



Professor Mary O'Kane  
Chair  
Independent Planning Commission  
GPO Box 3415  
SYDNEY NSW 2001



Dear Prof O'Kane,

**Rix's Creek South Coal Mine – Modification 10 (DA 49/94 MOD 10)**

The Department has received an application from the Bloomfield Group to modify the development consent for its Rix's Creek South Coal Mine under section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*.

The mine, which is located approximately 5 kilometres northwest of Singleton in the Hunter Valley, is approaching the end of its approved life for coal extraction. A new State significant development application (SSD 6300) to continue and extend mining operations for a further 21 years is currently in the final stages of assessment and is expected to be referred to the Commission for determination in May 2019.

However, it may now be unlikely that SSD 6300 will be determined prior to the end date for approved coal extraction under DA 49/94, being 24 June 2019.

This modification proposes solely to extend the approved period of coal extraction by nine months, in order to allow for the continuation of mining at Rix's Creek South whilst the SSD 6300 application is finalised and determined by the Commission.

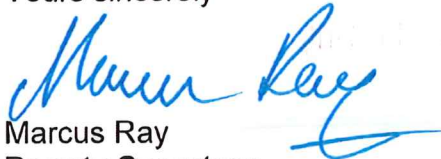
During exhibition of the modification application, the Department received 28 objections to the proposal. In accordance with clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011*, the Commission is now the consent authority for this modification application.

The Department is satisfied that it has carefully considered and addressed all public submissions, either in support or objection. Based on its assessment, the Department considers that the modification is approvable, and in the interests of both the community and the State. Due to the minor nature of this modification and the impending end date of 24 June 2019, the Department requests the Commission determine the modification as soon as practicable, to avoid any uncertainty or disruption to the mine's workers, contractors, suppliers and customers.

To assist with your determination, I have enclosed the Department's assessment package.

If you have any further questions in relation to this matter, please contact Howard Reed, Director Resource Assessments on 9274 6308.

Yours sincerely



Marcus Ray  
**Deputy Secretary**  
**Planning Services**

17/04/2019