



TRANSCRIPT OF MEETING

RE: RESTART OF REDBANK POWER STATION (SSD-56284960)

COUNCIL MEETING

PANEL:	NEAL MENZIES (CHAIR) ALEX O'MARA ELIZABETH TAYLOR
OFFICE OF THE IPC:	JANE ANDERSON CALLUM FIRTH
SINGLETON COUNCIL:	CR SUE MOORE - MAYOR CR SUE GEORGE – DEPUTY MAYOR CR ANNE MCGOWAN CR SCOTT YEOMANS CR MEL MCLACHLAN CR PEREE WATSON JUSTIN FITZPATRICK-BARR MARY-ANNE CRAWFORD
LOCATION:	ZOOM VIDEOCONFERENCE
DATE:	9:00AM – 10:00AM WEDNESDAY, 30 th JULY 2025

<THE MEETING COMMENCED

MS MARY-ANNE CRAWFORD: Are you able to hear us?

5 **MR CALLUM FIRTH:** Yes.

MS CRAWFORD: Oh, you can?

10 **MS JANE ANDERSON:** We can, yes.

MR NEAL MENZIES: We can. Absolutely.

15 **MS CRAWFORD:** I'm sorry. We just had some technical challenges this morning, which is mostly me, so I thank you.

MR MENZIES: Do you have others joining? We saw quite a list of councillors who were interested, which is great.

20 **CR SUE GEORGE:** Councillor Sue George.

MR MENZIES: Sue, pleased to meet you.

CR MEL MCLACHLAN: Councillor Mel McLachlan, I'm online.

25 **MR MENZIES:** Right.

CR ANNE MCGOWAN: Councillor Anne McGowan, I'm online.

30 **MS CRAWFORD:** We also have Councillor Yeoman online as well.

CR SCOTT YEOMANS: Councillor Scott Yeomans here.

35 **MR JUSTIN FITZPATRICK-BARR:** And we're just waiting on Mayor Councillor Sue Moore.

MR MENZIES: I think we're happy to give Sue a little bit more time to join us, so we all kick this off together.

40 **MR FITZPATRICK-BARR:** Yes. She's dialling in from home.

MR MENZIES: I've had a few meetings where, you know, Zoom have decided to do an update and every single person joins the meeting 5 minutes late going, "I'm stressed, because the technology ..." Yes, don't worry, it fails us all.

45 **MR FITZPATRICK-BARR:** We were just talking about Teams and Zoom. Yes.

MR MENZIES: Yes, we've been on it a few years now, but it doesn't mean that we've all quite mastered it or that the technology doesn't cheat you occasionally.

MR FITZPATRICK-BARR: This room links directly to Teams meetings but we've got to use a special cord for meetings through another platform. It took a little bit of working out. We had IT helping.

5

MR MENZIES: Okay. Well, we're up and running, that's great.

CR MCGOWAN: It's Anne McGowan here. Can you hear me and see me?

10

MR MENZIES: Anne, we can hear you but at the moment we can't see you.

CR MCGOWAN: Okay. I'm just trying to figure out why.

MR MENZIES: Your screen is indicating your camera is turned off.

15

CR MCGOWAN: Okay. What should I be – shall I click on video?

MR FIRTH: Yes.

20

CR MCGOWAN: Okay.

CR MCLACHLAN: Is the slide bar at the top of the computer, the laptop, open, Anne?

25

CR MCGOWAN: Yes. There's just the dashboard at the bottom, so that's showing the video's off. So, that's ... No, that's weird, isn't it?

CR MCLACHLAN: So, if you run your finger across the very top of the laptop, there's like a little slidey-bar thing that will open the camera. Terrible explanation of that.

30

CR MCGOWAN: Yes.

CR MCLACHLAN: So, above the camera, it's like a – you can't even see it, really. But it opens and closes the actual camera.

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MR MENZIES: Mel, there's a future for you in IT support.

CR MCLACHLAN: God no, absolutely not.

40

CR MCGOWAN: It's odd because I normally get straight on, so, without an issue.

MS ANDERSON: In any case, Anne, we can hear you well.

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MR MENZIES: Yes, we can hear you.

CR MCGOWAN: All right.

MS ANDERSON: Sounds like you can hear us, so ...

CR MCGOWAN: Thank you. I can see all of you. Good.

5 **MS ANDERSON:** So, it looks like we're just waiting on Councillor Moore, of course, Councillor Watson and Councillor Thompson.

CR GEORGE: Councillor Watson was going to dial in, I believe.

10 **MS ANDERSON:** Okay. And any word from Councillor Thompson?

CR MCGOWAN: Yes, Councillor Thompson is an apology. Sorry, that's Danny Thompson.

15 **MS ANDERSON:** Yes. Thank you.

MS CRAWFORD: Justin's just going to give the Mayor a call.

20 **MR MENZIES:** Right.

CR SUE MOORE: Hey. Sorry.

MS CRAWFORD: Justin may be trying to call you, Sue.

25 **CR MOORE:** Yes, I know, I saw that.

MS CRAWFORD: I'll just grab him.

30 **CR MOORE:** Yes, thank you. He did try and call – I think I hung up on him.

MS ANDERSON: All right, Neal, I think it seems we're just missing Councillor Watson, but we may ...

35 **MR MENZIES:** We might kick off, and if Councillor Watson joins, that'll be fine. Councillor Moore, thanks for joining us, we wanted to make sure you with us before we started our discussion.

CR MOORE: Yes, apologies, and thank you.

40 **MR MENZIES:** So, I'm going to start with a formal statement that I'm going to read out. That's really the only formal part of the process. Once we've got through that, we'll drop back to a, you know, less informal discussion. So, let me go through my formal statement.

45 Before we begin, I'd like to acknowledge that I'm speaking to you from the land of the Jagera and Turrbal people here in the Brisbane River Valley. I acknowledge the traditional owners of all the lands from which we're meeting virtually today. I pay my

respects to Elders past and present and extend that respect to the entire Aboriginal and Torres Strait Islander communities.

Welcome to our meeting today to discuss the restart of the Redbank Power Station currently before the Commission for determination. The Applicant, Verdant Earth Technologies Limited, proposes to restart the existing Redbank Power Station with the use of up to 700,000 dry tonnes of biomass per year as fuel to generate electricity. The power station has capacity of up to 151 megawatts and it would operate 24 hours a day, 7 days a week.

My name's Neal Menzies, I'm the Chair of this Commission Panel, and I'm joined by my fellow commissioners, Alex O'Mara and Elizabeth Taylor. We're also joined by Jane Anderson and Callum Firth from the Office of the Independent Planning Commission.

In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's website. The meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its ultimate determination.

It's important for the commissioners to ask questions of attendees and to clarify issues whenever it's considered appropriate. If you're asked a question and are not in a position to provide an answer, please feel free to take the question on notice and provide any additional information in writing, which we will then put up on our website.

I request that all of us here today introduce ourselves before speaking for the first time, and that all members ensure that they do not speak over the top of each other, to ensure accuracy of the transcript. And may I ask each member joining from Council, when you introduce yourself, if it's applicable, provide a verbal declaration of any actual or potential personal interest that you may have in the project.

Okay, that's my formal statement and in fact I think it's probably sensible for us just to go round the room and introduce ourselves. And councillors, if you have a connection or perceived connection to the project, let us know at this point. So, Neal Menzies. Let's go to the council room.

CR GEORGE: Councillor Sue George, Deputy Mayor. I have no pecuniary interest or other interest in the project.

MR FITZPATRICK-BARR: Justin Fitzpatrick-Barr, General Manager, Singleton Council. I have no pecuniary interest in the project.

MS CRAWFORD: Mary-Anne Crawford, I'm the Manager of Development and Environmental Services, and whilst I don't have any interest in the project, you may not remember me, Professor Menzies, but you taught me at university in 1993. And I also worked at the Centre for Mine Land Rehabilitation from 1996 to 2001.

5 **MR MENZIES:** Excellent, excellent, well, that's not a conflict of interest, but lovely to catch up with someone from the past. And when we go offline, you can say, "That bloody Neal Menzies, he was a shocking lecturer." All right. Let's go round the rest of the councillors in whatever order you guys like. Maybe I'll call them from my screen, just to keep some order in it. Mel?

CR MCLACHLAN: So, Mel McLachlan, no pecuniary interest to report.

10 **MR MENZIES:** Anne?

CR MCGOWAN: Yes, Anne McGowan, thank you, no pecuniary interest to report.

15 **MR MENZIES:** Mayor Sue?

CR MOORE: Thank you, Neal. Councillor Sue Moore, Singleton Mayor, no pecuniary interest although I do note that I was on the CCC for a little while.

20 **MR MENZIES:** Scott?

CR YEOMANS: Councillor Scott Yeomans. I have no personal interest in the project.

MR MENZIES: Thank you. Now, that's all of the Council faces I can see, just in case there's someone else – if there's someone else, now is your moment.

25 **UNKNOWN SPEAKER:** No.

MR MENZIES: Okay, let's do the commissioners. Alex?

30 **MS ALEX O'MARA:** Sorry, I was trying to find the unmute button. Hello, I'm Alex O'Mara, I'm one of the commissioners. Lovely to meet you all.

MR MENZIES: Elizabeth?

35 **MS ELIZABETH TAYLOR:** Elizabeth Taylor, also a Commissioner, and again, looking forward to our discussion.

MR MENZIES: And finally, but most importantly, my IPC colleagues.

40 **MS ANDERSON:** Hi, good morning, Jane Anderson from the IPC.

MR FIRTH: Hi, Callum Firth from the IPC.

45 **MR MENZIES:** Okay. Formalities concluded. Now we can move to our agenda. And please understand our agenda was just a starting point of things that we thought would be useful to talk about. But it's in no particular order and if there's something that we end up spending all of our time on to the exclusion of other bits, that's probably okay too.

Justin, do you want to give us a starting statement from the – or Mayor Moore, whoever's the – whoever's loaded with these bullets, start firing them.

5 **CR MOORE:** I'll suggest either Justin or Mary-Anne.

MR FITZPATRICK-BARR: I suppose I could just come from a point of ... A lot of what will be expressed today is really personal views. It hasn't been considered by this current chamber of councils. There was a submission put together back in May of
10 2024 in relation to the proposal, but in terms of that – unless you've got other information, we haven't formally submitted anything that has been supported by the chamber since that time.

MR MENZIES: Thanks. That's an important clarification for us, but we certainly
15 welcome all of your individual viewpoints.

MR FITZPATRICK-BARR: Yes. So, the important thing about that is they are individual viewpoints, they're not a collective view of the chamber.

20 **MR MENZIES:** Yes. Understood.

MS CRAWFORD: I do have a couple of comments to make, I suppose, in relation to the Department's Assessment Report. One of the first things I think that it's important to note is that Council staff have not had any contact with the Department in relation
25 to this application since it was lodged. So, we only became aware of the recommendation for referral to the IPC when the IPC actually contacted us to tell us, so – and that was last week.

30 So, we haven't really had a significant amount of time to be able to review the Department's Assessment Report or the proposed conditions of consent. There are a couple of things though in the Assessment Report and perhaps some history that might be important for a Council to actually get across to the Commission, but not necessarily relevant to your determination.

35 In paragraph 6 of the Assessment Report, there's a statement that says there was an appeal lodged with the Land and Environment Court that was dismissed. From a staff perspective, that's probably an oversimplification of the process that Council went through in relation to this development back from 2020 through to date. The statement in the report says that the modification application was refused; it actually wasn't
40 refused by Council. The Applicant lodged a Class 1 appeal in the Land and Environment Court for the deemed refusal of the application.

45 So, our Council, and it goes a little bit to Justin's point earlier, is that our Council hasn't really formed a view as a collective group in relation to this development application. I think it's also really important for Council, for staff in particular to point out that we spend a lot of time working with the Department of Planning to try and get this application elevated to a State Significant Development status.

We received a number of applications from this developer, not just the modification, but we also received a new development application. We lodged an application to the Minister for Planning under clause 4.363 of the EP&A Act to have it called in as a State Significant Development as well. And we worked to the Department and the Applicant to try and get the Applicant to recognise that it is a State Significant Development.

And then from the appeal process, the appeal identified the jurisdictional matter around the modification being not substantially the same development. But we also raised a number of merit matters through that process, which included biodiversity, traffic, greenhouse gas. These matters were heard by the Court, but they weren't considered in the judgement as the jurisdictional matter dismissed the case, so they didn't need to form a view, the Court didn't need to form a view in relation to that.

I think whilst it's not necessarily a relevant consideration for either the DPI, Department of Planning's, sorry, assessment, or the Commission's considerations under 4.15 of the Act, it is important, I think, for us to highlight the journey that we've been on, and that provides some context as well, I think, in relation to the submission that we made at the time that the application was put on exhibition.

And then immediately following the appeal, the Applicant actually lodged a new DA with Council as well, and as I said, we've been working with the Department to elevate that to State Significant Development status.

One of the reasons for that is obviously Council does not have the internal capability to be able to assess an application of this nature. We're not experts, we don't have expertise in greenhouse gas emissions or air quality or noise or even the extent of traffic and biodiversity related to this development. So, we were pleased from a staff perspective to see that it got elevated to the SSD status.

And we were quite, I guess, a little bit more wanting to take that step back from delving into the assessment too much, because we'd already invested a lot of time and energy and effort into it. And also, there was a significant amount of expectation for other government agencies to step into that space around biodiversity, greenhouse gas and air quality and traffic as well.

So, our submission may appear to have been a little bit light on in that regard, but I think it's really important to provide that context to let you know that that's the reason why.

MR MENZIES: Yes, that – it's certain – once again, that's really useful information for us because it does put a context around the submission that you've made. And I guess this is the point to say, please get your guys to have a careful look through the conditions that the Department suggested.

As a panel, if we decide that this is something that should go ahead, those conditions are really critical to making a success of it. So, the Council's input will be, you know, we will pay particular attention to the Council's input.

5 **MS CRAWFORD:** Just in relation to that, Professor Menzies, we have had a high-level look at the conditions, and as part of the appeal process, we actually had to draft conditions ourselves, because if the Court determined that the application could be approved, there had to be conditions applied.

MR MENZIES: Yes.

10 **MS CRAWFORD:** I think from just a high-level review between what we were expected to do through the court process and what the Department's prepared in terms of conditions, the conditions (in my view at least) that the Department's prepared are not consistent with a power station, or with recently approved power station developments that the Department has had.

15 So, I'm not an expert, I certainly don't know the Department's approach to contemporary conditioning of development applications. But it seems to me that there is a level of inconsistency between this as a power station and recent power station developments. I think the one we referred to was at Kooragang Island, when we looked at our conditions.

20 **MR MENZIES:** Yes. Okay. So, certainly we'll welcome input from the Council. Mary-Anne, please, no one calls me Professor Menzies, as you well know.

25 **MS CRAWFORD:** I know. I'm just being, you know, formal. Yes.

30 **MR MENZIES:** All right. So, look, as some of the things that we put on our agenda there, are very much as we've read through submissions, people who are objecting, the sorts of things that they are objecting about that will be locally felt and hence a concern to the Council. The air quality impacts that the station will generate, and I know that I'm asking for personal viewpoints, but the personal viewpoints of councillors, you know, will influence where the Council ultimately lands, so it will be helpful to us.

35 **CR MOORE:** If I could add something, that'd be good.

MR MENZIES: Great.

40 **CR MOORE:** Thank you. In the ... Taking a step back when it appeared that Council may be the consent authority with this, councillors were overwhelmed with letters from community people from right across the state that were concerned about this development. So, for me personally, and I'm assuming the other councillors as well, our concerns will be not just our personal concerns but out community's concern.

45 **MR MENZIES:** Yes.

CR MOORE: For me being in the local aspect, I would say vehicle movements, potentially really the truck movements, will be – really stands out for road users. It's a

very significant road getting to Jerrys Plains, it's the only road for them getting back into town, or the only main road.

5 The next highest concern I think would be the emissions and the air quality. We've already seen to be having considerably poorer air quality in the area, due to the existing power stations and coal mines. So, to add to that is a very big concern for those who are living directly in the air.

10 The sourcing of the product is also something that's probably not clearly enough defined for the community to understand where they're going to get this amount of product, and how far they're going to have to travel. Also take into consideration the diesel emissions for the truck movements that are going to have to come from potentially hundreds of miles to bring in product for them, operating 24/7, there's going to have to be a lot of product to keep that going.

15 So, I've probably had enough of my share at the moment, I'll let somebody else have a go now. Thank you.

20 **CR GEORGE:** I'll take up Sue's point on transport. Councillor Sue George. Not only will there be all of those truck movements for Redbank, there will also be all of the truck movements for the Orana REZ, which will go straight down that road. It's already a busy road, they're already having to make modifications to that road to get the long vehicles through there, and that's causing some concern to the community.

25 The condition B27 says that they're going to have a left-turn lane into Long Point Road. But there's no indication of how the trucks are going to get back onto the Golden Highway. And I would have thought that there should have been some merge lane, an extra lane, for the trucks coming out of Redbank to then turn right onto the Golden Highway. Because at the moment, that's a 100-kilometres-an-hour road. It's got a lot of traffic from the west coming through; it's the main entry into the Hunter Valley from the west. And now we're going to put another however many, 56, 112 truck movements a day, in that particular area.

30 So, to me, that is a concern. Because it's the cumulative impact of the current traffic, the REZ, and this. And they don't take any account in the air quality about the cumulative effect – it's "this is what we will do". But the Hunter Valley is already heavily monitored for air quality. We have huge issues with air quality. This is just going to increase it. I don't believe they've taken any account of the diesel in their scope 1 emissions. They tended to say, "Well, trucks drive on the road and that's it." But a coal mine has to take into account their diesel emissions with their scope 1 emissions, and this doesn't include that at all.

40 And the other thing they talk about is they're going to find 330 construction jobs in the local area. Our unemployment rate is well below the state average. There are not that many people around that are looking for construction jobs in the area. And there is nowhere for them to live, because the vacancy rates in Singleton are probably less than 1%. So, we already have that problem with the bypass, that the people don't have

anywhere to live and they're camping in their caravans and going home of a weekend. So, that, to me, is still a big issue.

5 **MR MENZIES:** Sue, could you just flesh that one out for me, you know, the bypass. What's the bypass?

10 **CR GEORGE:** We've got a major bypass, Singleton Bypass, it's due for completion at the end of next year. But there are a massive number of people working on that. There are no vacant houses in town. And people that are working there are staying in every motel and every hotel in town, so you can't get a bed. The caravan parks are full or they're parking their caravans at the showground and going to work each day. It is a huge issue.

15 **MR MENZIES:** Yes, yes. So, accommodation's a biggie on our list. And the other thing that you just raised there in a couple of contexts, was the cumulative impact.

CR GEORGE: Yes.

20 **MR MENZIES:** And I think it's really important that we capture that in our thinking.

CR GEORGE: Yes. And my other question was: are they going to have a CCC? Because Redband used to, and there is no mention anywhere of that, of a community consultative committee.

25 **MR MENZIES:** Good question, and to this point I haven't seen anything in my reading. Fellow commissioners or IPC, do we ... Sue, in truth, we're here to ask questions rather than answer them, but that's a really good question that we just got asked, so we'll make sure we're looking at that.

30 **MR FIRTH:** Just to answer that, Neal, no, I can't see one in the consent, the recommended consent.

MR MENZIES: Okay. Other councillors that might have a viewpoint here?

35 **CR MCGOWAN:** Yes. Anne McGowan. If I could just add there. Thank you. I totally agree with Mayor Sue Moore and Deputy Mayor Sue George, especially regarding the emissions, the air quality. What seems to happen up here with Singleton, and this new proposed project is quite close to the town, is that a lot of the emissions and bad air quality or concerning air quality not only affects the local community but it also moves out to the rest of the Hunter. We tend to have prevailing winds up here coming from the west.

40
45 And there was a recent report in the *Newcastle Herald* talking about the – or quite a few actually – talking about the toxic weeds to be used. Do you know anything about the toxic weeds; could that result in ... I know they're cut up and dried, but could that result in further – because they're toxic weeds to start with, do you know if there's some sort of, something that comes off that, something toxic that could be released into the atmosphere/the environment?

MR MENZIES: Anne, in truth, I'd be speculating, so I'm definitely not going to do that. But it's a good question for us to have in the mix. Look, one of the things that was in our mind as commissioners, and it's sensible to ask Council if you know anything about this.

The suggestion in the proposal that through time they'll start to source more of their material locally, and the indication that they're talking to some of the coal mines about producing biomass on old coal mine land, tailings dams or, you know, rehab land. Have Council been involved in discussions around that at all?

MS CRAWFORD: No.

MR MENZIES: Okay.

MS GEORGE: I'm on four CCCs for mines, and it has never been discussed. And several of those are in close proximity to that particular project. So, it's not something –

MR MENZIES: Yes, that's a clear answer.

MS CRAWFORD: And I think from a policy perspective, there may be some conflict between what mine sites are actually required to do from a rehabilitation perspective, and what this project is actually seeking to do. It is one of the unanswered questions, it's an unanswered question that we had during the appeal. And I think it's a residual unanswered question that goes back, I think, to Mayor Sue Moore's comment earlier around where is this product actually going to be coming from? And the volume of product that is proposed to be used on an annualised basis is not insignificant. It's hundreds of thousands of tonnes of material.

MR FITZPATRICK-BARR: Seven-odd thousand.

MS CRAWFORD: Yes. So, you know, we had that question very early on in this application's process. Bearing in mind that that appeal process was also using a different type – it was also proposing to use a different fuel stock. It was proposing to use native forest waste material, which is no longer able to be sourced. So, there are questions I think that need to be answered from a policy perspective as well about, you know, this is an unproven technology, from air quality perspective at the least, and the impacts to human health.

From a staffing perspective, we would have expected to see conditions of consent that would require review of those air quality related impacts and some sort of pilot testing process to ensure that at relevant intervals of time and product type, to ensure that there are measures in place to mitigate whatever potential negative impacts there might be. And from my initial high-level reading of the proposed conditions, the air quality conditions were pretty light, I think it's only one condition.

5 So, we would have expected to have seen things like an air quality management plan, you know, a dust management plan, a commitment or a requirement to ensure that there are no offsite impacts. Those sorts of things are the sorts of things that we would have expected to have seen. We see that with mining DAs that we get, and we would have expected to have seen something like that in relation to this application.

CR MCGOWAN: And could I just add one further point to what I was asking before. It's Anne McGowan again.

10 **MR MENZIES:** Yes, Anne.

CR MCGOWAN: If I could give one more example of what can happen up this way with the weather movements. There was a recent report again in the Newcastle Herald, reported extensively there was a diesel-powered gas power station at Kurri Kurri recently built. And when they fired it up, the toxic emissions from that went not only
15 from Kurri Kurri but further on through the rest towards Newcastle.

20 So, there were wide-ranging reports of people reporting sore eyes, people having difficulty breathing, the asthmatics were told to stay indoors. So, they had to shut down until they booted up again and now, they're warning people just to be prepared. But it's things like, because the emissions move. So, the local community will most impacted but then they will also move further to the more built-up areas towards Newcastle. Thank you.

25 **MR MENZIES:** Yes, thanks, Anne, that's a really useful point for us that you're making it clear that the local impact is a considerable area, depending on the way the wind's moving. So, it's good for us to have that in mind.

30 Of course, we're thinking – I'm thinking, I cannot speak for my fellow commissioners, but I'm thinking, locally, is what's coming out of the chimney stack and is going to impact people directly. But then there's the global, you know, what's the carbon balance of this. So, it's at those two scales. But you're making the point very well that the local scale is actually a considerable area that we need to consider, not just your own council's area.

35 **CR MCGOWAN:** It is. Thank you, Neal.

MR MENZIES: Councillor Yeomans, did you have views you wanted to express to us?

40 **CR YEOMANS:** I don't have any strong views either way, but in general I do support the project. That's all about I would say at this point.

45 **MR MENZIES:** Yes. And Scott, just on balance for you, what are the things that are of value that bias you towards supporting it?

CR YEOMANS: Well, it's a pretty major piece of infrastructure that's sitting there not really being used. The energy system needs as much support as it can get as far as

reliable spinning reserves in there. And that's my, you know, I suppose that's the broad, the big picture part of it.

MR MENZIES: Thank you. And Councillor McLachlan?

CR MCLACHLAN: No, I don't have anything further to add. I'd just echo that the comments made by the two Sue's and Anne as to those impacts that we probably need to explore a bit more, and noting also what Max said in relation to the coal mines providing that information and at this point, we don't have some of that information for this project, which I think is pertinent to show the rest of the community that we are across that.

MR MENZIES: One of the other things that is in our minds as a panel, but we didn't put on the agenda. We understand that the power station would draw its water from the Hunter River. Does Council have any view/concerns regarding that?

MS CRAWFORD: So, at the moment, we don't know what the post-mining, post-power station, post-environment is for water demand in the LGA. We're just about to embark on a desktop study to look at that to see what, particularly with the closure of Liddell Power Station, potentially having a significant available supply of high-security water.

The question that we have around it is, what's the highest and best use of water in our LGA? Not who should use it, but what is the highest and best use based on current demand for water supply, but then also where we want to be at some point in the future, particularly as we transition towards net zero.

So, we're looking to do some baseline work in relation to that. We have a grant through the Disaster Ready Program from the Federal Government to help us work through that. But we don't have, at least at a staff level, we don't have a definitive answer around that yet.

I will say that it is a concern that was raised during the appeal process about where water would be supplied from, and how they would guarantee security of supply of that water. And then obviously there's flow-on consequences to potential users in the system as well, like agriculture, that could be detrimentally impacted. So, that comes back to that whole, well, what's the highest and best use of the water that may or may not be available in the system.

MR MENZIES: Yes, yes. And once again, Mary-Anne, just a clarification for me. Liddell closing, does that put more water back into your system?

MS CRAWFORD: Potentially. So, AGL has a fairly significant high-security water licence for both the Liddell, which is closed, and the Bayswater Power Station.

MR MENZIES: Okay.

MS CRAWFORD: It's not clear what their future intention is in relation to those licences. So, you know, we want to do some work around what could that be. And I know Muswellbrook Shire is also very interested in what the future potential for water will be in their LGA as well. Yes.

5

MR MENZIES: Okay. That's really useful, thank you very much. I might –

CR MOORE: On the topic of water, we did have a proposal that had been worked through for a couple of years to connect the two dams, being Glennies Creek and Lostock Dam. So, the government was working through a business case with that to connect better water security with the Lower Hunter and Upper Hunter. They've since shelved that as not cost effective. So, that very much leaves us with "our own issues are our issues" sort of thing, and not a whole-of-the-Hunter issue.

MR MENZIES: Yes. So, water is a concern for you and the impact here's not clear, is the message I'm getting.

CR MOORE: That's right, yes.

MR FITZPATRICK-BARR: Water security is an issue for us.

MS CRAWFORD: Yes.

CR MOORE: There's another question, I'm not sure if you'd be able to answer for me. When they're talking about 700,000 tonnes of dry product, how are they envisaging to store and dry the product until it's brought to site? Or are they planning to bring it to the site green and dry it somehow?

MR MENZIES: Mayor Moore, once again, I'm going to say I'm here to ask questions rather than to answer them. But that's a really good question that we'll certainly be putting to the Applicant.

CR MOORE: Okay.

MR MENZIES: It's a huge amount of material. In the application, the indication is that the water content will – that there is a very wide range of water content of the material that they'll be importing. So, we'll be very interested to understand from them exactly how that impacts on the way that their system will operate. So, yes, both I don't know the answer, but I'm not really supposed to provide answers if I do know the answer.

CR MOORE: I appreciate that, I just – yes, it's troubled me for some time.

MR MENZIES: It's a huge open question from our perspective. But we have a lot of open questions at this point. Because you are our first meeting, so we're still on that very steep part of our learning curve about this project. And about what people are concerned about. So, this is a very useful discussion.

Elizabeth, can I hand over to you to make sure that your questions are getting in the mix as well?

MS TAYLOR: Nothing at this point that you haven't already covered. You've been ticking them off.

MR MENZIES: Yes. We did have our hitlist before we started, Council, so yes, it was my job to lead the questions. Alex, new things from you?

MS O'MARA: I just had ones of clarifying, you know, relating question about impacts in the local area. In the submissions, a lot of people raised concerns about impacts on ecosystems and biodiversity, you know, and the impacts of climate change. I just wondered whether you had any views about that?

CR GEORGE: They talk about biodiversity offsets, but they've made no indication of where they will be.

MS O'MARA: Yes.

CR GEORGE: And there are a large number of biodiversity offsets already in the Singleton LGA. So, one would assume if they're going to get them, they're going to have to get them from outside the LGA. And is that the highest and best use of the land that's available anyhow? So, that would be an issue.

But a follow-on from Sue's comment about the where are they going to store the product so that it dries. My follow-on question is, what are they going to do with the ash after they've burnt it? Now, they could only store three days' worth in their silo, and they're talking about using it as an additive for soil and fertiliser, but they don't seem to have sourced anywhere that would actually take that amount of ash. And so that's a byproduct that's going to be sitting there. We already have problems with ash dams in coal mines. Are we now going to make another problem with an ash dam of some sort at Redbank?

MR MENZIES: Yes, Sue, that's one I pay particular attention to. As Mary-Anne will tell you, I'm a soil scientist and someone who's worked in agriculture. So, that particular little conundrum was one that I was particularly interested in. Yes, there's a huge amount of material there, which, you know, does have good agricultural value provided the feedstocks of material are clean. But it wasn't exactly well-detailed as to where that's going to end up. And of course, from the Council's perspective, it represents another set of truck movements somewhere.

CR GEORGE: Yes.

CR MOORE: If I could help to add to Alex's comment/question. I think we've got – I could be wrong with the number – but I think we've got 17 coal mines in our area. And even though they provide very sound employment for those in the coal mine, the community as a whole sees that we've well and truly carried the burden for the whole state, with all of those coal mines. And this just adds a whole different layer to it.

And I somewhat appreciate the fact that they need power, they need to where the power is, but it seems to be yet another layer of burden on our area to deliver that for the state. So, I don't know if that helps at all.

MR MENZIES: Yes, it certainly does, and we've listed community consultation and engagement on our topics. Mayor, how well do you think the Applicant here has talked to your community? Are you aware of discussions that they have had, you know, have they been out there with your people convincing them of the merit of this?

CR MOORE: I haven't seen anything, no. Particularly with the people surrounding them. I think there was mailbox drops made to the surrounding houses of property owners that they were looking to restart. That was back in the days when they were looking for the consent from Council, continuation consent from Council. And they were rather flawed with the lack of consultation and communication with them, simply a letterbox drop telling them that this is happening.

Obviously, the message has got out, given the number of submissions that have been made in relation to the proposal now. But I don't – personally, I don't see a lot of communication locally wise as to informing the local community what's happening.

MR MENZIES: Okay. Once again, that's really useful and ...

CR MOORE: I don't know, others might have another comment on that. But I personally haven't seen a lot of it.

MR FITZPATRICK-BARR: We're not aware of any broad consultation, Sue.

CR GEORGE: I haven't seen anything at all.

CR MCGOWAN: And could I add a further comment? It's Anne McGowan here. Further to Alex's question about climate change and further to what Sue was saying. We are meant to be gradually moving towards renewable energy, gradually, there's a lot of work to do, of course.

But I think everyone recognises that, and that we are meant to be moving towards reducing emissions over time and taking steps to do that. And this project doesn't look as though it will do that; it'll contribute to increasing them. So, I think that, yes, it's a big question, the climate change, and I don't see how this, personally, how this project will contribute to what we're all meant to be doing over time. Thank you.

MR MENZIES: Anne, and once again, Anne, you've put your finger right on one of the things that we as a Commission Panel need to think about, is, you know, the State Government has made decisions about how it's going to behave with respect to climate change and we need to be considering this application in that context. So, we do have a lot of questions around that yet that we need to seek answers to.

And a key part is that feed stream of material and hence my question to you about growing material on old coal mines, that exactly what the feed source material is going to be, is a key question for us in how sensible this is as a proposal.

5 **CR MOORE:** In relation to old coal mines, we've been working on today's best use of those mines rather than whatever their mine plans currently show, which is largely return it to grass, trees, agriculture. So, some of those sites have got significant infrastructure on them that would be ideally situated for types of manufacturing that could be better uses for those. So, we've been actively working with the government
10 around that.

And there was a parliamentary inquiry and since only the last couple of weeks, the government has responded to the 13 findings of that and supported all those findings, that working for the best use of the current mine – the current best use of those mine
15 sites may not be returning it to agriculture and trees and grass. Which conflicts this idea that they could grow trees or product on those old mine sites, because that might be the case for some, but we have better uses in mind for a lot of them.

20 **MR MENZIES:** Once again, an excellent thought to put in for us. Thank you for that one. Mary-Anne, you were about to ...

25 **MS CRAWFORD:** I was just going to add from a, I guess, a Council staff policy perspective in relation to biodiversity and greenhouse gas and climate change. One of the key things that we identified during the appeal process was that we didn't think it was appropriate to compare the avoidance of burning fossil fuels as a means to justify the benefits that this project might present.

30 And the primary reason for that is because this project has been in care and maintenance, this site has been in care and maintenance for over a decade. It's not actually burning any fossil fuels at this point in time, and it hasn't done for quite some time. It's not replacing an existing power station that is burning fossil fuels; it's adding a new power station that's burning what may or may not be considered a renewable energy source.

35 And it should be assessed on that basis; not on the basis of a true comparison between, you know, coal and biomass. It should be assessed independently in its own right. And from what we could see throughout all of the assessment of this application is that it's always been a comparison – this is going to be better than coal. But that's not the question that needs to be asked. The question that needs to be asked is a policy
40 question, yes.

45 The other thing that, I guess, in relation to that is a reduction in emissions based on feedstock and how feedstock is applied is a theoretical assumption, it's not a proven assumption. And there should be conditions that are applied if the Commission's of a mind to approve the application, to quantify that. And if it can't be addressed, then there needs to be a measure of mitigation imposed to ensure that the reduction is actually an achievable reduction.

Most coal mines, for example, operate under the safeguard mechanism. From what I can see, this is going to fall underneath that. So, there isn't that sort of offsetting requirement at a federal level. It's not clear in the application how the project would look to offset its impacts from a greenhouse emissions perspective, other than to say it's better than burning coal. So, I think that's a challenging question.

The other one in relation to biodiversity. It's a complex policy conversation around whether or not biomass should be used as a fuel stock for power generation. And that whole energy from waste conversation is best placed with others – I'm not an expert in that space. There's a question, I think, around whether or not it is actually a waste product in its own right, it has value. And I know the EPA's approach is a hierarchical one about highest and best use of either this material.

So, the question comes, well, if they can't source their product material in the ways that they have proposed to source it, and they need 700,000 tonnes a year in order to be commercially viable, what are they going to do? What is the alternative scenario to being able to source materials?

It appears to me that in the assessment, what they've said is that the project's – they're going to source material from projects that have already been approved under some other approval process. And those projects are not an endless source of projects. So, where is this product material – it comes back to Mayor Moore's question, you know, where is this product material going to come from?

And I would be concerned that there will be a series of modification applications that may come through seeking to change feedstock. And if that's the case, then, you know, they'll be assessed on their merit. But it's a death by a thousand cuts for biodiversity.

MR FITZPATRICK-BARR: Just on that, and it's probably a concern that I have, is maybe four years ago I was at a CCC meeting when the proposal was first being put to the CCC. And it was mentioned about using the biomass from the forestry waste as the major fuel source. And the question was asked, well, if that wasn't enough, what would be the consideration? And it was really stark to then talk about getting a gate-taking fee for accepting construction waste.

And I guess, just on what Mary-Anne said, is it going to move from a particular fuel source to then being a – you've got it here, energy to waste-type source, energy from waste, which would fall back to what the conversation maybe four years ago was about, it was a potential gate-taking for accepting construction waste. So, is that going to be the modification that will be down the track, where it's actually going to become a waste management facility as well as being a power station, taking on construction waste?

So, I don't know whether that's part of the proposal for the fuel source at this point in time, but it was certainly raised in the conversation at a CCC maybe four years ago.

MR MENZIES: Okay.

5 **MS O'MARA:** Neal, can I just ask one relating question which is, you know, obviously there's an assessment of climate risk in some of the material and the impacts for your area. And I just wondered whether you had any views about, you know, they sort of consider drought and flood and other things. Has the Council done a climate risk assessment or do you have any views about whether they've accurately flagged the risks?

10 **MS CRAWFORD:** So, the grant that I mentioned earlier is a very large grant that we received about 18 months ago to look at exactly that, climate change risk to our – so, to be disaster risk ready, basically, which has a climate change risk element attached to it, so it's coming up. So, we're working through that process at the moment from a community perspective. So, what are the climate change related impacts to the community, and then ultimately looking at adaptation planning for our community.

15 We have an internal climate change risk assessment that we have done for Council, with Council's operations. And we're currently looking at how we might go about developing a climate change adaptation plan for Council an organisation. Acknowledging that there is clearly overlap between what we have as an organisation and what we provide to the community in terms of services and infrastructure.

20 **MR FITZPATRICK-BARR:** And that climate adaptation is a body of work we'll do with our state-wide insurer over the next 12 to 18 months. We've picked it as one of our highest priorities.

25 **MS O'MARA:** Thanks.

30 **MS CRAWFORD:** But sorry, just in terms of some of the underlying baseline data that supports those sorts of conversations. We do have updated flood modelling which has been adopted by Council. As far as I'm aware, but I may have to take that on notice, but I'm not aware of this Applicant asking us for access to that model.

35 We do have updated bushfire mapping that was done with the RFS back in 2021. And we do have some high-value biodiversity mapping that we've undertaken as well to help us inform those discussions.

40 **MR MENZIES:** Okay. Look, I have one last question, and this is a university academic's ignorance about how councils operate. Will Council meet to discuss this – will there be a Council view emerge?

45 **MS CRAWFORD:** That's a very good question, Neal. I think the question is, what's the timing in relation to Council making a submission to you. So, typically what our process is, is because we're not really given much time to be able to assess information and go to our Council, generally what we do is we provide what's called a preliminary submission.

So, it's a staff-drafted submission, which we then submit to you and submit to the Department as well on the basis that it's subject to change because we haven't been to

the chamber. And then we put it to the first available council meeting that we can once we've drafted that submission. And then there may be feedback that comes through the chamber in relation to that. That's typically what our approach is.

5 **MR MENZIES:** Yes.

10 **MR FITZPATRICK-BARR:** I guess, on that, in terms of the cycle and the reporting cycle for council meetings, we would need to have a considerable amount of briefings to bring everyone up to speed with what in essence has been an issue for us for the last four or five years. And a lot of the earlier work was centred around us not taking on the responsibility of assessing the application but rather challenging it in the courts and making – or asking the state to take it on, and we got success there.

15 So, if you think back a couple of years ago when the discussion was taking place in the chamber, it was centred around some of the complications of us being potentially the assessment authority. Where we saw it as a substantially significant development and so took on through the courts and to a certain degree, got a level of success there. So, we weren't involved in the decision-making process and didn't require then for numerous briefings of Council and reports to Council to get a Council position on a lot of this.

20 And there's a number of reasons why that's a good outcome for us. One, as Mary-Anne pointed out, we didn't have the expertise in-house to do it, it would take an inordinate amount of resources to actually assess it. But two, within a chamber, to formulate a fundamental position on something like this, it could be divided in a chamber, and recognising that, so you have that other political complication that goes with it.

30 So, it was really great for us to see that it became a State Significant Development, it removed that risk which is partially reputational risk to Council, the body, forming positions within a community that, as we know, is a coal mining community. And yes, there is some sort of evolution happening in that space but certainly we've got to be supportive of the community. And so, there's risk associated with that.

35 But to bring the councillors up to speed with where it's got to from those discussions maybe 18 months/2 years ago to now, there's substantial briefings and whether that fits with the timing of getting a Council position on it, it's ...

40 **MR MENZIES:** That all makes sense, thanks. As I say, it's just my ignorance of how councils function. So, a little bit of insight talking to you guys is helpful. I'm just going – and I note we're already over time. Good conversations end up like that. I just wanted to check with my fellow commissioners that they didn't have last burning questions. Alex, I can see you shaking your head. Elizabeth?

45 **MS TAYLOR:** None at this point.

MR MENZIES: Okay. Then I'd like to thank you all on behalf of the Panel for the great insights you've provided and the great questions you've thrown at us that we'll carry on to others as we talk to them.

5 **MS ANDERSON:** Neal, can I just add a point before you close.

MR MENZIES: Thank you, Jane.

10 **MS ANDERSON:** Council mentioned a possible additional submission that you may like to make. I'll just flag that the Commission is accepting submissions until the 18th of August. We will also be holding a public meeting in the area on Monday the 11th of August, and registrations for people to speak at the public meeting close at 12 p.m. this Friday. So, given the number of councillors online, if you would like to speak
15 yourselves or if you in your conversations with the community would like to raise that, just note that speaker registrations close this Friday at 12.

And commissioners, I just note there's one final agenda item just regarding the VPA. We understand that Council has had discussions with the Applicant around the VPA and just wanted to understand if you have any final comments on that.

20 **MS CRAWFORD:** We have in-principle support from Council to accept the VPA offer. So, our typical process is to not go through an exhibition of a VPA until a determination's been made, because it's resource intensive for us to do that. So, what we do is we put an in-principle report to Council seeking a motion or a resolution to
25 support or not support a particular VPA offer. And in this case, it was supported. So, the Department has reflected that accurately in their Assessment Report.

MS ANDERSON: Thank you.

30 **MR MENZIES:** Excellent. Jane, Callum, you're all good now?

MS ANDERSON: Nothing further from me or Callum. Thank you.

35 **MR MENZIES:** I'm then allowed to close the meeting by thanking everyone for their participation.

[All say thank you]

>THE MEETING CONCLUDED