

AGL MACQUARIE PTY LTD PLANNING AGREEMENT EXPLANATORY NOTE

Liddell Power Station closed on 28 April 2023. In the lead up to closure, Council and AGL Macquarie Pty Ltd (AGL) signed a Memorandum of Understanding (MOU) that included a requirement for preparation of a Planning Agreement to address the economic and social impacts of closure on the Muswellbrook Shire and wider community.

The MOU was informed by a detailed Social and Economic Impact Assessment prepared by AGL to understand the likely impacts of the closure.

The draft Planning Agreement has been prepared that satisfies the requirements set out in the MOU. As such, AGL agrees to pay the following Contributions to Council:

1. \$500,000, subject to CPI indexation by June 2023;
2. \$500,000, subject to CPI indexation by 10 July 2023;
3. \$500,000, subject to CPI indexation by 10 July 2024; and
4. \$500,000, subject to CPI indexation by 10 July 2025.

Council is required to administer the Planning Agreement in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Regulations, in addition to any guidelines published by the Department of Planning and Environment.

Contributions will be used for any purpose that benefits the public or a section of the public, including but not limited to a purpose specified in section 7.4(2) of the EP&A Act which includes (but is not limited to):

- a) Fostering business and job creation;
- b) Education and training;
- c) Sports and recreation;
- d) Homelessness and mental health;
- e) Infrastructure; and
- f) Environmental Sustainability.

Of note, under the MOU, AGL as a sign of AGL's commitment to contributing to the mitigation of the socio-economic impacts of the Liddell Closure has paid a previous contribution of \$1.35 million to Council on 27 November 2021.