

State Significant Development Committee

Business Paper

12 MAY 2026



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

5 May, 2026

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 **12 May 2026** 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 **14 April, 2026**, 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 14 APRIL 2026 COMMENCING AT 4:00PM.

PRESENT: Cr J. Drayton (Chair), Cr D. Douglas, Cr G. McNeill, Cr D. Marshall, Cr R. Scholes and Cr S. Ward.

IN ATTENDANCE: Cr A. Barry, 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)(VL), Mrs T. Ward (Environmental Planning Officer), Mrs M. Sandell-Hay (Governance Officer), Ms L. Ward (EA to Mayor & GM) and Mr D. Waddell (Trainee ICT Support Officer), Mr N. Mowbray (Policy Officer), Ms. C. Wilson (Administration Officer) and 3 people in the public gallery.

1 Acknowledgement of Country

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

2 Apologies

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

The apology for inability to attend the meeting submitted by Cr C. Bailey, Cr L. Dunn and Cr. D. Hartley be ACCEPTED.

In Favour: Cr J. Drayton, Cr D. Douglas, Cr D. Marshall, Cr S. Ward, Cr G. McNeill and Cr R. Scholes

Against: Nil

3 Confirmation of Minutes of Previous Meeting

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

The Minutes of the State Significant Development Committee Meeting held on **10 February, 2026**, 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. Douglas, Cr D. Marshall, Cr S. Ward, Cr G. McNeill and Cr R. Scholes

Against: Nil

4 Disclosure of Any Pecuniary and Non-Pecuniary Interests

Cr D. Douglas - Declared a pecuniary interest in Item 6.3 - Cr D. Douglas advised Committee that her son has a contract with the Mt Pleasant Mine.

5 Business Arising

Nil



6 Business

6.1 Hunter Transmission Project - Council comments on the Submissions Report and Amendment Report

RECOMMENDED on the motion of Cr R. Scholes and Cr G. McNeill that:

The State Significant Development Committee ENDORSES the submission provided in Attachment A.

6.2 Muswellbrook Solar Farm - Revised Accommodation and Employment Strategy

RECOMMENDED on the motion of Cr G. McNeill and Cr D. Marshall that:

The State Significant Development Committee:

1. Notes the responses in the Table that is Attachment A;
2. Supports the revised Accommodation and Employment Strategy for Muswellbrook Solar Farm subject to the commitments in that Strategy being fulfilled; and
3. Advises that the use of accommodation built for the Hunter Transmission Project (HTP), if built in Hebden Rd, is not supported by Council due to traffic safety and lack of legacy outcomes. This Temporary Worker Accommodation will only be used for the HTP project then decommissioned.

6.3 Mount Pleasant Mine MOD8 - Council comments

Disclosure of Interest

Cr D. Douglas - declared a pecuniary interest in this Item. Cr D. Douglas advised the Committee that her son has a contract with the Mt Pleasant mine.

At 4:24 pm Cr D. Douglas left the Council Chambers and therefore took no part in discussion or voting on this item.

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

The State Significant Development Committee ENDORSES the draft submission on Mount Pleasant Modification 8, to be tabled at the Committee Meeting, for submission to the Department of Planning, Housing and Infrastructure (DPHI).

In Favour: Cr J. Drayton, Cr D. Marshall, Cr S. Ward, Cr G. McNeill and Cr R. Scholes

Against: Nil

At 4:29 pm Cr D. Douglas returned to the Council Chambers and returned to their chair.



6.4 Activities Summary for State Significant Development

RESOLVED on the motion of Cr D. Marshall and Cr S. Ward that:
The information contained in this report be noted.

In Favour: Cr J. Drayton, Cr D. Douglas, Cr D. Marshall, Cr S. Ward, Cr G. McNeill and Cr R. Scholes

Against: Nil

7 Closed Committee

Nil

8 Date of Next Meeting

12 May, 2026

9 Closure

The meeting was declared closed at 4:32pm.

.....
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 2025 Extractive Industry (Quarry) Audit

Responsible Officer: Director - Planning & Environment

Author: Sustainability Officer

Community Strategic Plan: 5 - *Working Together*

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

Delivery Program: Not Applicable

Operational Plan: Not applicable

Attachments: Nil

PURPOSE

To provide a summary of the results of the 2025 Council Quarry Audit to Council's State Significant Development Committee.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ **Seconded:** _____

BACKGROUND

In 2017, Council Staff undertook the 'Quarry Review of Quarries Holding Consents Granted by Muswellbrook Shire Council' (2017 Quarry Review). The 2017 Quarry Review concluded that the quarries were generally in a poor state of compliance, primarily because of "a *complete inattention by Council for a number of years*".

A subsequent quarry review occurred in 2018 and 2022. The 2022 compliance review considered development consents and other licences, including Environment Protection Licences (EPLs), water licences, and controlled activity approvals (where relevant), and the audit was undertaken generally consistent with the '*Independent Audit Guideline, October 2015*' (Audit Guidelines) (DPIE, 2015). The 2022 Quarry Audit was reported to the May 2022 meeting of Council's State Significant Development Committee.

Since then, inspections have generally occurred on an annual basis.

REPORT

Staff have undertaken the 2025/2026 Quarry Audit as required by Section 11.27 of Council's Development Control Plan. Table 1 outlines Council's Development Control Plan requirements and how they have been addressed in the 2025 Quarry Audit.

**Table 1 – Council Development Control Plan Requirements and How Addressed**

DCP Requirement (s 11.27)	2025/2026 Quarry Audit - How Addressed
Compliance with environmental controls, EIS obligations and consent conditions.	Staff reviewed key aspects of the quarries using the ' <i>Environmental Audit for Extractive Industries Checklist</i> ', shown in Table 3. A comprehensive audit was completed in 2022. Audits of this nature are not undertaken annually due to the time and resources required to complete a full assessment against all applicable consent conditions and statutory requirements.
The audits to generally occur during October/ November by Council officers.	Most inspections were undertaken in October and November 2025; however, due to the availability of Council staff and quarry operators, some inspections were completed in early 2026.
The audit recommendations and outcomes are to be reported to Council's Extractive Industry Committee for consideration	As that Committee no longer exists, staff report to the SSD Committee instead. No specific recommendations have arisen from the 2025/2026 Quarry Audit. Staff are continuing to work with individual operators to address a few historic matters associated with each site.

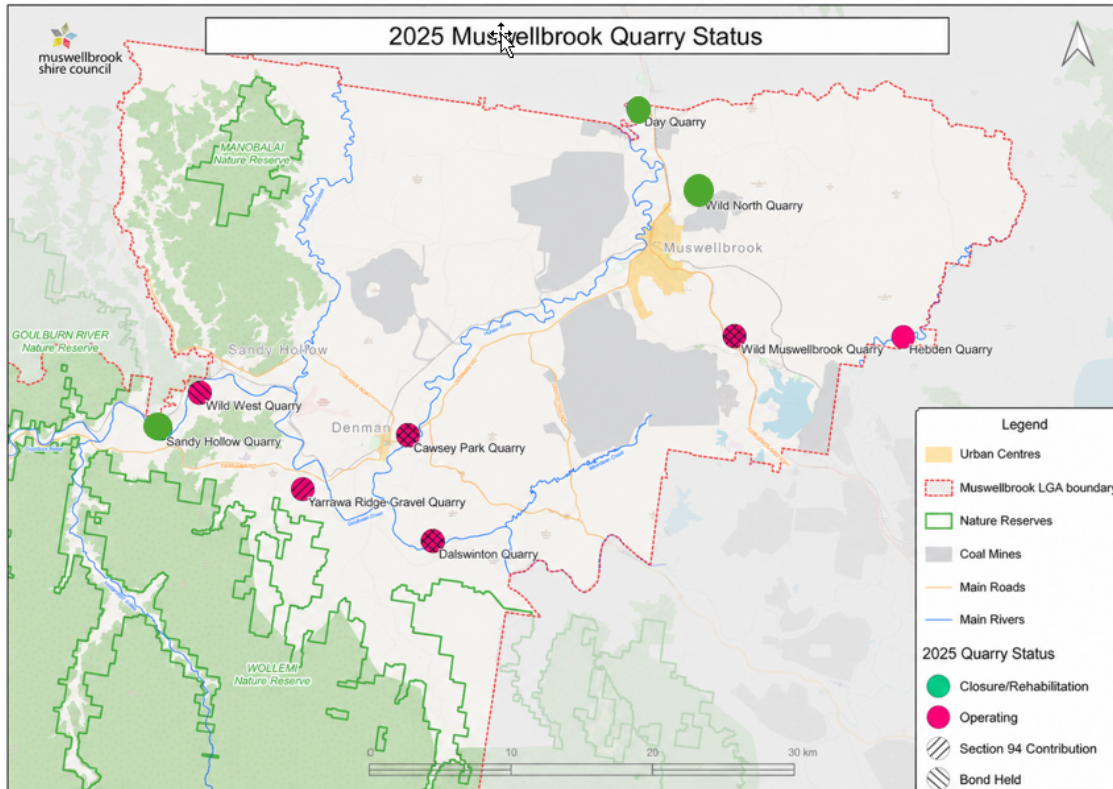
The location of quarries and their status are shown in the figure below.

2025/2026 Quarry Audit Overview

Quarrying activities at each site are generally occurring within established extraction areas. Site housekeeping standards were observed to be satisfactory, with plant, stockpiles, and operational areas generally well maintained. No obvious signs of recent environmental incidents (such as sediment discharge, chemical spills, uncontrolled runoff, or waste management issues) were identified at the time of inspection. Staff are also not aware of any recent community complaints relating to the operation of the inspected sites during the reporting period.

Of note, three quarries completed rehabilitation commitments and submitted final documents to allow return of their Banker's Undertakings (bonds):

- Day Quarry;
- Wild North; and
- Sandy Hollow.



A summary of 2025/2026 Quarry Audit and key inspection notes are provided in Table 2.

Table 2 – Summary of 2025/2026 Quarry Audit

No.	Quarry	Key Inspection Notes
Operating		
1	Name: Cawsey Park DA: 212/2000 Address: 2449 Denman Rd, Denman	<ul style="list-style-type: none"> Limited material observed on site and only a small amount of extraction activity occurring. Operations occurring well within approved extraction and transport limits. Trees planted in previous years to provide visual screening of the operation appear to be establishing well.
2	Name: Dalswinton DA: 410/1994 Address: Dalswinton Rd, Denman	<ul style="list-style-type: none"> No quarrying operations currently occurring and the site is presently in care and maintenance. Site operations are currently being assessed by the DPHI as part of a State Significant Development (SSD) application. Rehabilitation works will be required to commence if progression of the SSD application does not continue, or if there are indications that the application is no longer actively being pursued by the operator.



No.	Quarry	Key Inspection Notes
3	Name: Wild Muswellbrook DA: 342/2002 Address: 8440 New England Highway, Muswellbrook	<ul style="list-style-type: none">• Inspection was undertaken on 30 April 2026. The timing of the inspection was later than planned due to operator availability.• Operations generally occurring within approved extraction and transport limits.• A weighbridge associated with the recycled concrete facility has been installed.• The recycled concrete facility has been commissioned, and initial trials have been undertaken. Environmental controls, including dust suppression equipment, are to be installed prior to final commissioning. The process for material receipt was reviewed to address potential contamination risks and is considered satisfactory.• The haul road, line marking and signage have been installed and are generally consistent with the approved line marking plans.• Historically, tyres were stockpiled adjacent to the workshop; these have now been removed and disposed of via a recycling pathway.
4	Name: Wild West / Riverview DA: ID 679 Address: Bylong Valley Way, Sandy Hollow	<ul style="list-style-type: none">• Operations generally occurring within approved extraction and transport limits.• Desilting of processing dams has recently been undertaken to maintain operational capacity and support effective sediment management.
5	Name: Yarrowa DA: 79/1989 Address: 497 Yarrowa Road, Yarrowa	<ul style="list-style-type: none">• Rehabilitated area onsite progressing well.• Operations occurring well within approved extraction and transport limits.
6	Name: Hebden DA: 46/2005 Address: Hebden Road, Hebden	<ul style="list-style-type: none">• Most of the disturbed area, including operational and quarry infrastructure areas, is located within the Singleton Local Government Area (LGA). Only the rehabilitated overburden emplacement area is located within the Muswellbrook LGA. As such, Council Staff do not undertake annual inspections of this quarry, and the site was not inspected in 2025.



No.	Quarry	Key Inspection Notes
Closed		
7	Name: Sandy Hollow DA: 86/2001 Address: Bylong Valley Way, Sandy Hollow	<ul style="list-style-type: none">• The 2025 inspection was not undertaken due to medical issues suffered by the site operator. However, site closure was in the process of being finalised and there was no material change identified since the 2024 inspection.• Rehabilitation has been completed and the Bankers Undertaking returned on 2 April 2025.
8	Name: Day DA: 275/2003 Address: 981 New England Hwy, Aberdeen	<ul style="list-style-type: none">• Rehabilitation has been completed and the Bankers Undertaking returned on 2 April 2025.
9	Name: Wild North DA: 344/99 Address: Sandy Creek Road, Muswellbrook	<ul style="list-style-type: none">• Rehabilitation has generally been completed and the Bankers Undertaking returned on 2 April 2025.• Site is now proposed to be repurposed for the Muswellbrook Thermal Storage Facility (SSD-88560713).

***Note: Dalswinton Quarry is currently in care and maintenance**



6.2 Gelston Battery Energy Storage System - Planning Agreement General Terms

Responsible Officer: Director - Planning & Environment

Author: {Environmental Planning Officer}

Community Strategic Plan: 3 - *Thriving Economy*
5 - *Working Together*

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

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

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

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

Attachments:

1. Attachment A - Gelston BESS Planning Agreement - Initial Offer [6.2.1 -]
2. Attachment B Request Initial Offer of General Terms and Staff Re [6.2.2 - 3 pages]

PURPOSE

To inform the State Significant Development Committee about the Planning Agreement Letter of Offer (Initial Offer) from Ascera Pty Ltd for the Gelston Battery Energy Storage System.

OFFICER'S RECOMMENDATION

The SSD Committee resolves to accept the Initial Offer submitted by Ascera Energy Pty Ltd for the Gelston Battery Energy Storage System, in accordance with staff comments provided in Attachment B.

Moved: _____ **Seconded:** _____

REPORT

The Project is a 400MW/1,600MWh (4 hours) Battery Energy Storage System (BESS), generally comprising of battery storage units, transformers, access roads, underground and above ground cables, on-site substation and associated operational facilities. The Project Site covers an area of approximately 63.4 ha for battery, access, and transmission.

The Project Site is located close to the existing TransGrid Muswellbrook 330kV Substation on Sandy Creek Rd and it is planned to connect via overhead or underground transmission lines (likely underground).

Ascera Pty Ltd (the Proponent) has provided an Initial Offer of key General Terms for a Planning



Agreement (PA) for the Gelston Battery Energy Storage System (Project) (BESS) (Attachment A).

Attachment B provides a summary of Council's response to the Secretary's Environmental Assessment Requirements for the Project, the General Terms included in the Initial Offer, and Staff's response to the Initial Offer.

The PA proposes a monetary contribution, makes socio economic commitments including commitments to local employment, procurement, contributions to roads and is seeking an easement across Sandy Creek Road.

Council staff are satisfied that the Initial Offer is acceptable and can generally form the basis of the General Terms of a Planning Agreement for the Project, subject to further negotiation of the allocation between the Muswellbrook Shire Community Benefit Fund and the Near Neighbour Rebate. This allocation will be informed by the outcomes of the Environmental Impact Statement for the Project which will show the location of associated and non-associated receivers. The Planning Agreement for the Muswellbrook Solar project will be used as the benchmark for how allocations are determined.

PREVIOUS RESOLUTIONS

In February 2025, Council resolved the following in relation to benefit sharing for battery development:

- a) *A monetary contribution of \$200/MWh consistent with the planning agreements with other BESS projects. The monetary contribution will be based on installed capacity, provided every year of operation and indexed annually to CPI.*
- b) *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 projects managed as part of the Muswellbrook Community Benefit Fund.*
- c) *Socio-Economic Commitments*
 - i. *The Proponent is to employ a minimum of four (4) residents of the Muswellbrook Shire, as apprentices/trainees on site during the construction phase.*
 - ii. *The Construction Company and the Proponent is to provide 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.*
 - iii. *The Proponent is 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.*
- d) *The preferred mechanism to deliver neighbourhood benefits is via rate rebates to property owners in the direct vicinity of any development. If benefits in the form of projects are proposed on any Council or Crown land managed by Council, they will require a business case that considers the ongoing financial impact to Council.*



Attachment B – Summary of Council SEARs Request, Initial Offer of General Terms and Staff Response

No.	Council SEARs Request	Initial Offer of General Terms	Staff Response
	Administration		
1	It is Council's preference that community benefit sharing be achieved through a Planning Agreement.	Ascera Energy ... acknowledges Council's stated preference that community benefit sharing be delivered through a PA.	Noted.
	Monetary Contribution		
2	A monetary contribution of \$200/MWh consistent with the planning agreements with other BESS projects. The monetary contribution will be based on installed capacity, provided every year of operation and indexed annually to Consumer Price Index (CPI).	<p>A monetary contribution of \$200/MWh. The monetary contribution will be based on installed capacity, provided each year of operation and indexed annually to CPI.</p> <p>Gelston BESS has a proposed installed capacity of 1600 MWh this equals \$200/MWh * 1600 MWh = \$320,000 per annum in the first year of operation indexed annually to CPI.</p>	<p>Agreed, no further response.</p> <p><i>Staff note that with an operation life of 20 years this means the nominal value is 20 * \$320,000 = \$6,400,000 (noting that the real value will be larger, given the indexation factor).</i></p>
	Allocation of Contribution		
3	<p>Allocation of annual contribution payments to Council will be spent in the following ratios:</p> <ul style="list-style-type: none"> • 10% Specialist staff contribution to respond on behalf of Council for the Project's assessment and implementation; and • 90% to community, environment and economic projects managed as part of the Muswellbrook Community Benefit Fund. 	<p>Consistent with Council's resolution:</p> <ul style="list-style-type: none"> • 10% – specialist staff contribution (assessment and implementation) • 90% – community, environmental and economic initiatives administered via the Muswellbrook Community Benefit Fund. 	<p>The allocation between the Muswellbrook Shire Community Benefit Fund and the Near Neighbour Rebate will be determined through negotiation, having regard to the outcomes of the Environmental Impact Statement and the number of non-associated neighbours to the project. Consistent with the allocation and subsequent precedent set for the Muswellbrook Solar Farm,</p>
4	As resolved at the February 2025 Council meeting, the preferred mechanism to deliver neighbourhood benefits is via rate rebates to property owners in the direct vicinity of any development. If benefits in the form of projects are proposed on any Council or	Council will deliver a neighbourhood benefit via rebates to property owners in the direct vicinity of any development.	See response to No. 3.



No.	Council SEARs Request	Initial Offer of General Terms	Staff Response
	Crown land managed by Council, they will require a business case that considers the ongoing financial impact to Council.		
	Socio-Economic Commitments		
5	The Proponent is to employ a minimum of four (4) residents of the Muswellbrook Shire, as apprentices/trainees on site during the construction phase.	Minimum of 4 Muswellbrook Shire residents employed as apprentices or trainees during construction.	Agreed, no further response.
6	The Construction Company and the Proponent is to provide 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.	The Project's Construction Company to establish a project information and complaints drop-in facility within the Muswellbrook CBD for the duration of construction or collaborate with Muswellbrook Shire to utilise the energy hub space.	Agreed, no further response.
7	The Proponent is 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.	Preparation of Procurement and Local Content plan for Council Endorsement including minimum target of 5% local procurement by project value.	Agreed, no further response.
	Contributions Plan		
8	Given that heavy vehicle movements are anticipated along Sandy Creek Road, a contribution calculated in accordance with Council's Roads Maintenance Contributions Plan is likely to be required as part of the Planning Agreement (refer to comments under Roads and Traffic).	Ascera acknowledges Council's Road Maintenance Contributions Plan for Sandy Creek Road and agrees to negotiate a contribution calculated in accordance with that Plan.	Agreed, no further response.



No.	Council SEARs Request	Initial Offer of General Terms	Staff Response
	Subdivision and Road Easement		
9	-	The Project seeks an underground or air easement (approximately 8m) across Sandy Creek Road between the Project site and the TransGrid substation through an easement deed with Council. No poles or other infrastructure will be required other than the cable crossing.	Noted. This will require a separate agreement and will likely not form part of the Planning Agreement.
10	-	Ascera Energy will finalise the boundary of the Project and formalise the subleasing arrangements after the commencement of construction.	<p>Noted. This will not form part of the Planning Agreement.</p> <p>Where any land is subdivided and creates lots below the minimum lot size, the registration of a restrictive covenant against the title of each newly created lot will be required. This covenant will prohibit the construction of additional dwellings on these lots and serve as a notification that these lots do not possess dwelling entitlements.</p>
	Other		
11	-	<p>Ascera Energy will prepare a Workforce Accommodation and Employment Strategy as part of the EIS.</p> <ul style="list-style-type: none"> • The Proponent commits to: Avoiding reliance on the private rental market where feasible; • Actively considering use of any temporary or corporate workforce accommodation facility established within the Shire; • Consulting Council regarding non-potable water sourcing and TWA compliance requirements. 	Noted. This will not form part of the Planning Agreement.

**6.3 Activities Summary for State Significant Development****Responsible Officer:** Director - Planning & Environment**Author:** Sustainability Officer**Community Strategic Plan:** 5 - *Working Together*

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

Delivery Program Goal: 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 Macquarie Power Stations	<ul style="list-style-type: none"> The stacks at Liddell Power Station are proposed to be demolished in late May. Temporary closures are proposed during the demolition event to improve safety for motorists who may be distracted by viewing the demolition activities.
Bengalla	<ul style="list-style-type: none"> Applications for Electrical and Plant Mechanic roles are set to open in June 2026. The Community Open Day is scheduled for Saturday, September 12, 2026, at the Muswellbrook Showground. Modification 8 – Link Road Realignment is at Response to Submissions stage.
Dartbrook	<ul style="list-style-type: none"> No update



Project Name	Update
Mangoola	<ul style="list-style-type: none"> • Mangoola submitted their annual rehabilitation report to the Resources Regulator on 26 March 2026. • 100.05 ha of rehabilitation was commenced in the 2025 calendar year. • The annual rehabilitation to disturbance ratio was –4.84% • The rehabilitated land to mine footprint is 22.86% • The Anvil Creek rehabilitation scheduled for 2025 was delayed. Other areas were rehabilitated to compensate for this.
Mount Arthur	<ul style="list-style-type: none"> • Staff have reviewed the most recent Rehabilitation Strategy and note that there are activities within the strategy until 2060.
Mount Pleasant	<ul style="list-style-type: none"> • Mount Pleasant provided a road works update via their community updates. Traffic is now using a section of the final alignment of Dorset Road. Widening is continuing under traffic control. • Staff lodged a dust complaint with Mount Pleasant Mine on 17 April 2026. No response has yet been received.
Maxwell	<ul style="list-style-type: none"> • Longwall mining commenced at Maxwell Underground with the completion of the first full shears of coal from the longwall machine occurring on 14 April 2026. • Official opening ceremony to be held at site on 9/7/26. Contact Maxwell’s Community Information Line for further information.
Liddell Coal	<ul style="list-style-type: none"> • Staff provided residual comment on the Modification 9 Submissions Report.
EnergyCo	<ul style="list-style-type: none"> • EnergyCo have provided a draft Third Party Agreement (TPA) to Council for comment. The TPA is for management of road related impacts during construction of new 500kV transmission lines. • The community feedback report for the New England REZ Transmission Line is now available on EnergyCo’s website. • The Energy & Water Ombudsman NSW are planning drop-in sessions for the Hunter Region in the month of June. Muswellbrook location TBC. • A Supply Chain Connect event was proposed to be held in Muswellbrook on 23 April 2026, managed in consultation with Council’s Economic Team.
Other	<ul style="list-style-type: none"> • Muswellbrook Solar Farm commenced site works on 04 May 2026. • Muswellbrook Coal site has completed its rehabilitation and moved into rehabilitation, monitoring and maintenance from 30 April. There are no permanent workers located at the site. There will be intermittent access to the site for the activities of environmental rehabilitation monitoring, inspections, research and maintenance by Idemitsu Australia workers and engaged specialist contractors. • Staff are preparing a response to the General Terms of a Planning Agreement for the Bells Mountain Battery Energy Storage System (BESS) (formally the Sandy Creek BESS). In its current form, the General Terms



Project Name	Update
	<p>are not consistent with Council's standard benefit sharing arrangements for BESS.</p> <ul style="list-style-type: none">• Staff responded to a data center enquiry seeking use of Council's local roads for electricity transmission.• Upper Hunter BESS met with staff about using the local road corridor for electricity transmission infrastructure.• Staff have observed the installation of cabinets on some local roads. Research indicates that the cabinets are being installed across the Hunter and hold batteries and form part of a virtual power plant. Staff will reach out to the proponent.• Santos have provided a draft Traffic Management Plan and Noise Management Plan for the Hunter Gas Pipeline. Staff will prepare a response.• Ungula Wind Farm (CWO REZ) began transporting components late April, from Newcastle Port to their site near Wellington via Golden Highway. Council has been provided with the approved Traffic Management Plan and will engage with the proponent on community safety matters.



7 Adjournment into Closed Committee

8 Closed Committee

Nil

9 Resumption of Open Committee

10 Date of Next Meeting

9 June, 2026

11 Closure