

9 March 2020.

REF: 1106_EGOVR:CK

via email

Department of Planning, Industry and Environment
Resource Assessments
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Attn: Mr. Matthew Sprott. Director Resource Assessments

RE: Request for Extension to the timeframe for first payment and finalisation of Planning Agreement with Singleton Council- SSD 6300. (Sch.2 Condition A17 and Appendix 8) .

Dear Matthew,

Bloomfield Collieries Pty Limited received approval of the Rix's Creek South Continuation of Mining Project SSD 6300 on 12 October 2019.

On 2 March 2020 Bloomfield Collieries held further discussions with Mary-Anne Crawford, Manager Development and Environmental Services, Singleton Council, who noted concern with the drafting of Condition A17 and the terms outlined in Appendix 8, which will not allow Council to accept the first payment within one month of commencement of development.

Council have advised that they agree to extend the timeframe for making the first payment until such time as an agreement is in place, and no later than 31 July 2020. Please find attached letter from Singleton Council dated 2 March 2020.

In accordance with Schedule 2, Condition A17, and Appendix 8 of SSD 6300, Bloomfield Collieries requests an extension for the finalisation of the Planning Agreement with Singleton Shire Council including delay to the first payment to Singleton Council as per Council's agreed timeframe.

If you require any further information please do not hesitate to contact this office.

Yours sincerely



Chris Knight
Environment Manager
The Bloomfield Group

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3 March 2020

Geoff Moore

Chief Development Officer
The Bloomfield Group
PO Box 4
East Maitland NSW 2323

Dear Geoff

RE: Rix's Creek Coal Mine Extension (SSD 6300) – Schedule 2 Condition A17

I refer to your email of 14th February 2020 and our meeting of 2nd March 2020 regarding the Rixs Creek Coal Mine Extension condition A17, requiring the company to enter into a Voluntary Planning Agreement with Council. Condition A17 requires that

Within six months of commencing development under this consent, or other timeframe agreed by the Planning Secretary, the Applicant must enter into a PA with the Council in accordance with:

- (a) Division 7.1 of Part 7 of the EP&A Act; and*
- (b) The terms of offer in Appendix 8.*

The terms of offer in Appendix 8 state that the Applicant will contribute \$432,000 to the Singleton Community and Economic Development Fund in two equal payments. The First payment is to be made within one month and the second within 12 months of commencement of development, unless Council agrees otherwise.

There is an inconsistency between the drafting of condition A17 and the terms outlined in Appendix 8, which will not allow Council to accept the first payment within one month of commencement of development. Council was advised on the 14th February 2020 that development would commence on the 24th February 2020. Condition A17 requires that a PA be in place within 6 months of this date.

The timeline for the PA includes a report to Council endorsing exhibition of the draft PA and finalisation of the PA once submissions have been taken into consideration. The earliest date where Council would be in a position to endorse an agreed PA would be June 2020. This time period is well within the 6 months required for reaching agreement, however, is outside the one month timeframe for the making of the first payment.

As such, Council agrees to extend the timeframe for the making of the first payment until such time as an agreement is in place, and no later that 31 July 2020.

Should you have any questions or comments, please contact Mary-Anne Crawford,
Manager Development and Environmental Services on 02 6578 7290.

Yours faithfully

A handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping tail that extends downwards and to the left.

Mary-Anne Crawford
Manager Development and Environmental Services