member of the public.

- f. If **sensitive ecological data** is excluded or redacted from the published version, submit the full **compliance report** to the **department within 5 business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website**.

**Note:** Compliance reports may be published on the **department's** website.

### Reporting non-compliance

35. The **approval holder** must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident** and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a **plan**.
36. The **approval holder** must specify in the notification:
  - a. Any condition or commitment made in a **plan** which has been or may have been breached.
  - b. A short description of the **incident** and/or potential non-compliance and/or actual non-compliance.
  - c. The location (including co-ordinates), date and time of the **incident** and/or potential non-compliance and/or actual non-compliance.

**Note:** If the exact information cannot be provided, the **approval holder** must provide the best information available.

37. The **approval holder** must provide to the **department** in writing, within 12 **business days** of becoming aware of any **incident** and/or potential non-compliance and/or actual non-compliance, the details of that **incident** and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a **plan**. The **approval holder** must specify:
  - a) Any corrective action or investigation which the **approval holder** has already taken.
  - b) The potential impacts of the **incident** and/or non-compliance.
  - c) The method and timing of any corrective action that will be undertaken by the **approval holder**.

### Independent audit

38. The **approval holder** must ensure that an **independent audit** of compliance with the conditions is conducted for every five-year period following the **commencement of the Action** until this approval expires, unless otherwise specified in writing by the **Minister**.
39. For each **independent audit**, the **approval holder** must:
  - a. Provide the name and qualifications of the nominated **independent** auditor, the draft audit criteria, and proposed timeframe for submitting the **audit report** to the **department** prior to commencing the **independent audit**.
  - b. Only commence the **independent audit** once the nominated **independent** auditor, audit criteria and timeframe for submitting the **audit report** have been approved in writing by the **department**.
  - c. Submit the **audit report** to the **department** for approval within the timeframe specified and approved in writing by the **department**.



## OFFICIAL

- d. Publish each **audit report** on the **website** within 15 **business days** of the date of the **department's** approval of the **audit report**.
  - e. Keep every **audit report** published on the **website** until this approval expires.
40. Each **audit report** must report for the five-year period preceding that **audit report**.
41. Each **audit report** must be completed to the satisfaction of the **Minister** and be consistent with the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

### Completion of the action

42. The **approval holder** must comply with condition A5<sup>1</sup> in Schedule 2 of the **State development consent**.
43. The **approval holder** must notify the **department** electronically 60 **business days** prior to the expiry date of this approval, that the approval is due to expire.
44. Within 20 **business days** after the **completion of the Action**, and, in any event, before this approval expires, the **approval holder** must notify the **department** electronically of the date of **completion of the Action** and provide **completion data**. The **approval holder** must submit any spatial data that comprises **completion data** as a **shapefile**.

### Changes to State development consent

45. The **approval holder** must notify the **department** in writing of any proposed change to the **State development consent** that may relate to **protected matters** within 5 **business days** of formally proposing a change or within 5 **business days** of submitting an application to propose a change.
46. The **approval holder** must notify the **department** in writing of any change to the **State development consent** conditions that may relate to **protected matters**, within 10 **business days** of a change to conditions being approved.

---

<sup>1</sup> Condition A5 in the **State development consent** states that mining operations may be carried out on the site, within the approved disturbance area, until 22 December 2048.

---

## Part C - Definitions

---

**Adverse effect** means the occurrence of any impacts on Matters of National Environmental Significance greater than an impact predicted in the **assessment documentation**. Any exceedance of a **performance measure** constitutes an adverse effect.

**Approval holder** means the person to whom the approval is granted as identified on the approval notice for EPBC 2020/8735, or to whom the approval is transferred under S145B of the **EPBC Act**, or a person who may take the **action** in accordance with section 133(2A) of the **EPBC Act**.

**Aquatic GDEs** means groundwater dependent ecosystems dependent on the surface expression of groundwater, including:

- River baseflow systems, aquatic and riparian ecosystems that exist in or adjacent to streams (including the hyporheic zone (subsurface interface between surface and groundwater bodies)) which are fed by groundwater; and
- In **Wetlands** (aquatic communities and fringing vegetation dependent on groundwater-fed lakes and **wetlands**), including palustrine (non-tidal **wetlands** dominated by vegetation) and lacustrine (lake) **wetlands** that receive groundwater discharge, and can include spring and swamp ecosystems.

**Assessment documentation** means the project referral and the **Environmental Impact Statement**.

**Associated user** means any water supply bores, **aquatic GDEs**, **terrestrial GDEs** or **subterranean GDE** potentially partially or wholly affected by the specific **water resource**.

**Audit report** means a written report of compliance and fulfilment of the conditions attached to this approval, objectively evaluated against the audit criteria approved by the **department**.

**Biodiversity Credits** means Biodiversity Credits under the **NSW Biodiversity Offsets Scheme**.

**Biodiversity Management Plan** means the Biodiversity Management Plan required under the **State development consent** condition B63.

**Business day** means a day that is not a Saturday, a Sunday or a public holiday in New South Wales.

**Clear/clearing** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance).

**Commence the Action or Commencement of the Action** means the date on which the first instance of either of the following activities begins, earth moving or **clearing** of vegetation (that causes **harm** to any **protected matter**) associated with realigning the Northern Link Road (Annexure 2), or the rate of coal extraction exceeds 10.5 million tonnes run-of-mine coal in a calendar year, whichever occurs first. **Commencement of the Action** does not include minor physical disturbance necessary to:

- a) Undertake pre-clearance surveys or monitoring programs.
- b) Install signage and/or temporary fencing to prevent unapproved use of the **Mount Pleasant Optimisation Project Area**, so long as the signage and/or temporary fencing is located where it does not **harm** any **protected matter**.
- c) Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.
- d) Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not **harm** any **protected matter**.
- e) Undertake investigative or geotechnical drilling and/or excavation where it does not **harm** any **protected matter**.

**Completion data** means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

**Completion of the Action** means the date on which all activities associated with this approval have permanently ceased and/or been completed.

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval (including compliance with commitments made in **plans**) in the **approval holder's** possession, or that are within the **approval holder's** power to obtain lawfully.

**Compliance report** means a written report of compliance with, and fulfilment of, the conditions attached to the approval.

**Construction** means the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; any work which involves breaking of the ground (including pile driving) or bulk earthworks; the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage and investigative and geotechnical drilling and/or excavation.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**Environmental Impact Statement** means the *Mount Pleasant Optimisation Project Environmental Impact Statement*, prepared by MACH Energy Australia Pty Ltd, dated January 2021, submitted with the application for consent for the development, including the Applicant's response to submissions and additional information provided by the Applicant in support of the application.

**Environmental value** means a quality or physical characteristic of the **associated user** that is conducive to ecological health, public amenity, or safety.

**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

## OFFICIAL

**Function** means the ecosystem components, processes and benefits or services that characterise the **associated user** including support for biological diversity or species composition.

**Groundwater Dependent Ecosystem (GDE)** means any ecosystem whose species and ecological processes rely, either entirely or intermittently, on groundwater.

**Harm** means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

**Incident** means any event which has the potential to, or does, **harm** any **protected matter**.

**Independent** means a person or firm who does not have any individual, financial\*, employment\* or family affiliation or any conflicting interests with the project, the **approval holder** or the **approval holder's** staff, representatives, or associated persons.

\*Other than for the purpose of undertaking the role for which an independent person is required

**Independent audit** means an audit conducted by an **independent** and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2019).

**Minister** means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

**Monitoring data** means the data required to be recorded under the conditions of this approval.

**Mount Pleasant Optimisation Project Area** means the area represented in Annexure 1 by the zone enclosed by the broken blue line.

**NSW Biodiversity Offsets Scheme** means the NSW Biodiversity Offsets Scheme established under section 6.2 of the NSW *Biodiversity Conservation Act 2016*.

**NSW Planning Secretary** means the person designated under the **State development consent** to approve the Water Management Plan in accordance with condition B53 of the **State development consent**.

**Peer review** means an evaluation of the technical and scientific quality and correctness of a proposed Impact Response Plan, undertaken by an **independent suitably qualified person**.

**Performance measure** means a water management performance measure specified in Table 6 of the **State development consent**.

**Plan** means any action management plan or strategy that the **approval holder** is required by these conditions to implement.

**Protected matter** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

**Retire/d** means retiring **biodiversity credits** as provided for under the **NSW Biodiversity Offsets Scheme**.

**Run-of-mine coal** means the coal mined from the **Mount Pleasant Optimisation Project Area** as approved in the **State development consent**.

**Sensitive ecological data** means 'biodiversity data' as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024, which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that biodiversity data.

**Shapefile** means location and attribute information about the Action provided in an Esri shapefile format containing:

- a) '.shp', '.shx', '.dbf' files,
- b) a '.prj' file which specifies the projection or geographic coordinate system used, and
- c) an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**State development consent** means the State of New South Wales development consent for application number SSD-10418 approved on 6 September 2022 under the NSW Environmental Planning and Assessment Act, 1979.

**Striped legless lizard (*Delma impar/Delma vescolineata*) habitat** means any habitat suitable for the **EPBC Act** listed threatened species *Delma impar/ Delma vescolineata*. In the **Mount Pleasant Optimisation Project Area**, the extent of Striped legless lizard habitat is defined in Annexure 3 by the pink shaded area. The department notes that *Delma vescolineata* was listed as a threatened species under the **EPBC Act** on 16 July 2024. The department will accept offsets being **retired** through credits for either *Delma impar* or *Delma vescolineata*.

**Suitably qualified expert** (for the purpose of preparing or **peer reviewing** an Impact Response Plan) means a person who has relevant professional qualifications and at least 7 years of work experience in assessing hydrogeological impacts and can give an authoritative assessment and advice on hydrogeological impacts resulting from the Action using relevant protocols, standards, methods and/or literature.

**Suitably qualified person** means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

**Terrestrial GDE** means surface ecosystems dependent on the sub-surface presence of water (i.e. terrestrial vegetation accessing the water table below ground), including ecosystems that are intermittently and permanently dependent on groundwater.

**Trigger level(s)** means the trigger levels for identifying and investigating any potentially adverse water impacts (or trends) as specified in the Surface Water Management and Monitoring Plan (required under condition B52.(f)(iii) of the **State development consent**) or as specified in the Groundwater Management Plan (required under condition B52.(f)(iv) of the **State development consent**) included in the **Water Management Plan**. It is noted that trigger levels are designed to initiate an early response and/or adaptive management and do not necessarily mean that **harm** and/or an exceedance of a **performance measure** has occurred.

**Water Management Plan** means the version of the plan required under condition B52 of the **State development consent** that has been approved by the **NSW Planning Secretary** in accordance with condition B53 of the **State development consent**.

**Water Resource/s** means surface water or groundwater; or a watercourse, lake, **wetland**, or aquifer (whether or not it currently has water in it); and includes all aspects of the water resource (including water, organisms and other components and ecosystems that contribute to the physical state and **environmental value** of the water resource), as defined in the *Water Act 2007* (Cth).

**Website** means a set of related web pages located under a single domain name attributed to the **approval holder** and available to the public.

**Wetland/s** means land intermittently or permanently inundated with water that is usually slow moving or stationary, shallow, can be fresh, brackish or saline, and where the inundation affects the plant and animal communities present and the type and productivity of soil.

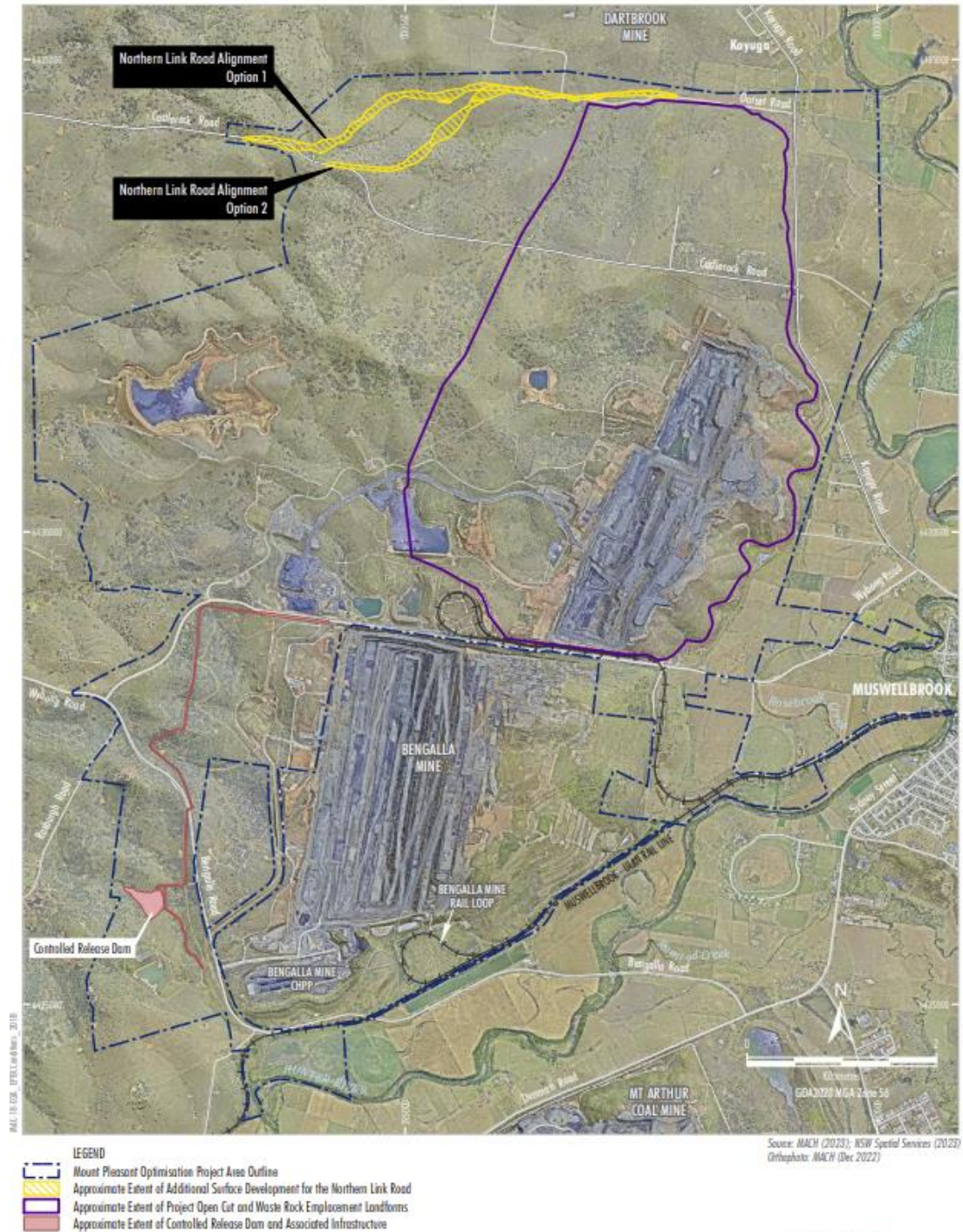
**White Box-Yellow Box-Blakely's Red Gum Grassy Woodland TEC** means the **EPBC Act** listed threatened ecological community White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland. In the (Northern Link Road) **Mount Pleasant Optimisation Project Area**, the extent of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland TEC is represented in Annexure 2 by the zones in dark and light green.



Attachments

Annexure 1

Mount Pleasant Optimisation Project Area

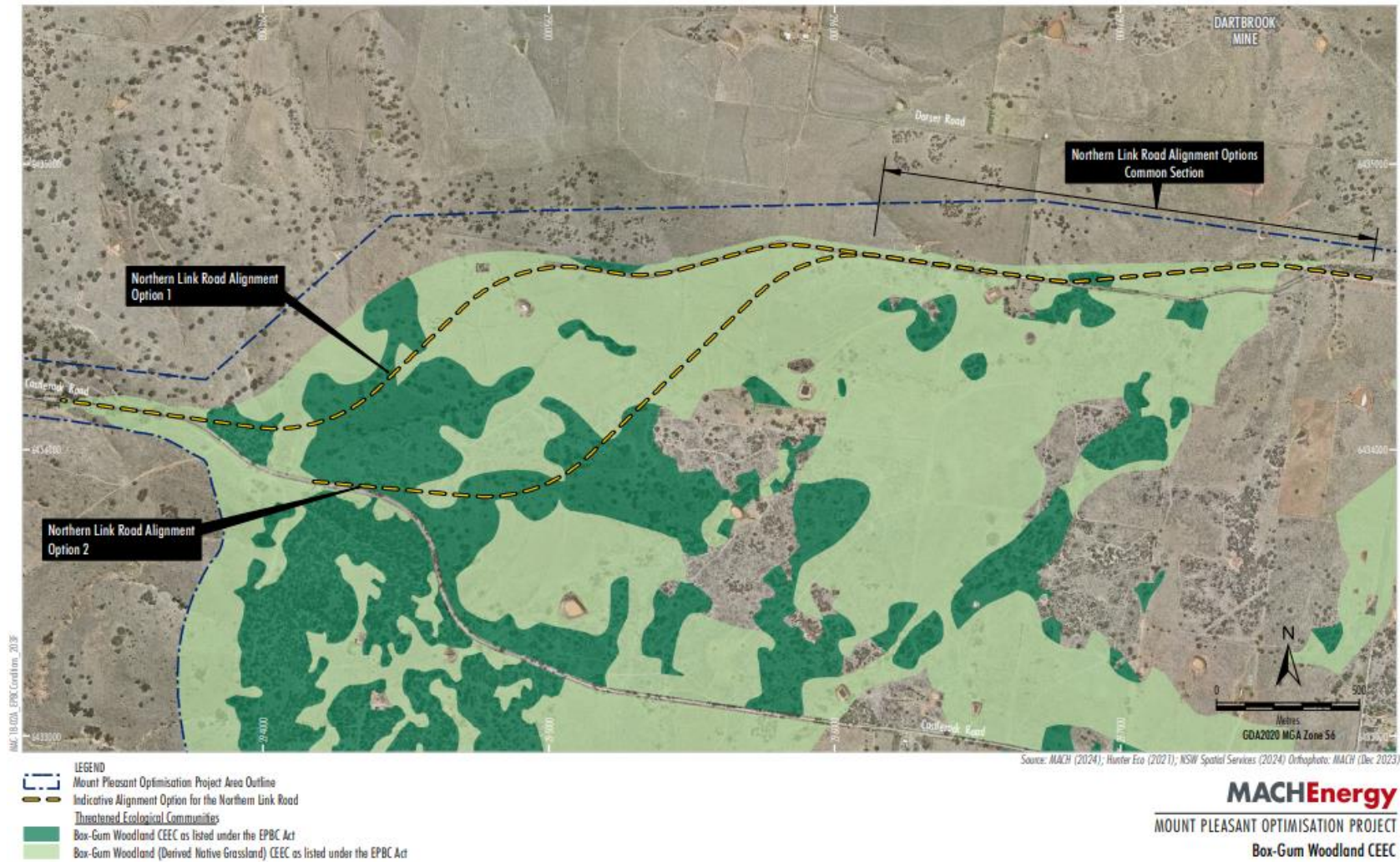


**MACH**Energy  
MOUNT PLEASANT OPTIMISATION PROJECT  
Mount Pleasant Optimisation Project Area



Annexure 2

White Box-Yellow Box-Blakely's Red Gum Grassy Woodland TEC





Annexure 3

Striped legless lizard (*Delma impar/Delma vescolineata*) habitat

