

State Significant Development Committee

Business Paper

9 SEPTEMBER 2025



State Significant Development Committee

Terms of Reference

1. Objective

The objective of the State Significant Development Committee (the Committee) is to enable submissions and responses relating to state significant development in the Muswellbrook Shire to be considered in a timely manner to meet timeframes set by the NSW Government.

2. Scope

The scope of activities to be overseen by the Committee include:

- Assess State Significant Development and prepare submissions and responses relating to state significant development.
- Consider changes in Government legislation and guidelines on planning matters.
- Receive updates on proposed State Significant Development projects, and existing quarry operations.
- Authorise submissions and responses to the Independent Planning Commission (IPC) on state significant development.

3. Authority

Muswellbrook Shire Council authorises the Committee, within the scope of its role and responsibilities, to:

- Use delegated authority to authorise submissions and responses to the Department of Planning, Housing and Infrastructure and the Independent Planning Commission (IPC).
- Assess State Significant Development and prepare submissions and responses relating to state significant development in the Muswellbrook Shire.
- Request information required to inform decision making (subject to their legal obligations to protect information and with prior consultation with the General Manager).
- Request information from employees (with approval of the General Manager) or Councillors.
- The Committee may request these persons to present information at Committee meetings to assist in understanding any matter under consideration.
- Obtain external legal or other professional advice, as considered necessary, to meet its responsibilities (in accordance with Council Budget and procurement arrangements and subject to prior consultation with the General Manager).

4. Composition and Tenure

The members of the Committee shall be 9 Councillors elected by Council.

Members (voting)

All members of the Committee (Councillors) are entitled to one vote with the Chair having a casting vote in the event of a tied vote.

**Attendees (non-voting)**

The following Council officers will act as liaison officers to the Committee:

Department	Role
Director – Planning & Environment	Liaison Officer
General Manager	Attendee
Director – Community & Economy	Attendee
Environmental Planning Officer	Attendee
Legal Counsel	Attendee

Invitees (non-voting) for specific Agenda items

Other officers may attend by invitation as requested by the Committee or the General Manager.

5. Responsibilities of Members

Members of the Committee are expected to:

- Agree that they are bound by Council’s Code of Conduct.
- Understand the relevant legislative and regulatory requirements appropriate to Muswellbrook Shire Council.
- Contribute the time needed to study and understand the papers provided.
- Apply sound analytical skills, objectivity and judgement.
- Express opinions frankly, ask questions that go to the fundamental core of the issues, and pursue independent lines of enquiry.
- Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of Council’s Code of Conduct.
- Act in good faith and fidelity in the interests of Council and the community.

6. Reporting

Following each meeting, the minutes will be reported to the next Council Meeting and the Chair will be required to provide a brief summary.

7. Meetings

- The Committee will meet at 4pm on the second Tuesday of each month except for January.
- The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.
- The Committee shall comply with Council’s adopted Code of Meeting Practice and Code of Conduct.
- Councillors may attend and participate in meetings of the committee by audio-visual link with the approval of the committee.



8. Attendance at Meetings and Quorums

A quorum will consist of six (6) Committee members. Meetings can be held in person or by video conference.

Voting

The Committee is expected to make decisions by consensus, however if voting becomes necessary, then the details of the vote are to be recorded in the minutes. Each member of the Committee shall be entitled to one vote only. In the event of a tied vote, the Chair will have a casting vote.

9. Secretariat

The General Manager will ensure that appropriate secretariat support is provided to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated at least one week before the meeting and ensure minutes of the meeting are prepared and maintained.

Minutes shall be approved by the Chair and circulated to all Committee members within one week of the meeting and filed in accordance with Council's Records Management Policy.

10. Conflicts of Interest

Members of Council committees must comply with the applicable provisions of Council's Code of Conduct in carrying out their functions as Council officials. It is the personal responsibility of Council officials to comply with the standards in the Code of Conduct and regularly review their personal circumstances with this in mind.

Committee members must declare any conflict of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflict of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

11. Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

12. Review of Committee Terms of Reference

At least once every two years the Committee will review this Committee's Terms of Reference and make recommendations on any changes to Council for its determination.

Any changes to the Committee Terms of Reference must be approved by Council.



MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK

2 September 2025

Cr J. Drayton (Chair)
Cr D. Hartley (Deputy Chair)
Cr C. Bailey
Cr D. Douglas
Cr L. Dunn
Cr G. McNeill
Cr D. Marshall
Cr R. Scholes
Cr S. Ward
Mr D. Finnigan (General Manager)
Ms S. Pope (Director – Planning & Environment)
Ms S. Richards (Director - Community & Economy)
Ms T. Folpp (Environmental Planning Officer)
Ms A. Hathway (Legal Counsel)

You are hereby requested to attend the State Significant Development Committee to be held in the Loxton Room, Administration Centre, Campbell's Corner 60-82 Bridge St, Muswellbrook NSW 2333 on **9 September 2025** commencing at **4:00 pm**.

Sharon Pope
DIRECTOR – PLANNING & ENVIRONMENT



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1 Acknowledgement of Country

Acknowledgement of Country

Council would like to respectfully acknowledge the local Aboriginal people who are the Traditional Owners and custodians of the land on which this meeting takes place

2 Apologies

3 Confirmation of Minutes of Previous Meeting

RECOMMENDATION

The Minutes of the State Significant Development Committee Meeting held on **12 August, 2025**, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

Moved: _____ **Seconded:** _____

MINUTES OF THE STATE SIGNIFICANT DEVELOPMENT COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE TEC MEETING ROOM, TERTIARY EDUCATION CENTRE, 87 HILL STREET, MUSWELLBROOK ON TUESDAY 12 AUGUST 2025 COMMENCING AT 4.10PM.

PRESENT: Cr J. Drayton (Chair), Cr D. Hartley, 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 S. Richards (Director - Community & Economy), Ms T. Folpp (Environmental Planning Officer), Mrs T. Ward (Sustainability Officer), Ms A. Hathway (Legal Counsell (VC)) Mr N. Mowbray (Policy Officer) and Mrs M. Sandell-Hay (Acting Manager - Governance & Risk).

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 L. Dunn that:

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

In Favour: Cr J. Drayton, Cr D. Hartley, 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 C. Bailey and Cr S. Ward that:

The Minutes of the State Significant Development Committee Meeting held on **10 June, 2025**, 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 D. Hartley, 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 Maxwell Joint Tailings & Reject Management Project - Council Comments on Modification Report

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

The SSD Committee provides feedback on and endorses the submission on the Maxwell Joint Tailings Management Project (SSD-9526 MOD 3) tabled at the Committee meeting.

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

Against: Nil

6.2 Activities Summary for State Significant Development and Energy Generation Projects

RESOLVED on the motion of Cr S. Ward and Cr R. Scholes that:

The information contained in this report be noted.

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

Against: Nil

7 Adjournment into Closed Committee

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

The Committee adjourn into Closed Session.

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

Against: Nil



8 Closed Committee

8.3 Muswellbrook Pumped Hydro - Planning Agreement Initial Letter of Offer

This report is CONFIDENTIAL under the provisions of Section 10A(2)(d) of the Local Government Act 1993, as it relates to commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret.

RESOLVED on the motion of Cr S. Ward and Cr R. Scholes that:

Council

1. Notes the Initial Letter of Offer for a Planning Agreement with Muswellbrook Pumped Hydro Trust (see Attachment A); and
2. Authorises Staff to continue negotiations with Muswellbrook Pumped Hydro Trust, giving effect to the recommendations outlined in Attachment B.

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

Against: Nil

9 Resumption of Open Committee

RESOLVED on the motion of Cr D. Douglas and Cr L. Dunn that:

The meeting return to Open Committee.

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

Against: Nil.

The Mayor read out the resolution from Close Committee.

10 Date of Next Meeting

9 September, 2025

11 Closure

The meeting was declared closed at 4.41pm.

.....
Mr D. Finnigan
General Manager

.....
Cr J. Drayton
Chairperson



4 Disclosure of Any Pecuniary and Non-Pecuniary Interests

5 Business Arising

Nil



6 Business

6.1 Hunter Transmission Project - Council submission on Environmental Impact Statement

Responsible Officer: Director - Planning & Environment

Author: Environmental Planning Officer

Community Strategic Plan: 3 - *Thriving Economy*

Our community has opportunities for employment, business and training and we drive investment into our economy to benefit our community.

Delivery Program Goal: 3.4.1 - Work with industry and government to fast-track land use planning and infrastructure to support future industry uses.

Operational Plan Action: 3.4.1.3 - Advocate on behalf of the community on matters related to State Significant Development and the renewable energy roll-out.

Attachments: Nil

PURPOSE

To endorse Council's submission in relation to the Hunter Transmission Project (HTP) Environmental Impact Statement (EIS).

The HTP has been declared Critical State Significant Infrastructure (CSSI-70610456) and will be determined by the Minister for Planning.

OFFICER'S RECOMMENDATION

The Committee ENDORSES the draft submission on the Hunter Transmission Project for submission to the Department of Planning, Housing and Infrastructure.

Moved: _____ **Seconded:** _____

REPORT

The Hunter Transmission Project (HTP) is both a Critical State Significant Infrastructure (CSSI) project and a Priority Transmission Infrastructure Project (PTIP). The HTP is required for energy security in New South Wales by connecting the 500Kv circuit that distributes energy across the State.

Key components and activities of the HTP include:

- A new overhead 500 kV double circuit transmission line of around 110 km between the Bayswater South 500 kV switching station and the Olney 500 kV switching station;
- Two new switching stations (Bayswater South and Olney);
- These works enable 5 gigawatts (GW) of additional transfer capacity between Bayswater and Eraring;



- Associated works, including upgrades to the existing Bayswater and Eraring substations, adjustments to existing transmission lines, access tracks, temporary construction facilities such as laydown areas, and stringing sites;
- A construction support site with temporary workers accommodation for up to 300 workers and helipad on Hebden Road;
- Upgrade to the construction site entrance on Hebden Road;
- Around 830 full-time equivalent workers during peak construction periods - HTP North workforce to be determined;
- A 2.5-year construction period commencing in 2027;
- Operation commencing at the end of 2029; and
- Around 1580 ML of water (170 ML of potable water and 1410 ML of non-potable water).

The HTP has been divided into three distinct corridors. HTP north runs mostly through power station, mining, and government land between Bayswater and Broke. HTP North will connect to the Bayswater substation, located at the edge of the Muswellbrook Shire Local Government Area boundary (see Figure 1). This area has previously been disturbed and contains minimal vegetation.

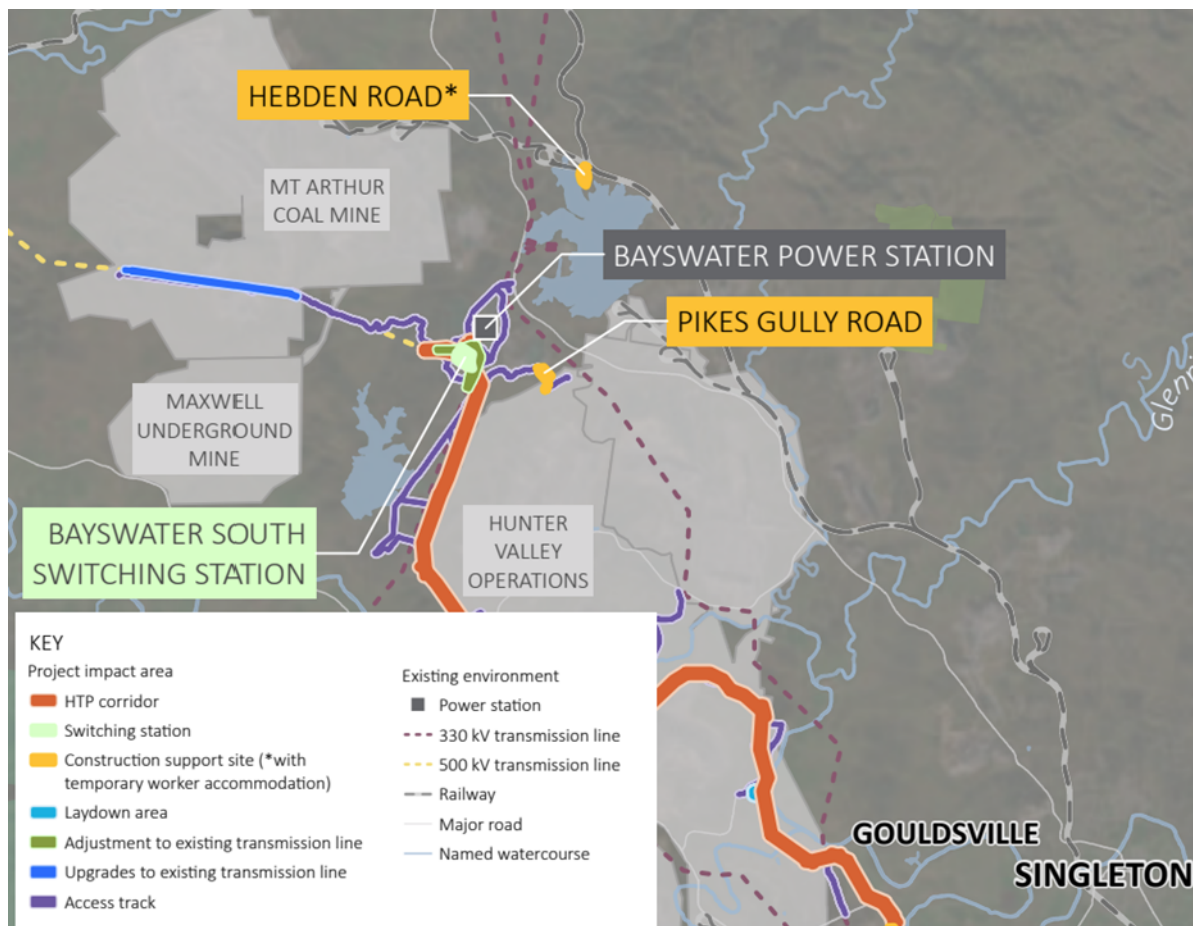


Figure 1 – Location of HTP North in relation to the Muswellbrook LGA

The EIS was formally exhibited from 30 August 2025. Submissions are due by 24 Sept 2025. As staff have only just begun reviewing the EIS the draft submission will be tabled at the Committee Meeting



6.2 Dolwende Quarry - Council submission on Modification Report

Responsible Officer: Director - Planning & Environment

Author: Environmental Planning Officer

Community Strategic Plan: 3 - *Thriving Economy*

Our community has opportunities for employment, business and training and we drive investment into our economy to benefit our community.

Delivery Program Goal: Not Applicable

Operational Plan Action: 3.4.1.3 - Advocate on behalf of the community on matters related to State Significant Development and the renewable energy roll-out.

Attachments: Nil

PURPOSE

To consider Council's submission in relation to the Dolwende Quarry Modification (MOD1).

The Dolwende Quarry was approved on 25 November 2016 and is State Significant Development (SSD-6519). The MOD will be determined by the Minister for Planning and Public Spaces.

OFFICER'S RECOMMENDATION

The Committee ENDORSES the draft submission on the Dolwende Quarry Modification (MOD1) for submission to the Department of Planning, Housing and Infrastructure.

Moved: _____ **Seconded:** _____

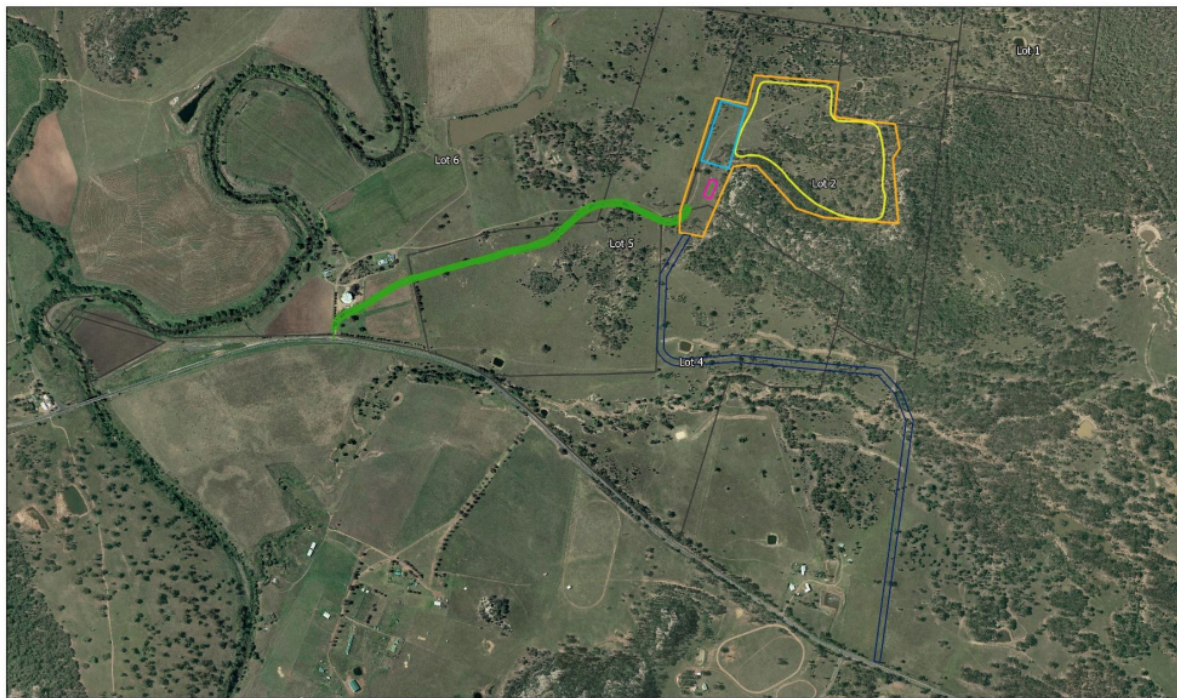
REPORT

On 25 November 2016 the then Minister for Planning granted consent to State Significant Development SSD-6519 for the construction and operation of the Dolwende Quarry, which is located 7km east of Sandy Hollow along the Golden Highway at Hollydeen.

Dolwende Quarry is approved to produce up to 250,000 tonnes of product per year, operate a rock crushing and screening plant, office, amenities, car parking, and a 2.5km long haul road to connect the quarry with the Golden Highway just east of the Rosemount Road intersection with a BAR/AUL intersection.

The modification (MOD1) to SSD-6519 seeks to relocate the quarry haul road and entrance and to amend and correct several conditions within the consent.

The approved haul road is shown in dark blue outline and proposed modified haul road in bright green in the image below. The new location has good sight distances and would allow the opportunity for shared access with the proposed Abattoir development, should it proceed.



Upper Hunter Holdings
Development Layout with Modified
Haul Road
Dolwendee Quarry Modification

pitt&sherry



MAP REF P22.1614
AUTHOR JB
REVISION RevH
DATE 23/07/2025

0 120 240 480 Metres
Coordinate System: GDA 1994 MGA Zone 58
1:9,000
When Printed at A4

DATA SOURCES
Aerial imagery from ESRI,
Data from Spatial
Collaboration Portal,
Project Specific Data

Legend

- Approved Project Area
- Quarry Footprint
- Approved Haul Road
- Proposed Modified Haul Road
- Material Processing Area
- Office Area and Carpark
- Lot Boundary (DP1160936)

The MOD was forwarded to Council for comment on 28 August 2025. Submissions are due by 16 Sept 2025. As staff have only just begun reviewing the EIS, the draft submission will be tabled at the Committee Meeting.



6.3 Activities Summary for State Significant Development and Energy Generation Projects

Responsible Officer: Director - Planning & Environment

Author: Environmental Planning Officer

Community Strategic Plan: 5 - Working Together

Delivery Program Goal: Our community is involved in decision making and resources are managed to align with the values and priorities.

Not Applicable

Operational Plan Action: Not applicable

Attachments: 1. Muswellbrook- Solar Farm Project Information Sheet August 2025 [6.3.1 - 2 pages]

PURPOSE

To advise on recent activities of Council Officers and Councillors in relation to State Significant Development including Energy Generation projects.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

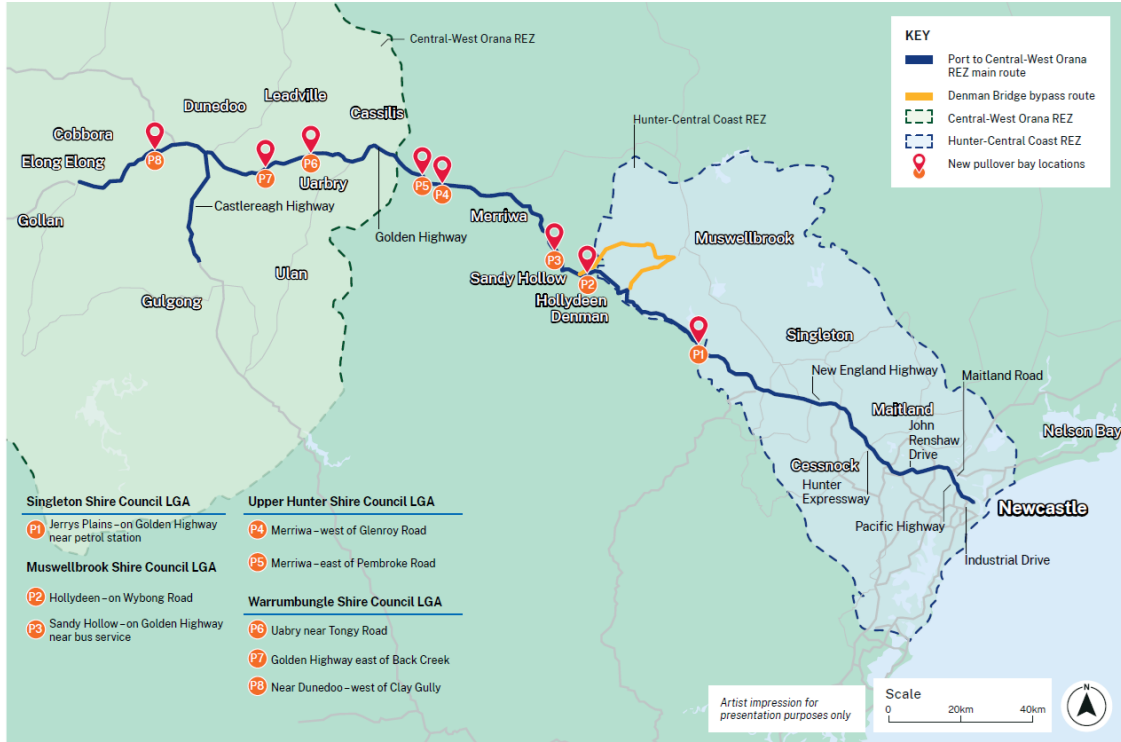
Moved: _____ **Seconded:** _____

REPORT

Project Name	Update
AGL	<ul style="list-style-type: none"> Lumea, part of the Transgrid Group, has reached a key construction milestone for the Liddell Battery Energy Storage System (BESS). Two 330/33kV transformers weighing 254 tonnes each were delivered. Approximately 147 people are currently working onsite and targeted first operations planned for early 2026.
Bengalla	<ul style="list-style-type: none"> MOD7 for the Temporary Overburden Emplacement Area was approved. A Modification Report is being prepared for MOD8, which will propose to amend the Bengalla Link Road and Final Landform. Staff and Councillors attended the Community Consultative Committee (CCC) in August, where it was noted that stockpiles are nearing capacity due to recent rainfall impacting the Port of Newcastle and preventing ships from entering.
Dartbrook	<ul style="list-style-type: none"> MOD8 – The Department received submissions from Environment Protection Authority, NSW Department of Climate Change, Energy, the Environment and Water and Council's. Dartbrook will now be required to respond to these residual matters.



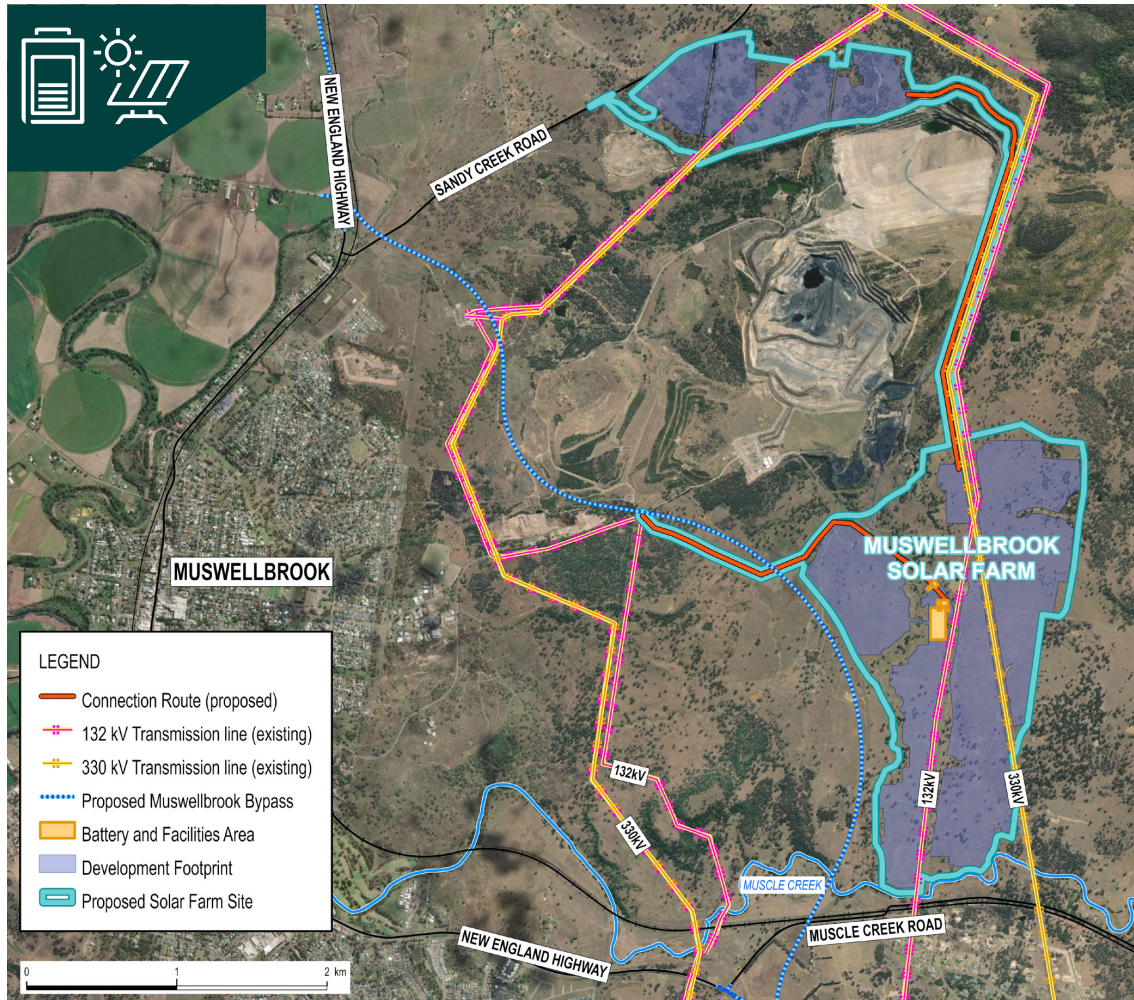
Project Name	Update
Muswellbrook Coal	<ul style="list-style-type: none">• Staff are awaiting confirmation of the date for the final CCC meeting and will arrange a separate site tour of the rehabilitation for Councillors.
Mount Arthur	<ul style="list-style-type: none">• A Modification Report for MOD3 has been lodged with the Department for the Joint Tailings Management Project with the neighbouring Maxwell Underground Mine. Staff have not yet received a formal referral.
Mount Pleasant	<ul style="list-style-type: none">• For information, under the current approval DA 92/97, mining is expected to cease 22 December 2026.
Mangoola	<ul style="list-style-type: none">• Councillors attended CCC meeting in August.
Maxwell	<ul style="list-style-type: none">• Staff and Councillors attended CCC meeting in August.
Liddell	<ul style="list-style-type: none">• Liddell Mine undertaking a 'Floating Island' trial. The main objective of the trial is to evaluate the use of large aquatic floating islands to enhance aquatic and terrestrial biodiversity in pit lakes, particularly during prolonged lake filling.
Other	<ul style="list-style-type: none">• Staff received a briefing from EnergyCo in relation to pull over bays on the Port to REZ route (see image below)• Construction of the CWO REZ Transmission Line has commenced• Section 138 permit application submitted for road upgrades on CWO Port to REZ, intersection of Bengalla Road / Denman Road and Wybong Road / Golden Highway• Muswellbrook Solar has provided a project update – see attached. Note that construction is expected to commence early 2026



Port to REZ (CWO) – Location of Pullover Bays

Muswellbrook Solar Farm and Battery Project Information Sheet

August 2025



The Project

OX2 is progressing the approved Muswellbrook Solar Farm, featuring a 135MW solar farm and a Battery Energy Storage System (BESS) of up to 135MW across 482 hectares. The project is located approximately 2.5km east of Muswellbrook, with the majority on the site being land owned by Muswellbrook Coal Company (MCC), a wholly owned subsidiary of Idemitsu Australia Pty Ltd. The project is being developed in partnership with Idemitsu.

The project is located within the Hunter Central Coast Renewable Energy Zone (REZ). It will connect to NSW's electricity network via a tee connection into the 95 M feeder, a 132 kV overhead line to the west of the site. This will require construction of approximately 2.4 km of 132 kV overhead line and a 132 kV switching yard.

Battery Energy Storage System

Covering 2.1 ha of land the BESS will act as a large-scale power supplier and connect to NSW's electricity

transmission grid. It will store up to 135MW of energy which can supply approximately 2 hours of electricity.

The BESS will store energy for use when it's needed most. It will provide reliable and affordable power, helping utilities quickly deliver electricity during peak times, outages, or shortages. This will improve energy security for NSW.



Idemitsu

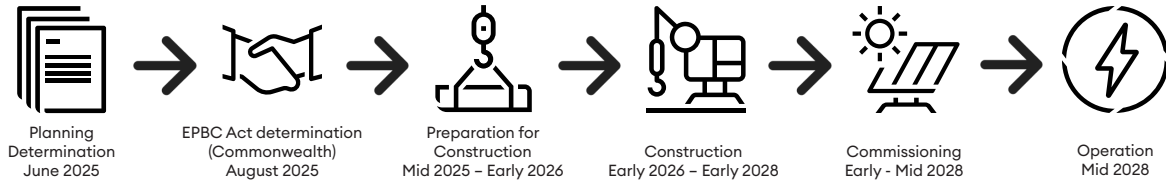
Idemitsu has been operating in Australia for more than 40 years as a subsidiary of Japanese company Idemitsu Kosan, which has a long history with renewable energy projects in Japan.

Muswellbrook Solar Farm is part of the Idemitsu proposed Muswellbrook Clean Industries Precinct (MCIP). The plans for MCIP, include the Bells Mountain pumped hydro energy storage project, which Idemitsu is developing with AGL Energy.



Project Status

We are currently in the early stages of preparing the project for construction which we anticipate will start in mid-2026, and operations in 2028. The estimated timeline for the Project’s lifecycle includes the following key phases:



Planning Approval Process

The project has been approved by the NSW Minister for Planning under the Environmental Planning and Assessment Act 1979 (the EP&A Act).

The project was approved in March 2025.

The Project was referred the Department of Energy Efficiency, Climate Change and Water under the Environmental Protection and Biodiversity Act 1999 (EPBC Act) for Commonwealth approval.

Project Benefits

The Project is expected to deliver affordable, clean, and reliable electricity for NSW while offering economic, social, and environmental benefits, including:

- Powering up to 79,000 NSW’s homes with clean energy.
- Storing up to 135 MW of energy to provide approximately 2 hours of electricity.
- Creating up to 200 jobs during construction and 6 operational roles.
- Funding community benefit programs via a Voluntary Planning Agreement (VPA) with Muswellbrook Shire Council.
- Enabling greater integration of renewable energy into the grid to help reduce market volatility.
- Reducing up to 7.6 million tonnes of carbon emissions, avoided yearly.
- Supporting NSW’s renewable energy targets of 70% by 2035 and net zero by 2050.

Fast Facts

Local Government Area	<i>Muswellbrook Shire Council</i>
Location	<i>2.5km east of Muswellbrook</i>
Traditional Custodians	<i>Wonnarua People</i>
Solar Farm Capacity	<i>135 MW</i>
Energy Production	<i>347 GWh</i>
Footprint Size	<i>482 hectares / 1191 acres</i>
Number of panels	<i>Approximately 300,000</i>
Size of Battery	<i>Up to 135MW / 2hours</i>
Number of containers	<i>Approximately 108</i>
Homes supplied	<i>Approximately 79,000</i>
CO2 saved over operational life	<i>Approximately 7.6mil</i>
Jobs created during construction	<i>Up to 200</i>
Jobs created during operation	<i>Up to 6</i>

The information provided in this factsheet was accurate at the time of publication; however, some details may change as the project progresses

Community Benefits

OX2 is committed to delivering long-term benefits to the communities where our projects are located.

As part of this commitment, the Muswellbrook Solar Farm will contribute \$850 per megawatt of installed capacity annually to a Community Benefit Sharing Program, as outlined in a Voluntary Planning Agreement (VPA) with Muswellbrook Shire Council.

Please contact us using the details below or via our website, for additional information.

OX2 Australia
Suite 403, Level 4 / 65 Dover Street,
Cremorne, VIC 3121
1800 116 155
03 8595 2406
info-au@ox2.com
OX2.com/australia



The project is located within the Traditional lands of the Wonnarua people. OX2 wishes to acknowledge them as Traditional Owners of the land and pay our respect to Aboriginal and Torres Strait Islander people past and present. We acknowledge their continuous connection to Country.



Signatory of the CEC Best Practice Charter for Renewable Energy Projects





7 Adjournment into Closed Committee

8 Closed Committee

Nil

9 Resumption of Open Committee

10 Date of Next Meeting

14 October, 2025

11 Closure