

The Independent Planning Commission of New South Wales.

Level 3, 201 Elizabeth Street

SYDNEY NSW 2000.

10 October, 2019

By online lodgement

Rix's Creek Mine Continuation of Mining Project – SSD 6300

Comments with respect to additional information

Thank you for the opportunity to further comment on the Rix's Creek Mine Continuation of Mining Application.

On the 25th September the Independent Planning Commission of New South Wales (IPCN) invited comments on the additional information (Response) provided by the Department of Planning, Industry and Environment (Department) (dated 24 September 2019) and the closure date for comments was subsequently extended on the 4th October for a further seven days.

I would like to take this opportunity to provide the following comments and observations –

- The Rix's Creek South Continuation of Mining Project (SSD 6300) (Project) has been in the planning process for more than six years.
- During this period there have been numerous opportunities for government agencies and the public to express support and any concerns about the Project.
- Over the extended period of assessment of the Project, Bloomfield has made a number of modifications in response to concerns raised so as to reduce the impacts of the Project.
- During the assessment period the neighbouring Integra Open Cut Mine was purchased by Bloomfield and subsequently renamed Rix's Creek North. This purchase provided the opportunity to refine the mine plan for the Project and thus reduce the maximum production rates in the Rix's Creek South mine from those initially submitted, therefore reducing impacts.
- The Project has been recommended for approval by the Department on two occasions (most recently in June 2019).
- After the recent public meeting the IPCN website records more than nine hundred public submissions were made in support of the Project with less than thirty objecting.

In July and September, the IPCN requested from the Department information, clarification and opinion with respect to the Rix's Creek South Continuation of Mining Project (SSD 6300). Items included in the IPCN requests were -

- Bio-diversity costings
- Treatment of Scope 3 Emissions
- Costs for Mine Closure
- How the draft conditions of consent were modified in response to agencies concerns
- Bloomfield's statement of commitments
- The start and end date sought for SSD6300
- How issues raised by NSW Health were satisfactorily addressed
- A reflection on Options 1 and 2 (with the Department noting that Option 2 would provide the greater likelihood of future beneficial land use opportunities in the long term)
- The provisions made in the event of a sudden closure
- Alternatives for forward coal price forecasting
- Requirements to issue a mining lease

The Department comprehensively addressed the above issues in its Response with a letter and attachments, referring to submissions previously made to the IPCN together with its own professional analysis. The Department's response unequivocally reaffirmed its recommendation to approve the Project with updated consent conditions consistent with those made in June 2019.

More recently the IPCN website shows that organisations have responded to additional IPCN requests for comment. Key comments included in the responses are –

- Department 27/9 – re Option 1 and Options 2 - “Both options ensure avoidance of a large area of native vegetation that was proposed to be cleared under the original Environmental Impact Statement and EES is satisfied that both options meet the requirements of avoid, minimise and offset in accordance with the principles of the *NSW Biodiversity Offsets Policy for Major Projects (2014)*.”
- Singleton Council 1/10 – re Rehab Conditions - “The proposed conditions are consistent with Council’s discussions with the Panel of Commissioners on 29 July 2019 as well as submissions made to the Department of Planning , Industry and Environment”
- Department 2/10 – re Rehab Conditions - “...the Department wishes to confirm that it has no concerns with the amendments proposed by the Commission to the recommended conditions of consent.”
- Department 3/10 – re Rehab Conditions - “...the Department wishes to confirm that it has no concerns with the amendment proposed by the Commission to the recommended conditions of consent.”

An exhaustive and comprehensive review of the Project over an extended period has resulted in a recommendation from the Department for approval in June 2019. The subsequent enquiry by the IPCN including the Department’s response on 24 September, and additional feedback since, only reinforces the position that the Project should be approved with the consent conditions as proposed by the Department.

Given the process events of 4th October, any delay in the Project’s approval after 11th October will not only further damage the reputation of NSW as a State “to do business”, but continues an unnecessary stress on the hundreds of employees of The Bloomfield Group together with the thousands of family members, contractors, suppliers and community members who rely on the delivery and security of this project.

In closing, I wish to confirm my support for the Rix’s Creek Mine Continuation of Mining Project and urge the IPCN to grant approval without further delay.

Barry Smith