

**MINUTES OF THE STATE SIGNIFICANT DEVELOPMENT COMMITTEE MEETING OF
THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE SEMINAR ROOMS
MUSWELLBROOK LIBRARY, 136 BRIDGE STREET, MUSWELLBROOK ON 19
FEBRUARY 2025 COMMENCING AT 4:00PM.**

PRESENT: Cr J. Drayton (Chair), Cr C. Bailey, Cr D. Douglas, Cr L. Dunn,
Cr D. Marshall, Cr R. Scholes and Cr S. Ward.

IN ATTENDANCE: Cr R. Mahajan, Cr M. Morris, Mr D. Finnigan (General Manager),
Ms S. Pope (Director – Planning & Environment), Ms T. Folpp
(Environmental Planning Officer), Ms A. Hathway (Legal Counsel),
Mr. N Mowbray (Policy Officer), Mr. J Hogan (Chief Financial
Officer), Mr. M Lysaught (Director - Property & Place),
Ms. C. Evans (OX2 - Senior Development Manager),
Ms. H Kennedy (OX2 - Community & Stakeholder Manager),
Ms. C. Wayne (OX2 - Director of Development) and Mr. D Denton
(OX2 - Senior PV Engineer).

1 Acknowledgement of Country

The Acknowledgement of Country was read by Cr. D Douglas.

2 Apologies

RESOLVED on the motion of Cr D. Marshall and Cr C. Bailey that:

The apology for inability to attend the meeting submitted by Cr D. Hartley,
and Cr G. McNeill be ACCEPTED.

In Favour: Cr J. Drayton, Cr C. Bailey, Cr D. Douglas, Cr D. Marshall, Cr L. Dunn,
Cr S. Ward and Cr R. Scholes

Against: Nil

3 Confirmation of Minutes of Previous Meeting

RESOLVED on the motion of Cr R. Scholes and Cr D. Marshall that:

The Minutes of the State Significant Development Committee Meeting held
on **13 August, 2024**, a copy of which has been distributed to all members, be
taken as read and confirmed as a true record.

In Favour Cr J. Drayton, Cr C. Bailey, Cr D. Douglas, Cr D. Marshall, Cr L. Dunn,
Cr S. Ward and Cr R. Scholes

Against: Nil

4 Disclosure of Any Pecuniary and Non-Pecuniary Interests

Nil

5 Business Arising

Nil



6 Business

6.1 SSD Committee Terms of Reference

RESOLVED on the motion of Cr R. Scholes and Cr D. Marshall that:

The State Significant Development Committee endorses the Draft terms of reference.

In Favour: Cr J. Drayton, Cr C. Bailey, Cr D. Douglas, Cr D. Marshall, Cr L. Dunn, Cr S. Ward and Cr R. Scholes

Against: Nil

6.2 Muswellbrook Solar Farm - Project Update

The Proponent of the project provided the Committee with a brief update on the Muswellbrook Solar Farm (Project).

Concerns were raised regarding the significantly low percentage of recycled panels compared to figures provided and the impact of waste going into landfill.

Ms Evans advised the Committee that discussions to reduce plastic waster were already in place with suppliers.

The Committee also sought clarification of onsite storage and management processes of damaged/unusable panels.

Mr Denton advised the Committee in further details of management plan to be put in place and Councillors will be notified once finalised.

RESOLVED on the motion of Cr D. Douglas and Cr C. Bailey that:

The information contained in this report be noted. However, it was agreed by all Councillors that further discussion is to be had regarding the Storage and disposal of panels and further clarification to the definition of 'failure' of panels.

In Favour: Cr J. Drayton, Cr C. Bailey, Cr D. Douglas, Cr D. Marshall, Cr L. Dunn, Cr S. Ward and Cr R. Scholes

Against: Nil



6.3

Denman Road Renewable Energy Hub Planning Agreement & General Terms for Solar and Battery Developments

RESOLVED on the motion of Cr R. Scholes and Cr D. Marshall that:

- A. The SSD Committee resolves the following standard Planning Agreement general terms for State Significant solar farm and battery energy storage system (BESS) development:
1. Solar farm development - A monetary contribution of \$850/MWac as per the 'Benefit-Sharing Guideline' (November 2024) and the planning agreement with the proponent of the Muswellbrook Solar Farm (SSD-46543209). The monetary contribution will be based on installed capacity, provided every year of operation, and adjusted for Consumer Price Index (CPI).
 2. Battery Energy Storage System (BESS) development – A monetary contribution of \$200/MWh consistent with the planning agreement with the proponent of the Muswellbrook BESS (SSD-29704663). The monetary contribution will be based on installed capacity, provided every year of operation and indexed annually to CPI.
 3. Allocation of annual contribution payments to Council will be spent in the following ratios:
 - 10% Specialist staff contribution to respond on behalf of Council for the Project's assessment and implementation; and
 - 90% to community, environment and economic benefits managed as part of the Muswellbrook Shire Community Benefit Fund.
 4. Neighbourhood Benefits – The preferred mechanism to 'deliver neighbourhood benefits' is as rate rebates to property owners in the direct vicinity of any development, capital projects on Council or Crown land require a business case that considers ongoing financial impact on Council.
 5. Socio-Economic Commitments
 - a. The Proponent is to employ a minimum of four (4) residents of Muswellbrook Shire, as apprentices/trainees on the site during the construction phase.
 - b. The Construction Company and Proponent to a drop-in site with project information and ability to record complaints, in the Muswellbrook Central Business District (CBD), from commencement of the project and for the period of construction.
 - c. The Proponent to provide a procurement plan to demonstrate how the project will benefit local business through local spend for Council's approval. The minimum target should be for 5% local procurement by project value. Any Procurement Plan should include details of any temporary construction workforce accommodation.



- B. Neighbourhood Benefits for Denman Rd Renewable Energy Hub – Delegate to the General Manager to continue negotiations with the Proponent/s, in accordance with the Planning Agreement general terms in Point A, to ensure the Neighbourhood Benefit proportion is equitable and reasonable. Neighbourhood Benefits should extend to within approximately 4km of the Project Boundary (to capture residences on the western side of the Hunter River who will experience a visual impact).

Councillors agreed of the concern raised in regard to Items 5a, and the employment after construction phase and that further discussions/negotiations to be held with the Proponents regarding a guarantee and longevity of employment.

In Favour: Cr J. Drayton, Cr C. Bailey, Cr D. Douglas, Cr D. Marshall, Cr L. Dunn, Cr S. Ward and Cr R. Scholes

Against: Nil

8 Date of Next Meeting

11 March 2025

9 Closure

The meeting was declared closed at 4:40pm.

.....
Mr D. Finnigan
General Manager

.....
Cr J. Drayton
Chairperson