

Ms Chloe Annandale
Environmental Advisor
Suite 1
426 King Street
Newcastle West, NSW, 2302

15/03/2021

Dear Ms Annandale

**Mount Pleasant Open Cut Coal Mine (DA 92/97)
Out of Hours Work Protocol**

I refer to the Out of Hours Work Protocol (OHWP) that was submitted by MACH Energy Australia Pty Ltd (MACH Energy) on 1 March 2021, in accordance with condition 44G of Schedule 3 of the consent for the Mount Pleasant Open Cut Coal Mine (DA 92/97).

The Department is satisfied that the OHWP for the MOD 4 construction works outside of the Mining Lease Boundary and outside the Standard Construction Hours meets the criteria outlined in Condition 44G of Schedule 3 of the development consent.

Accordingly, the Secretary has approved the OHWP in accordance with Condition 44G of Schedule 3, subject to the conditions outlined below:

Unless otherwise agreed by the Secretary, MACH Energy must:

- *provide a copy of the OHWP to residents who may be affected by the noise generated by the MOD 4 out of hours construction works; and*
- *undertake follow up consultation with residents who may be affected by the noise generated by the MOD 4 out of hours construction works. Evidence and details of any consultation outcomes, as required by Condition 15 of Schedule 2 of DA 92/97, must be included in the Annual Review.*

For the sake of clarity, I wish to confirm that the MOD 4 out of hours construction works included in the OHWP may commence from the date of this letter, subject to compliance with the development consent, the OHWP and the above conditions.

The Department notes that further approval of the Secretary will be required if MACH Energy wishes to make any further changes to the OHWP or undertake any MOD 4 construction works not included in the OHWP that are outside of the Mining Lease Boundary and outside the Standard Construction Hours.

It is requested that MACH Energy place the approved OHWP on the project website at your earliest convenience.

If you wish to discuss the matter further, please contact Tegan Cole via email at Tegan.Cole@planning.nsw.gov.au.

Yours sincerely



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



MOUNT PLEASANT OPERATION

Out of Hours Work Protocol

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1 PURPOSE AND SCOPE

MACH Energy Australia Ltd (MACH Energy) proposes to undertake MOD 4 construction works (outside the Mount Pleasant Operation [MPO] mining lease boundary) outside the construction hours specified in Condition 44F, Schedule 3 of Development Consent DA 92/97 (as modified). This Out of Hours Work Protocol (OHWP) has been prepared by MACH Energy to satisfy the requirements of Condition 44G, Schedule 3 of Development Consent DA 92/97 (Table 1).

Table 1
Specific Development Consent Conditions

MPO Development Consent DA 92/97 Schedule 3	Section Where Addressed in this OHWP
<p>44G. If the Applicant proposes to undertake MOD 4 construction works (outside of the Mining Lease boundary) outside the hours specified in condition 44F above, then the Applicant must prepare an Out of Hours Work Protocol for these works, to the satisfaction of the Secretary. This protocol must:</p> <ul style="list-style-type: none"> a) be prepared in consultation with the EPA and any residents who may be affected by the noise generated by these works; b) address the relevant requirements of the Interim Construction Noise Guideline (DECC, 2009); and c) be approved by the Secretary before any out of hours construction works are carried out. <p>The Applicant must implement the Out of Hours Work Protocol as approved by the Secretary.</p> <p><i>Note: For areas where construction noise is predicted to be at or below operational noise criteria at sensitive receptors, this is likely to provide sufficient justification for the need to operate outside of recommended standard hours as specified in the Interim Construction Noise Guideline (DECC, 2009).</i></p>	<p>This document</p> <p>In progress in conjunction with this document's submission</p> <p>Sections 2 and 3</p> <p>This document is to be approved by the Department of Planning, Industry and Environment (DPIE)</p> <p>Noted</p>

This OHWP describes the management of noise associated with MOD 4 out of hours construction activities, in accordance with Development Consent DA 92/97.

The OHWP has been developed in consultation with the NSW Environment Protection Authority and any residents who may be affected by the noise generated by MOD 4 out of hours construction works. The details of feedback received during consultation are presented in Appendix B.

Further consultation with residents who may be affected by the noise generated by MOD 4 out of hours construction works will be undertaken following the approval of the OHWP. The notification procedures proposed for the MOD 4 out of hours construction works are described in Section 3.

2 NOISE GENERATING ACTIVITIES

Operations at the MPO are approved for 24 hours per day, 7 days per week. The *Interim Construction Noise Guideline* (ICNG) (NSW Department of Environment and Climate Change [DECC], 2009) refers to standard construction hours as being 7.00 am to 6.00 pm Monday to Friday, 8.00 am to 1.00 pm Saturdays and no work on Sundays or public holidays.

The key noise generating activities/equipment from the associated with MOD 4 include:

- Duplication of the approved rail spur, rail loop, overland conveyor and train load-out (TLO) facility and associated services:
 - Approximately 5 kilometres of private rail spur.
 - Construction of a rail loop to the east of the Coal Handling and Preparation Plant (CHPP).
 - A new TLO facility and associated services and water management infrastructure, linking the product coal stockpiles located at the CHPP to the TLO facility.
 - Some relocation of internal property access and farm tracks, electrical infrastructure and services to accommodate the new rail spur.
 - Access tracks; hardstands and minor supplementary works that may be required to facilitate the proposed construction activities.
- Duplication of the Hunter River water supply pump station, consisting of a new water pipeline (buried where located in the floodplain of the Hunter River), associated electricity supply and pump station facilities located on the Hunter River and the MPO site:
 - The Hunter River pump station would comprise three pumps. These pumps will be configured so that only two operate at the same time. The pumps at the Hunter River will be placed in a below ground concrete wet well to minimise noise and vibration. A booster pump station will be located adjacent to the toe of the emplacement area just north of Wybong Road. These two booster pumps will be set up as a duty/standby arrangement above ground on a concrete pad. The locations of the Hunter River and the booster pump stations are subject to final design.

MACH Energy will conduct MOD 4 construction activities during ICNG standard construction hours with no restrictions on the type of activities conducted or the location of works (as long as the relevant Development Consent DA 92/97 noise criteria are not exceeded).

However, in order to reduce the duration of MOD 4 construction activities to ensure the existing rail infrastructure can be removed by the time limit stipulated by Condition 37, Schedule 3 of Development Consent DA 92/97, construction activities would also occur outside of the ICNG standard construction hours (i.e. during the morning and afternoon on Saturday, on Sunday [isolated events or specific activities only] and during the evening and night [isolated events or specific activities only]) (out of hours construction activities).

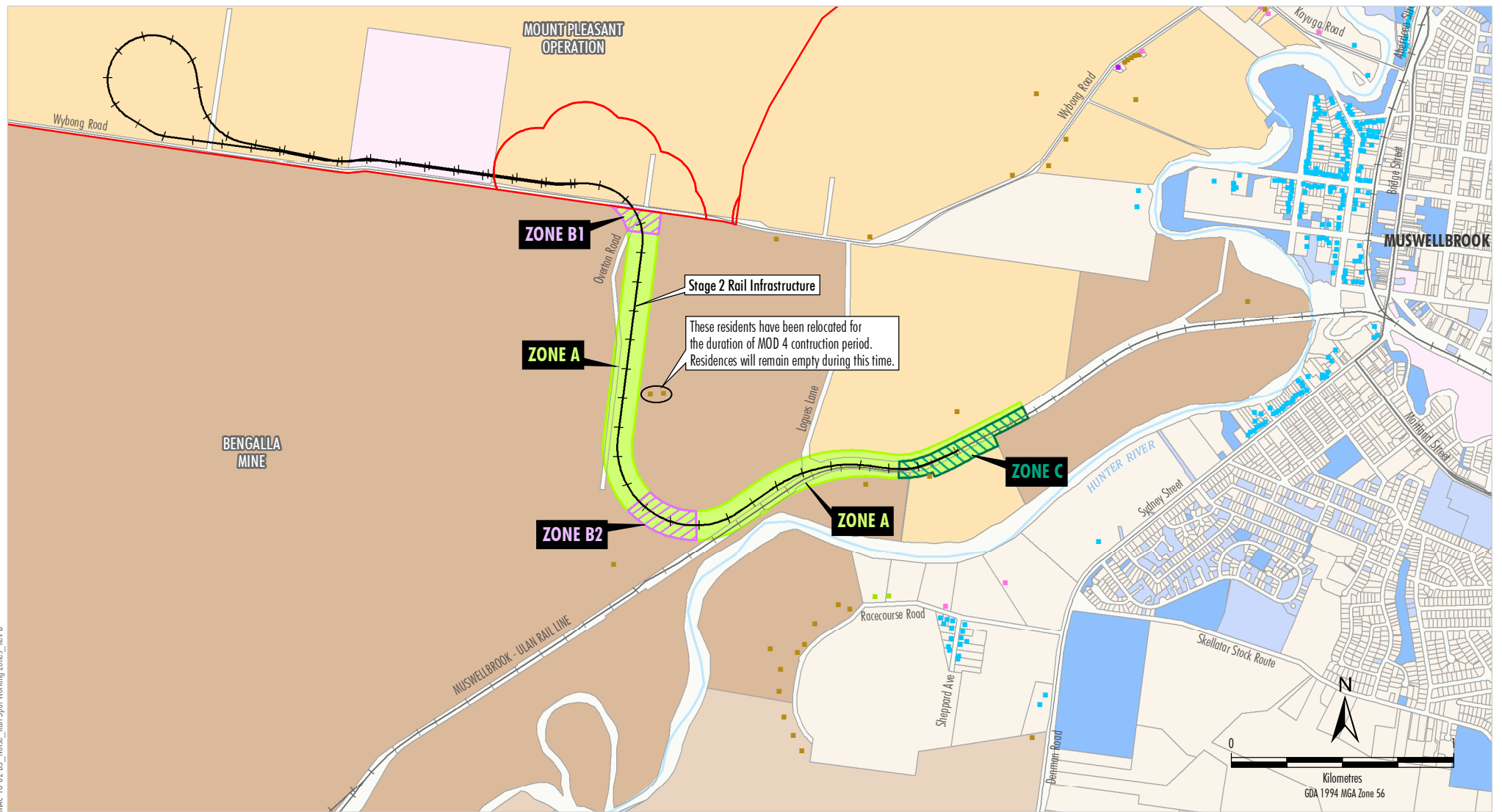
Out of hours construction activities will be constrained according to the nature of the activities and the proximity to privately-owned residences as described in Table 2 and within the specified zones shown on Figure 1. All out of hours construction works will be undertaken in accordance with the relevant conditions of Development Consent DA 92/97 and the ICNG. MACH Energy will seek further approval from DPIE for any out of hours construction activities that require work outside of the OHWP hours specified in Table 2, as well as for any out of hours construction activities that result in noise levels greater than those modelled and assessed as part of the MOD 4 EA.

Table 2
Out of Hours Construction Activities Constraints

OHWP Zone	Audibility at Nearest Privately-owned Residence	Indicative Construction Activities	Standard Construction Hours	Proposed OHWP Hours		Indicative Utilisation Period of OHWP	Example Noise Sources
				Typical Working Hours	Isolated Event or Specific Activity Hours		
A	Typically not audible	<ul style="list-style-type: none"> Water management Operating pumping systems Laying of temporary pipelines Use of hand tools Operating road registered water carts for pumping Environmental monitoring 	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-13:00 <u>Sun & PH</u> No Work	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-18:00 <u>Sun & PH</u> No Work	Environmental Management Events <u>Mon-Fri</u> 18:00-07:00 <u>Sat</u> 13:00-08:00 <u>Sun & PH</u> 24 hrs	Required for water management – during rain events Upon approval until rehabilitation established and sediment control basins have been removed (estimated December 2023)	<ul style="list-style-type: none"> Light vehicles Trailer mounted pumps Hand tools Pumps Road registered water carts
	Potentially audible – unlikely to be considered intrusive	<ul style="list-style-type: none"> Rail track laying activities (e.g. tamping, ballast regulating, welding and sleeper laying) Development of site infrastructure (e.g. buildings, roads, rail bridge) General building construction 	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-13:00 <u>Sun & PH</u> No Work	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-18:00 <u>Sun & PH</u> No Work	N/A	Upon approval until November 2021 (inclusive)	<ul style="list-style-type: none"> Tamping machine Welding machine Sleeper laying machine Ballast wagons Earthworks plant (exc. tracked dozer) Wheeled front end loader Crane Crusher Delivery truck Dump and tripper trucks
	Potentially audible – may potentially be considered intrusive (for work area more than 900 metres away from privately-owned receivers)	<ul style="list-style-type: none"> Use of tracked mobile equipment (e.g. vegetation clearance and earthworks) Drilling and piling 	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-13:00 <u>Sun & PH</u> No Work	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-18:00 <u>Sun & PH</u> No Work	N/A	Upon approval until November 2021 (inclusive)	<ul style="list-style-type: none"> Tracked dozer Drill rig Piling rig
	Potentially audible – may potentially be considered intrusive (for work areas less than 900 metres away from privately-owned receivers)	<ul style="list-style-type: none"> Use of tracked mobile equipment (e.g. vegetation clearance and earthworks) 	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-13:00 <u>Sun & PH</u> No Work	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-18:00 <u>Sun & PH</u> No Work	N/A	Upon approval until November 2021 (inclusive)	<ul style="list-style-type: none"> Tracked dozer
B	Typically not audible	<ul style="list-style-type: none"> Activities requiring the use of hand-held tools (e.g. welding, electrical work) Maintenance activities Receiving/unloading deliveries Concrete works 	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-13:00 <u>Sun & PH</u> No Work	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-18:00 <u>Sun & PH</u> No Work	Large concrete pours, bridge girder deliveries and installation <u>Mon-Fri</u> 04:00-07:00 & 18:00-20:00 <u>Sat</u> 04:00-08:00 & 18:00-20:00 <u>Sun & PH</u> No Work	Upon approval until November 2021 (inclusive)	<ul style="list-style-type: none"> Hand tools Light vehicles Generator Lighting plant Pumps Road trucks Cranes

OHWP Zone	Audibility at Nearest Privately-owned Residence	Indicative Construction Activities	Standard Construction Hours	Proposed OHWP Hours		Indicative Utilisation Period of OHWP	Example Noise Sources
				Typical Working Hours	Isolated Event or Specific Activity Hours		
C	Potentially audible – may potentially be considered intrusive	<ul style="list-style-type: none"> Earthworks Concrete works Track building (e.g. tamping, ballast regulating, welding and sleeper laying) 	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-13:00 <u>Sun & PH</u> No Work	<u>Mon-Fri</u> 07:00-18:00 <u>Sat</u> 08:00-18:00 <u>Sun & PH</u> No Work	Australian Rail Track Corporation (ARTC) Rail Shutdown Period Activities <u>Mon-Fri</u> 18:00-07:00 <u>Sat</u> No Planned Work <u>Sun & PH</u> No Planned Work	During ARTC rail shutdown periods only: <ul style="list-style-type: none"> Once every month or two between February 2021 to November 2021 (inclusive) Three to five days per event Saturday, Sunday and PH would only occur in the event the ARTC shutdown period is extended by ARTC. (Emergency Scenario) 	<ul style="list-style-type: none"> Hand tools Light vehicles Generator Lighting plant Road trucks Earthworks plant Pumps Cranes Tamping machine Welding machine Sleeper laying machine Ballast wagons

Note: PH = Public Holiday



- LEGEND**
- Mining Lease Boundary (Mount Pleasant Operation)
 - Mount Pleasant-controlled
 - Bengalla-controlled
 - Mt Arthur-controlled
 - Crown
 - The State of NSW
 - Muswellbrook Shire Council
 - Privately-owned Land

- Category of Rural Residence under DA92/97**
- Mine-owned
 - Privately-owned - Acquisition on Request
 - Privately-owned - Mitigation on Request
 - Privately-owned - Mitigation/Acquisition on Request*
 - Other Privately-owned

* Mitigation on Request - rail noise/Acquisition on Request - air quality.
MACH is only required to acquire and/or install air quality mitigation measures at this property if not reasonably achievable under a separate approval for the Bengalla Mine.

Source: MACH (2020); NSW Spatial Services (2020)

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MOUNT PLEASANT OPERATION
Out of Hours Work Protocol Zones
MP001-0000-PRJ-PRO-0002

Figure 1

Zone A covers the full extent of the OHWP work area, including Zones B and C. This zone ranges from 500 metres to over 2 kilometres away from the closest privately-owned residences. This protocol proposes standard construction works within this zone during extended daytime hours to include all day Saturday work (08:00-18:00). Construction activities conducted within this zone are expected to range from being not audible to potentially audible and may be considered to be intrusive depending on the nature of the activities and equipment used.

Additional works would be required throughout Zone A at any out of hours periods for the purpose of sediment control basin management during rain events. The management of the sediment control basins is required to ensure Mount Pleasant Operation's compliance with the approved Water Management Plan and Environment Protection Licence (EPL) 20850. These works would be undertaken during or immediately after rain events that pose a risk of causing breaches to the site's nil discharge requirement.

Zone B is specifically in reference to the construction areas of the project bridges, Wybong Road Bridge (B1) and the Flood Plain Viaduct Bridge (B2). Both these zones fall within Zone A. Zone B1 is located more than 1 kilometre away from the closest privately owned residences. Any construction activities conducted within this zone would typically not be audible at privately owned residences. Zone B2 is located over 900 metres away from privately-owned residences. The proposed construction activities to be conducted within this zone, during the times as noted in Table 2, would typically not be audible at privately owned residences. Construction noise levels at the closest privately owned residences are considered likely to comply with the Mount Pleasant Operation operational noise criteria (i.e. the noise criteria specified within Table 3 of Development Consent DA 92/97). As such, specific activity works associated with bridge construction within Zone B are proposed to be undertaken during the out of hours periods of Monday to Friday 04:00 to 07:00 and 18:00 to 20:00, as well as Saturday afternoons, in line with Zone A (Table 2). These specific activity works are further described in Section 2.1.

Zone C falls within Zone A. Works within Zone C would be required to be conducted when the ARTC shuts down the rail corridor (expected period of three to five days every month or every two months) (Table 2). As the timing of rail corridor shutdowns would be out of MACH Energy's control, and construction activities may be constrained by works permitted by ARTC during the shutdowns, MACH Energy proposes to undertake construction activities in Zone C within the rail corridor shutdown periods with no further restrictions on the hours for any activity. Further restrictions on the available hours for construction within this zone have the potential to restrict MACH Energy's ability to meet the timing requirements of Condition 37, Schedule 3 of Development Consent DA 92/97. Notwithstanding, MACH Energy would prioritise less-noisy activities during evening and night periods, where practicable, in consultation with ARTC. Further discussion of the planned duration of these activities as advised by ARTC is provided in Section 2.1.

Out of hours construction activities within Zones A and B would be undertaken for the period up until November 2021, except for activities undertaken in Zone C, which will be undertaken during any ARTC shutdowns.

Additional attended monitoring will be undertaken on at least six occasions during the period, when out of hours construction activities are occurring. This monitoring would confirm noise generated by the activities, in combination with operational noise generated by the MPO, is at or below the construction noise criteria specified in Condition 44H of the Schedule 3 of Development Consent DA 92/97.

Consistent with Section 8.2 of the ICNG, attended noise monitoring will be carried out at a location representative of the most noise-affected sensitive land uses (e.g. on Racecourse Road or Sydney Street). Attended monitoring would be undertaken consistent with the methodology described in Section 9.2.3 of the approved MPO Noise Management Plan (NMP) (e.g. measurements will be undertaken by a suitably experienced and capable person, and for a minimum of 15 minutes).

As a minimum, attended monitoring would be undertaken during the first occurrences of scheduled activities with specific activity hours in Table 2 (i.e. ARTC rail shutdown period activities, bridge girder deliveries/installation and large concrete pours, which may include evening and night time periods), as well as the first time out of hours works occur in each zone shown on Figure 1 (i.e. typically occurring on a Saturday afternoon).

The results of noise monitoring will be recorded along with relevant contextual information such as the operator's name, meteorological conditions at the time, instrument calibration details, etc. consistent with Section 9.2.3 of the approved MPO NMP and Section 8.2 of the ICNG.

During the planned period, monthly reports will be provided to the DPIE that summarise:

- construction noise-related complaints received within the period, if any;
- the Zones A, B and C (Table 2) equipment used for out of hours construction activities;
- the frequency of Zones A and B (Table 2) out of hours construction activities; and
- monitoring results from additional attended monitoring conducted specifically to assess noise levels during Zones A and B (Table 2) out of hours construction activities.

Additional out of hours construction periods, i.e. following the initial approved period for Zones A and B, will be subject to DPIE approval via written notification.

It is noted that MACH Energy will not rely on the ICNG noise management levels for construction activities and will instead apply Development Consent DA 92/97 noise criteria to MOD 4 construction activities (Condition 44H of Development Consent DA 92/97).

The constraints described in this section would be adopted until MOD 4 construction activities cease. Once MOD 4 construction activities cease, the restrictions on construction activities presented in this section would no longer apply and Development Consent DA 92/97 operational noise requirements would be used to regulate all on-site noise generating activities.

2.1 INDICATIVE FREQUENCY OF PLANNED OUT OF HOURS CONSTRUCTION ACTIVITIES

MACH Energy will prioritise the MOD 4 construction activities; where practical, to occur during the 'Typical Working Hours' (Table 2). These hours align with ICNG standard construction hours, with the addition of out of hours construction works on Saturday afternoons between 13:00-18:00 (i.e. an extra 5 hours).

During the extra 5 hours on a Saturday, meteorological conditions would be expected to be consistent with those modelled and assessed as part of the MOD 4 EA for ICNG standard construction hours. Works undertaken during 'Typical Working Hours' are therefore expected to comply with the noise criteria stipulated in Condition 44H of Development Consent DA 92/97.

Typical Working Hours:

Mondays – Fridays	07:00-18:00
Saturdays	08:00-18:00
Sundays & Public Holidays	No Work

Utilisation: Upon approval, until completion of MOD 4 construction activities.

Where works are required to occur outside of the 'Typical Working Hours', they will fall within one of three main categories of this OHWP as per 'Isolated Event or Specific Activity Hours' (Table 2). These three categories are 'Environmental Management Events', *Bridge Construction Activities* ('Large concrete pours, bridge girder deliveries and installation') and 'ARTC Shutdown Period Activities' (Table 2).

Section 4.3 of the ICNG notes the potential for out of hours work during the night to disturb the sleep of nearby residents, and recommends further assessment of maximum noise levels when works are planned to extend over more than two consecutive nights. While out of hours works may be undertaken over two consecutive night periods during scheduled 'Bridge Construction Activities' and 'ARTC Shutdown Period Activities', it is expected that maximum noise levels would not be greater than those assessed for operational rail movements on the rail spur as part of the MOD 4 EA (which indicated maximum noise levels would be materially below the relevant sleep disturbance criterion).

Environmental Management Events are required to be utilised for the management of water reticulation during and/or immediately after rainfall events, to ensure compliance with MPO's EPL 20850 requirement of a nil discharge site.

Environmental Management Event Out of Hours Windows:

Mondays – Fridays	18:00-07:00
Saturdays	13:00-08:00
Sundays & Public Holidays	24 hrs

Expected Utilisation: Irregular/not predictable - during and/or immediately after rainfall events that pose a risk of causing breaches to the site's nil discharge requirement.

Bridge Construction Activities are required to be utilised for bridge construction only. These activities require out of hours construction works in order to manage engineering quality works of large concrete pours, due to environmental factors such as weather/temperatures. They are also required for delivery and installation of large precast bridge segments, in order to clear the public road network under the National Heavy Vehicle Regulator (NHVR) requirements as well as extended lifting timeframes that are required to facilitate the complex and time consuming requirements of heavy lifting activities.

Bridge Construction Activities Out of Hours Windows:

Mondays – Fridays	04:00-07:00 & 18:00-20:00
Saturdays	04:00-08:00 & 18:00-20:00
Sundays & Public Holidays	No Work

Expected Utilisation: Concrete pours March to September (up to 30 instances). Delivery activities during May/June 2021 (33 instances). Lifting activities up to 4 weeks during June/July 2021.

ARTC Shutdown Periods are determined and controlled by the ARTC. These shutdown periods, or 'possessions', are utilised to perform major track works under tightly controlled conditions set by ARTC with the absence of train services. MACH Energy are required to perform specific activity works (e.g. track building and earthworks) within these possessions as these works are not permitted, or viable during times outside of the possessions.

ARTC Shutdown Period Activities Out of Hours Window:

Mondays – Fridays	18:00-07:00
Saturdays	No Planned Work ¹
Sundays & Public Holidays	No Planned Work ¹

Expected Utilisation: All ARTC Possession periods within the “Muswellbrook to Mangoola” line as outlined by ARTC (<https://www.artc.com.au/uploads/Version-6-2021-Annual-Possession-Programme.pdf>). Extensions of these possessions or alternate possession periods may occur at short notice by ARTC.

Current Planned Possession Dates (inclusive):

- 06 April 2021 – 09 April 2021
- 25 May 2021 – 27 May 2021
- 09 August 2021 – 13 August 2021
- 05 October 2021 – 07 October 2021
- 23 November 2021 – 26 November 2021

¹ ARTC Rail Shutdown Period Activities would only occur on Saturdays, Sundays and Public Holidays in the event the ARTC shutdown period is extended by ARTC (i.e. Emergency Scenario).

3 NOISE MANAGEMENT AND NOTIFICATION

MACH Energy will implement best management practice to minimise the noise generated by the MPO to achieve the levels required by Development Consent DA 92/97 and EPL 20850. Noise management and control measures include:

- planning controls (e.g. predicted meteorological conditions and potential implications for noise levels are be made available to shift managers at the start of each shift, and site inductions for staff, contractors and visitors, to develop an awareness and understanding of potential noise issues); and
- construction and operational controls (regular communication and updates are provided to local residents on the status and nature of site construction and operational activities).

These noise management and control measures are described in the approved [MPO NMP](#) (MACH Energy, 2019a).

3.1 NOISE MANAGEMENT

Management of noise impacts will continue to be carried out in accordance with the approved MPO NMP (MACH Energy, 2019a).

In addition to the management measures approved as part of the MPO NMP, MACH Energy will implement additional control measures to minimise cumulative noise impacts of MOD 4 construction works and the MPO. These additional control measures are detailed in Section 5 of the Construction Environmental Management Plan (CEMP).

3.2 NOTIFICATION OF UPCOMING CONSTRUCTION ACTIVITIES

As described in the CEMP, MACH Energy would notify the public of construction works (including of any ARTC shutdowns) via monthly letterbox drop or equivalent, website, Community hotline phone number, Construction Response Line and email distribution list.

Furthermore, MACH Energy would notify the Muswellbrook Shire Council and local residents of the timing and expected duration of any out of hours construction works at least 48 hours prior to the commencement of any activities. After the initial notification, MACH Energy would provide local residents with regular updates throughout the duration of the construction (e.g. via community newsletters or information updates on MACH Energy's website [<https://machenergyaustralia.com.au/>]).

MACH Energy will operate a Community Response Line (Phone Number: 1800 886 889). The Community Response Line is publicly advertised and operates 24 hours per day, seven days a week, to receive any queries (including those construction-related) from neighbouring residents or other stakeholders.

Any complaints would be managed in accordance with the protocol described in the [MPO Environmental Management Strategy](#) (MACH, 2019b).

3.3 CONTROL OF SPECIFIC OUT OF HOURS CONSTRUCTION ACTIVITIES

MACH Energy will generate and maintain a control register of all works falling into the category of 'Out of Hours – Specific Activity'. These works will be forward planned where practical, and advised to all relevant parties as per Section 3.2 and recorded in the control register for tracking of any out of hours works undertaken.

4 REFERENCES

MACH Energy Australia Pty Ltd (2019a) *Mount Pleasant Operation – Noise Management Plan*.

MACH Energy Australia Pty Ltd (2019b) *Mount Pleasant Operation – Environmental Management Strategy*.

APPENDIX A

**OUT OF HOURS WORK PROTOCOL RELATED CONDITIONS
DEVELOPMENT CONSENT DA 92/97**

Table A1
Out of Hours Work Protocol Related Development Consent DA 92/97 Conditions

Development Consent DA 92/97	OHWP Section																						
Schedule 3																							
44G. If the Applicant proposes to undertake MOD 4 construction works (outside of the Mining Lease boundary) outside the hours specified in condition 44F above, then the Applicant must prepare an Out of Hours Work Protocol for these works, to the satisfaction of the Secretary. This protocol must:	This document																						
(a) be prepared in consultation with the EPA and any residents who may be affected by the noise generated by these works;	In progress in conjunction with this document's submission																						
(b) address the relevant requirements of the <i>Interim Construction Noise Guideline</i> (DECC, 2009); and	Sections 2 and 3																						
(c) be approved by the Secretary before any out of hours construction works are carried out.	This document is to be approved by the DPIE																						
The Applicant must implement the Out of Hours Work Protocol as approved by the Secretary. <i>Note: For areas where construction noise is predicted to be at or below operational noise criteria at sensitive receptors, this is likely to provide sufficient justification for the need to operate outside of recommended standard hours as specified in the Interim Construction Noise Guideline (DECC, 2009).</i>	-																						
44H. The Applicant must ensure that the combined operational noise of the development and noise generated by the MOD 4 construction works outside the Mining Lease Boundary does not exceed the criteria in Table 10A at any residence on privately-owned land. <i>Table 10A: Construction noise criteria</i>	Section 2.1																						
<table border="1"> <thead> <tr> <th>Receiver or other location</th><th>Standard Construction Hours dB(A) $L_{Aeq(15min)}$</th></tr> </thead> <tbody> <tr><td>62, 215, 216, 218, 219</td><td>47</td></tr> <tr><td>206, 217, 220, 221, 225, 532, 533</td><td>48</td></tr> <tr><td>222, 223, 531</td><td>49</td></tr> <tr><td>224, 530</td><td>50</td></tr> <tr><td>19, 20, 21, 207, 289</td><td>51</td></tr> <tr><td>527, 528</td><td>56</td></tr> <tr><td>529</td><td>54</td></tr> <tr><td>68</td><td>57</td></tr> <tr><td>23</td><td>69</td></tr> <tr><td>All other privately-owned land</td><td>5 dB(A) above the daytime operational $L_{Aeq(15min)}$ noise criteria in Table 3</td></tr> </tbody> </table>	Receiver or other location	Standard Construction Hours dB(A) $L_{Aeq(15min)}$	62, 215, 216, 218, 219	47	206, 217, 220, 221, 225, 532, 533	48	222, 223, 531	49	224, 530	50	19, 20, 21, 207, 289	51	527, 528	56	529	54	68	57	23	69	All other privately-owned land	5 dB(A) above the daytime operational $L_{Aeq(15min)}$ noise criteria in Table 3	
Receiver or other location	Standard Construction Hours dB(A) $L_{Aeq(15min)}$																						
62, 215, 216, 218, 219	47																						
206, 217, 220, 221, 225, 532, 533	48																						
222, 223, 531	49																						
224, 530	50																						
19, 20, 21, 207, 289	51																						
527, 528	56																						
529	54																						
68	57																						
23	69																						
All other privately-owned land	5 dB(A) above the daytime operational $L_{Aeq(15min)}$ noise criteria in Table 3																						
<p>Notes:</p> <ul style="list-style-type: none"> To identify the locations referred to in Table 10A, see the figures in Appendix 5. The Mining Lease Boundary is shown in Figure 2 of Appendix 2. Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy, with the exception of the application of modifying factors under Fact Sheet C of the Noise Policy for Industry. <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner to exceed the criteria, and the Applicant has advised the Department in writing of the terms of the agreement.</p>																							

APPENDIX B


**CONSULTATION FEEDBACK
STAKEHOLDER ENGAGEMENT**

OUT OF HOURS WORK PROTOCOL 22 JANUARY 2021




Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
9:35am 19 January 2021	Consultation for Out of Hours Works Notification Address: 1 Sheppard Ave, Muswellbrook Zone A	Resident not home. The following documents left in the letterbox (see image). <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
9.41am 19 January 2021	Consultation for Out of Hours Works Notification Address: 3 Sheppard Ave, Muswellbrook Zone A	Resident not home. The following documents left in the letterbox (see image). <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
9.44am 19 January 2021	Consultation for Out of Hours Works Notification Address: 5 Sheppard Ave, Muswellbrook Zone A	Discussion held with Cousin of Resident (visiting). The following documents were left with the visitor. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No Photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
9.55am 19 January 2021	Consultation for Out of Hours Works Notification Address: 7 Sheppard Ave, Muswellbrook Zone A	Discussion held with resident and horse trainer. No concerns regarding current or proposed work hours. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.


Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
10.05am 19 January 2021	Consultation for Out of Hours Works Notification Address: 9 Sheppard Ave, Muswellbrook Zone A	Discussion held with female resident. No concerns regarding current or proposed work hours. Partner works in the mining industry and they understand work needs to be done. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
10.20am 19 January 2021	Consultation for Out of Hours Works Notification Address: 10 Sheppard Ave, Muswellbrook Zone A	Discussion held with resident. No concerns regarding current or proposed work hours. He has two jobs but would like a job at Mount Pleasant Operation, either in the mine or on the Rail Loop construction project. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
10.35am 19 January 2021	Consultation for Out of Hours Works Notification Address: 8 Sheppard Ave, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.




Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
10.35am 19 January 2021	Consultation for Out of Hours Works Notification Address: 6 Sheppard Ave, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
10.40am 19 January 2021	Consultation for Out of Hours Works Notification Address: 4 Sheppard Ave, Muswellbrook Zone A	Discussion held with resident. No concerns regarding current or proposed work hours. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
10.47am 19 January 2021	Consultation for Out of Hours Works Notification Address: 2 Sheppard Ave, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
11.05am 19 January 2021	Consultation for Out of Hours Works Notification Address: 6 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.



Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
11.12am 19 January 2021	Consultation for Out of Hours Works Notification Address: 7 Racecourse Road, Muswellbrook Zone A	Discussion held with the residents (a horse trainer and a homeowner). Both said they can hear noise but will let MACH Energy know if it gets too bad. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
11.20am 19 January 2021	Consultation for Out of Hours Works Notification Address: Muswellbrook Race Club, Racecourse Road, Muswellbrook Zone A	Discussion held with Acting General Manager, no concerns about the work or when it will take place. She will pass on details to the General Manager when he returns from leave in the end of January. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, spoke to Acting GM.	No further contact received from the resident following the initial discussion. No concerns raised.
11.45pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 33 (House 1) Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.



Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
11.47pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 33 (House 2) Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
11.50pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 31 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
11.55pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 29 Racecourse Road, Muswellbrook Zone A	Spare block of land with old stables and general rubbish, unable to leave consultation material.	No letter box visible.	Not applicable.
12.00pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 27 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.



Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
12.05pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 25 Racecourse Road, Muswellbrook	Discussion held with resident. Renting from Bengalla and used to live across the road from Mount Pleasant Operation on Wybong Road. No issue with construction. The following documents were left with the resident. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
12.20pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 23 Racecourse Road, Muswellbrook Zone A	Discussion held with residents, renting from Bengalla. A family with three young children. Really enjoy watching the machinery on the project. No issues with noise etc. The following documents were left with the resident. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
12.45pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 21 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
12.55pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 19 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.




Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
1.00pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 17 Racecourse Road, Muswellbrook Zone A	Discussion held with resident, horse trainer and no issues with the work. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
1.10pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 15 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents could not be left at the property. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
1.15pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 13 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
1.20pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 11 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents could not be left at the property. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	Driveway and gate locked. No visible letterbox.	Not applicable.

Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
1.25pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 9 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
1.30pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 7 Racecourse Road, Muswellbrook Zone A	Discussion held with residents. No issues with the work, although they can hear it sometimes and will let MACH Energy know if it gets worse. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
1.50pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 8 Racecourse Road, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
2.00pm 19 January 2021	Consultation for Out of Hours Works Notification Address: 1 Racecourse Road, Muswellbrook Zone A	Discussion held with resident. No issues with the work. The following documents were left with the resident. <ol style="list-style-type: none"> 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet 	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.

Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
2.30pm 19 January 2021	Consultation for Out of Hours Works Notification Address: Dairy, Logues Lane, Muswellbrook Zone C	Discussion held with resident. No issues with the work. The following documents were left with the resident. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
2.40pm 19 January 2021	Consultation for Out of Hours Works Notification Address: Property Two, Logues Lane, Muswellbrook Zone C	Resident not at home. The following documents were left in the letterbox. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.		No contact received from the resident as at 11 March 2021.
2.50pm 19 January 2021	Consultation for Out of Hours Works Notification Address: Property Three, Logues Lane, Muswellbrook Zone C	Resident not at home. The following documents were left in the letterbox. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet		No contact received from the resident as at 11 March 2021.
2.55pm 19 January 2021	Consultation for Out of Hours Works Notification Address: Property Four, Logues Lane, Muswellbrook Zone A	Resident not at home. The following documents were left in the letterbox. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet		No contact received from the resident as at 11 March 2021.

Stakeholder Engagement – MACH Energy Mount Pleasant Operation Rail Loop Project Out of Hours Work Protocol January 2021 (Continued)

Date & Time	Method & Nature of Contact	MACH Energy Actions	MACH Energy Response	Responses from residents
3.10pm 19 January 2021	Consultation for Out of Hours Works Notification Address: Overton Homestead, Overton Road, Muswellbrook Zone B2	Discussion held with resident. No issues with the work or increased hours. The following documents were left with the resident. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
3.20pm 19 January 2021	Consultation for Out of Hours Works Notification Address: Overdene House, Overton Road, Muswellbrook Zone A	Discussion held with resident. No issues with the work or increased hours. The following documents were left with the resident. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet	No photo required, resident at home.	No further contact received from the resident following the initial discussion. No concerns raised.
5.00pm – 6.10pm 19 January 2021	Consultation for Out of Hours Works Notification Letter drop. Address: Denman Road and Sydney Street, Muswellbrook to the Greyhound Track.	The following documents were left in the letterbox. 1. Notification Letter 2. Rail Loop Newsletter 3. Community Hotline Contact Details -Magnet The Notification Letter requested resident to contact MACH Energy if they had any questions or concerns.	No photos taken.	No contact received from the resident 11 March 2021.

MOUNT PLEASANT OPERATION

RAIL LOOP PROJECT
NEWSLETTER

COMMUNITY INFORMATION SHEET NO.4

DECEMBER 2020/JANUARY 2021

Mount Pleasant Operation

Rail Loop Project

Community Information Sheet No. 4

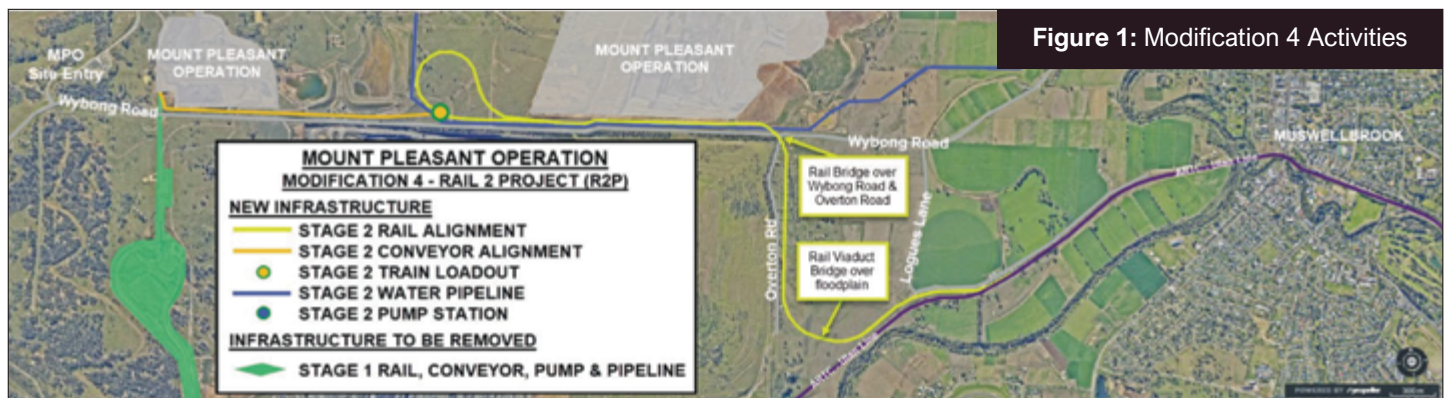
December 2020 / January 2021

Introduction

MACH Energy Australia owns and operates the Mount Pleasant Operation (MPO) which is located approximately 3km north-west of Muswellbrook.

MPO's Modification 4 was approved by the Department of Planning and Environment in November 2018 and sought to relocate rail, water and associated electricity supply infrastructure as shown in **Figure 1** below.

Activities associated with Modification 4 (the Rail Loop Project') commenced in October 2020. The work includes construction of the approved rail infrastructure, relocation of the Hunter River water supply infrastructure and associated electricity supply, and the demolition and removal of redundant, temporary infrastructure within the extent of the Bengalla Mine once the new infrastructure has been commissioned and is fully operational.



Construction update

Rail Loop construction progressed through December with the development of platforms in an area west of the rail alignment in preparation for the arrival of piling rigs. These rigs will be used in the preparatory works for the construction of a viaduct across the flood plain to Overton Road.

Earthworks were undertaken to clear a corridor within the MPO lease area, this will enable construction traffic to access work areas without impacting traffic on Wybong Road.

Construction activities ceased over the Christmas and New Year period with work commencing in early January.

How will the rail loop be built?

Responding to questions from the community we have included some images and explanations about how we will construct the Rail Loop Project.

Floodplain Viaduct Bridge, the new rail line departs the ARTC Ulan line and crosses the existing floodplain via a 200 m viaduct rail bridge.



Overdene Homestead, the rail line runs parallel to Overton Road in a deep cutting, continuing uphill.



Wybong Rd Bridge, rail line crosses Overton Rd and Wybong Rd via a new 108 m rail bridge and bifurcates.





Pictured above, local business Yore Contractors carrying out pipe joining on the Rail Loop Project with the picture on the right showing the completed welded pipe.

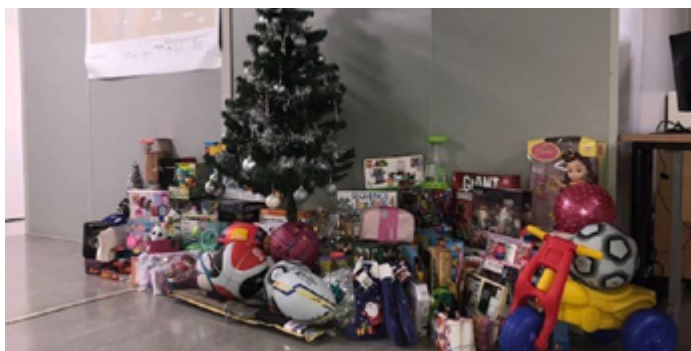


Pictured above, from left, Rail Loop Project Health & Safety Advisor David Sowter, with Muswellbrook's Aboriginal owned and operated Blackrock Industries General Manager Brett Magill, Managing Director Steven Fordham and Supply Solutions General Manager Troy Martin following a meeting on site.

Digging deep for the community

Pictured below, the Rail Loop project team only commenced at MPO in the last few months, despite this, they dug deep when the call went out to donate gifts for the Muswellbrook PCYC Christmas Appeal.

Thanks to everyone for your support and especially to Suzanne, pictured right, for organising the donations and spending some time at the PCYC with other team members to sort and wrap.



Further details

MPO has commenced a community engagement program which will seek to identify issues of concern to our near neighbours and the broader Muswellbrook community. We will implement appropriate strategies to address any areas of concern.

Updates on the Rail Loop Project will be shared on a regular basis and we will maintain contact with neighbours throughout the construction phase.

If you would like to know more about the Rail Loop Project, please contact MPO's External Relations Manager, Ngaire Baker. All contact details are listed below.

Rail Loop Project updates and all monthly copies of our Community Information Sheets are available on the MACH Energy Australia website.

Community Hotline 24/7

☎ **1800 886 889**

Blasting Hotline

☎ **1800 931 872**

General Enquiries

☎ **1800 931 873**

Email: info@machenergy.com.au

Website: www.machenergy.com.au/currentprojects

**MOUNT PLEASANT OPERATION
OUT OF HOURS WORK NOTIFICATION LETTER**

19 January 2021

Dear Neighbour,

RE: Mount Pleasant Operation – Out of Hours Work Notification

This letter is to notify you that MACH Energy Australia Ltd (MACH Energy) proposes to undertake MOD 4 construction works (outside the Mount Pleasant Operation [MPO] mining lease boundary) outside the standard construction hours specified in Condition 44F and 44G, Schedule 3 of Development Consent DA 92/97 (as modified).

Operations at the MPO are approved for 24 hours per day, 7 days per week. The Interim Construction Noise Guideline (ICNG) (NSW Department of Environment and Climate Change [DECC], 2009) refers to standard construction hours as being 7.00 am to 6.00 pm Monday to Friday, 8.00 am to 1.00 pm Saturdays and no work on Sundays or public holidays.

However, to reduce the duration of MOD 4 construction activities to ensure the existing rail infrastructure can be removed by the time limit stipulated by Condition 37, Schedule 3 of Development Consent DA 92/97, construction activities would also occur outside of the ICNG standard construction hours (i.e. during the morning and afternoon on Saturday, on Sunday and Public Holidays and during the evening and night) (out of hours construction activities).

Out of hours construction activities will be constrained according to the nature of the activities and the proximity to privately-owned residences. Consultation is underway with nearby residents who may be affected, and any feedback received during consultation will be provided as an appendix to the Out of Hours Work Protocol (OHWP).

Construction noise levels at the closest privately-owned residences are considered likely to comply with the Mount Pleasant Operation operational noise criteria specified in Condition 3, Schedule 3 of DA92/97 and Condition L3.1 of Environment Protection Licence (EPL) 20850. Additional attended monitoring will be undertaken when out of hours construction activities are occurring to confirm noise generated by the activities, in combination with operational noise generated by the MPO, is at or below the construction noise criteria specified.

MACH Energy is committed to ensuring all reasonable and feasible measures within its own control are undertaken to minimise the impacts from the development to ensure compliance with relevant statutory conditions including Environment Protection Licence (EPL) 20850.

Please do not hesitate to contact me for any further clarification.

Yours sincerely,



Ngaire Baker

External Relations Manager

Mobile: 0400 214 885

Email: info@machenergy.com.au

Web: <https://machenergyaustralia.com.au/rail-loop-project/>

NSW ENVIRONMENT PROTECTION AUTHORITY
(Draft Out of Hours Work Protocol Attached to Outgoing Letter)

13 January 2021

NSW Environment Protection Authority
Regional Operations Unit – Hunter
117 Bull Street, Newcastle West
NSW 2302

Attention: Anthony Van der Horst

Dear Anthony,

RE: Mount Pleasant Operation – Out of Hours Work Protocol

MACH Energy Australia Ltd (MACH Energy) proposes to undertake MOD 4 construction works (outside the Mount Pleasant Operation [MPO] mining lease boundary) outside the standard construction hours specified in Condition 44F and 44G, Schedule 3 of Development Consent DA 92/97 (as modified).

Operations at the MPO are approved for 24 hours per day, 7 days per week. The Interim Construction Noise Guideline (ICNG) (NSW Department of Environment and Climate Change [DECC], 2009) refers to standard construction hours as being 7.00 am to 6.00 pm Monday to Friday, 8.00 am to 1.00 pm Saturdays and no work on Sundays or public holidays.

However, to reduce the duration of MOD 4 construction activities to ensure the existing rail infrastructure can be removed by the time limit stipulated by Condition 37, Schedule 3 of Development Consent DA 92/97, construction activities would also occur outside of the ICNG standard construction hours (i.e. during the morning and afternoon on Saturday, Sunday, Public Holidays and during the evening and night) (out of hours construction activities).

Out of hours construction activities will be constrained according to the nature of the activities and the proximity to privately-owned residences. Consultation is underway with nearby residents who may be affected, and any feedback received during consultation will be provided as an appendix to the Out of Hours Work Protocol (OHWP). The draft protocol is attached for your reference.

From experience the EPA do not necessarily comment on the draft protocol, however in addressing the points you raised during our telephone discussion on 12 January 2021, construction noise levels at the closest privately-owned residences are considered likely to comply with the Mount Pleasant Operation operational noise criteria specified in Condition 3, Schedule 3 of DA92/97 and Condition L3.1 of Environment Protection Licence (EPL) 20850. Additional attended monitoring will be undertaken when out of hours construction activities are occurring to confirm noise generated by the activities, in combination with operational noise generated by the MPO, is at or below the construction noise criteria specified.

MACH Energy is committed to ensuring all reasonable and feasible measures within its own control are undertaken to minimise the impacts from the development to ensure compliance with relevant statutory conditions including Environment Protection Licence (EPL) 20850.

Please do not hesitate to contact the undersigned on 0411 440 912 for any further clarification.

Yours sincerely,



Andrew Reid
Environmental Superintendent



DOC21/14556-2

The Proper Officer
MACH Energy Australia Pty Ltd

By email: info@machenergy.com.au;
andrew.reid@machenergy.com.au

11 January 2021

Attention: Andrew Reid

Dear Andrew

I refer to your email to the Environment Protection Authority (EPA) on 13 January 2021 requesting review and comment on the Mt Pleasant Operation Out of Hours Work Protocol for planned construction works associated with Development Consent DA 92/97 (MOD 4).

The EPA encourages the development of management plans and protocols to ensure that companies have determined how they will meet their statutory obligations and designated environmental objectives.

Being a regulatory authority, the EPA's role is to set environmental management objectives rather than being directly involved in the development of strategies to achieve those objectives. Accordingly, the EPA has not reviewed the Out of Hours Work Protocol and offers no comments in relation to it.

MACH Energy must comply with Environment Protection Licence 20850. I encourage MACH Energy to engage and consult with members of the community that may be impacted by the planned construction activities. Community engagement and consultation practices are described in the *Interim Noise Construction Guideline* (DECC 2009) and recently released for public consultation *Draft Construction Noise Guideline* (EPA, 2020). Further information and links to these documents is available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise>

If you have any questions about this matter, please contact me on 02 4908 6808 or by email to EPA.Northopsregional@epa.nsw.gov.au

Yours sincerely

ANTHONY VAN DER HORST
Operations Officer
Regulatory Operations

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au