

# State Significant Development Committee

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Business Paper

11 NOVEMBER 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**

6 November, 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 Meeting Room, Level 1 Tertiary Education Centre, 87 Hill Street, Muswellbrook on **11 November 2025** commencing at **4:00 pm**.

Sharon Pope  
**DIRECTOR – PLANNING & ENVIRONMENT**



# Order of Business

|   |           |
|---|-----------|
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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 **9 September, 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, LEVEL 1 TERTIARY EDUCATION CENTRE, 87 HILL STREET, MUSWELLBROOK ON TUESDAY 9 SEPTEMBER 2025 COMMENCING AT 4.04PM.**

**PRESENT:** Cr J. Drayton (Chair), Cr D. Hartley, Cr C. Bailey, Cr L. Dunn, Cr D. Marshall and Cr S. Ward.

**IN ATTENDANCE:** 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 Counsel), Ms L. Ward (EA to the Mayor and GM) and Mrs M. Sandell-Hay (Governance Officer).

### **1 Acknowledgement of Country**

The Acknowledgement of Country was read by Cr J. Drayton

### **2 Apologies**

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

The apology for inability to attend the meeting submitted by Cr C. Bailey, Cr D. Douglas, Cr G. McNeill and Cr R. Scholes be ACCEPTED.

In Favour: Cr J. Drayton, Cr D. Hartley, Cr D. Marshall, Cr L. Dunn and Cr S. Ward

Against: Nil

### **3 Confirmation of Minutes of Previous Meeting**

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

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.

In Favour: Cr J. Drayton, Cr D. Hartley, Cr D. Marshall, Cr L. Dunn and Cr S. Ward

Against: Nil

### **4 Disclosure of Any Pecuniary and Non-Pecuniary Interests**

Nil

### **5 Business Arising**

Nil



## 6 Business

### 6.1 Hunter Transmission Project - Council submission on Environmental Impact Statement

An updated draft submission was tabled at the meeting.

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

The Committee generally endorses the draft submission on Hunter Transmission Project and authorises the general manager to incorporate feedback from Councillors before submitting to the Department of Planning, Housing and Infrastructure.

In Favour: Cr J. Drayton, Cr D. Hartley, Cr D. Marshall, Cr L. Dunn and Cr S. Ward

Against: Nil

### 6.2 Dolwende Quarry - Council submission on Modification Report

An updated draft submission was tabled at the meeting.

RESOLVED on the motion of Cr L. Dunn and Cr S. Ward that:

The Committee generally ENDORSES the draft submission on the Dolwende Quarry Modification (MOD1) and authorises the general manager to incorporate feedback from Councillors before submitting to the Department of Planning, Housing and Infrastructure.

In Favour: Cr J. Drayton, Cr D. Hartley, Cr D. Marshall, Cr L. Dunn and Cr S. Ward

Against: Nil

### 6.3 Activities Summary for State Significant Development and Energy Generation Projects

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

The information contained in this report be noted.

In Favour: Cr J. Drayton, Cr D. Hartley, Cr D. Marshall, Cr L. Dunn and Cr S. Ward

Against: Nil

## 7 Adjournment into Closed Committee

Nil

## 8 Closed Committee

Nil



**9 Resumption of Open Committee**

**10 Date of Next Meeting**

14 October, 2025

**11 Closure**

The meeting was declared closed at 4:19pm.

.....  
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 Air Quality – University of Newcastle Research and EPA Monitoring Update

**Responsible Officer:** Director - Planning & Environment

**Author:** Environmental Planning Officer

**Community Strategic Plan:** 4 - Great Place to Live

Our community offers a great lifestyle in a healthy natural environment.

**Delivery Program:** 4.4.1 - Advocate for improved air quality monitoring and reporting.

**Operational Plan:** 4.4.4.1 - Advocate on behalf of the community on air quality.

**Attachments:** Nil

#### PURPOSE

The purpose of this report is to provide:

- Mitchell Aafjes from the University of Newcastle (UoN) an opportunity to present an update on his air quality research; and
- An update on the Environment Protection Authority’s new air quality monitoring and verification program.

#### OFFICER’S RECOMMENDATION

The information contained in this report be noted.

**Moved:** \_\_\_\_\_ **Seconded:** \_\_\_\_\_

#### REPORT

##### UoN Air Quality Research

Mitchell Aafjes from the University of Newcastle (UoN) will provide an update and summary of his research.

##### EPA’s Air Quality Monitoring and Verification Program

In September 2025, Staff attended a presentation by the Environment Protection Authority (EPA). During the presentation, the EPA advised that the procurement and installation of high-precision monitoring equipment, including ceilometers and 3D anemometers, had commenced.

The figure below outlines all changes to the EPA’s monitoring and verification program.

Staff are hopeful that the addition of a ceilometer will mean particulate characterisation of spontaneous combustion and wood smoke, and the differentiation of that from PM2.5 from



mine sites and diesel trains, will be more readily possible.

A further update on the status of the air quality monitoring and verification program will be provided when available.

## GHG Monitoring and Verification Program

*Progress to date*



- **Desktop analysis**
  - Work is underway to inform phased rollout of instruments (analysis of optimal locations to capture emissions, need for background locations)
  - Accounting for meteorology and dispersion of emissions from coal mines
- **Instruments and monitoring stations**
  - Procurement and installation of high precision CH<sub>4</sub> and CO<sub>2</sub> analysers, ceilometers, 3D anemometers and CO trace analysers has commenced
  - Engineering works underway at existing stations
- **Data and Modelling Working Group**
  - Inverse modelling framework is under development
  - Extensive consultation with external experts for advice on modelling approaches
- **Establishing a Scientific Advisory Committee**
  - Representatives from the academic/research community and industry
  - Provide technical advice to the project team on various aspects during the establishment phase of the program
  - May contribute to or facilitate contribution to technical aspects of the project



## 6.2 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:** Nil

### 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"> <li>• First stage of Liddell BESS targeted for commissioning in early 2026.</li> </ul>   |
| Bengalla          | <ul style="list-style-type: none"> <li>• The Company is preparing documentation for MOD8, which will amend the Bengalla Link Road and Final Landform.</li> </ul>  |
| Dartbrook         | <ul style="list-style-type: none"> <li>• Dartbrook Mine preparing a response to residual matters identified with MOD8.</li> <li>• In August 2025, Council wrote to Federal Treasurer Jim Chalmers calling for urgent reform to protect mining communities after the collapse of Dartbrook Mine left local businesses and workers bearing costs for multi-billion-dollar corporations.</li> <li>• The Receivers and Managers of Dartbrook Coal Mine are proposing to suspend underground mining operations.</li> </ul> |
| Muswellbrook Coal | <ul style="list-style-type: none"> <li>• Muswellbrook Coal have revised its Mine Closure Plan following the June SSD Committee resolution. Staff will review and provide a response.</li> </ul>   |
| Mount Arthur      | <ul style="list-style-type: none"> <li>• A Modification Report for MOD3 has been lodged with DPPI for the Joint</li> </ul>  |



| Project Name          | Update   |
|-----------------------|--|
|                       | <p>Tailings Management Project with the neighbouring Maxwell Underground Mine. Staff have not yet received a referral from DPHI.</p>   |
| <p>Mount Pleasant</p> | <ul style="list-style-type: none"> <li>• MACH Energy provided preliminary information on a proposed modification to DA 92/97 (MOD8). Key aspects of MOD8 include:               <ul style="list-style-type: none"> <li>○ An extension of the permitted period of mining operations until 31 December 2032, and</li> <li>○ An increase of the approved Run Of Mine (RoM) coal extraction rate from 10.5 Million tonnes per annum (Mtpa) to 12.5 Mtpa.</li> </ul> </li> <li>Staff provided a preliminary response that any modification should include clarification on the approved disturbance area.</li> <li>• Staff meeting with representatives from MACH Energy to provide input to a Social Impact Management Plan for MOD8.</li> </ul>   |
| <p>Mangoola</p>       | <ul style="list-style-type: none"> <li>• Exploration occurring in AL9 which generally surrounds the current mining areas.</li> <li>• Property at 70 Hidden Valley ROW marked for demolition works in Q3.</li> </ul>  |
| <p>Maxwell</p>        | <ul style="list-style-type: none"> <li>• MOD3 approved.</li> <li>• Exploration ongoing in the 'Spur Hill' project area (see figure below).</li> <li>• The main ventilation shaft fan has been installed and commissioned</li> <li>• Employment is now ~300 people and are progressing to full complement to correspond with commissioning of the longwall.</li> <li>• Malabar have entered into a partnership with Akaysha Energy to develop a large-scale battery (location not yet provided to Council staff).</li> </ul>  |
| <p>Liddell Coal</p>   | <ul style="list-style-type: none"> <li>• Closure project has been extended to the end of 2027 due to the expected delay in completion of works, mainly the capping and rehabilitation of Durham Tailings Dam.</li> <li>• As of 1 January 2025, Liddell had completed 1,116.5 Ha of rehabilitation against a total of 1,644 Ha. Areas of rehabilitation will be submitted for sign off by the Regulator, however the rehabilitated land would all be relinquished together.</li> <li>• There are currently 17 full-time Glencore employees and ~60 contractors mostly working for Ditchfield, Jupps and Oldknow.</li> </ul>   |
| <p>Other</p>          | <ul style="list-style-type: none"> <li>• Temporary Workforce Accommodation Site Suitability Assessment being undertaken by external consultants for Council. Site inspections completed last week.</li> <li>• Staff and the Mayor met with representatives from Ascera Energy to discuss the Gelston Energy Park BESS on Sandy Creek Road. Ascera Energy held a community information session at Hunter Belle Cheese recently.</li> <li>• The corridor for the proposed New England REZ transmission project has been amended. Further information is available on EnergyCo's website here <a href="https://www.energyco.nsw.gov.au/news/updated-route-new-england-renewable-energy-zone-study-corridor">https://www.energyco.nsw.gov.au/news/updated-route-new-england-renewable-energy-zone-study-corridor</a></li> <li>• Regional Major Infrastructure Studies (REZ-wide studies) released Wednesday 29 October via EnergyCo's online portal for the area from</li> </ul> |

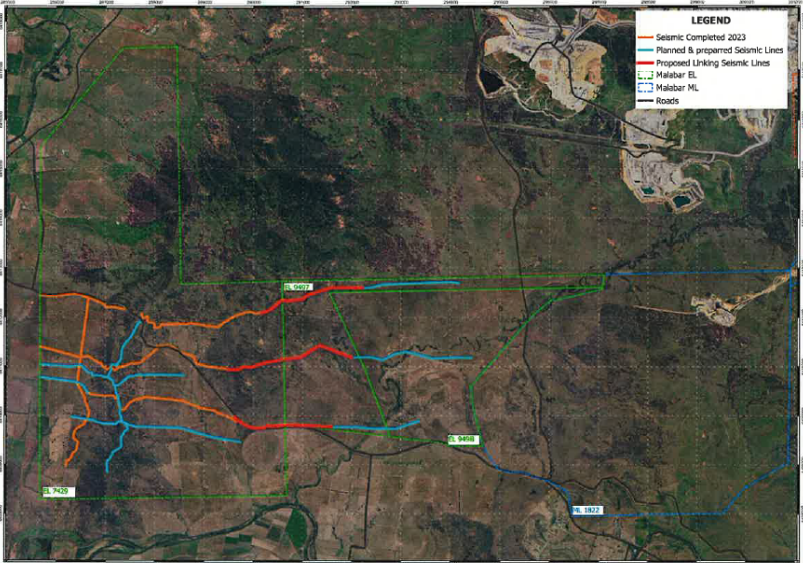



| Project Name | Update  |
|--------------|---|
|              | <p>Muswellbrook to Armidale: <a href="https://energyco.nsw.gov.au/nerez">energyco.nsw.gov.au/nerez</a></p> <ul style="list-style-type: none"><li>• Muswellbrook Solar Farm - Ox2 currently engaging with potential Engineering, Procurement and Construction (EPC) contractors and commenced work on detailed management plans (e.g. waste and temporary worker accommodation).</li></ul> |

**Maxwell Mine – Exploration in ‘Spur Hill’ project area (in the vicinity of the Golden Highway)**

### EL 7429, EL 9497 & EL 9498 Exploration

- Acquisition of prepared seismic lines has been paused.
- Assessing options to link prepared seismic lines (cyan) to the seismic lines acquired in 2023 (orange).
- The red lines are the proposed positions pending:
  - Access agreements
  - Ground truthing
  - Arch & Eco due diligence surveys



 MALABAR

5



**7 Adjournment into Closed Committee**

**8 Closed Committee**

Nil

**9 Resumption of Open Committee**

**10 Date of Next Meeting**

9 December, 2025

**11 Closure**