



20 November 2025

Notice of Appeal: Restart of Redbank Power Station

Verdant Earth Technologies Limited v Independent Planning Commission

Land and Environment Court Proceedings 2025/424352

Notice of appeal

Notice is hereby given pursuant to section 8.12 of the *Environmental Planning and Assessment Act 1979* that an appeal has been lodged by Verdant Earth Technologies Limited with the Land and Environment Court of New South Wales concerning the Independent Planning Commission's decision to refuse Verdant Earth Technologies Limited's State significant development application for the Restart of Redbank Power Station.

Details of the appeal

Case number: 2025/00424352

Applicant: Verdant Earth Technologies Limited

Respondent: Independent Planning Commission

Site: 112 Long Point Road West, Warkworth NSW - Lot 450 Deposited Plan 1119428

Development: Restart of Redbank Power Station (SSD-56284960)

Background

The applicant has commenced proceedings in Class 1 of the Land and Environment Court's jurisdiction against the Commission pursuant to section 8.7 of the *Environmental Planning and Assessment Act 1979*.

The proceedings concern the Commission's decision to refuse the State significant development application for the conversion and restart of the dormant Redbank Power Station to generate energy with the use of up to 700,000 dry tonnes per year of biomass as a fuel source.

On appeal, the Land and Environment Court exercises the functions and discretions of the consent authority. Prior to listing the appeal for hearing, the Court's usual practice is to direct that the parties participate in a conciliation conference with the aim of resolving, or narrowing, the issues in the appeal.

Office of the Independent Planning Commission

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Level 15, 135 King Street
Sydney, NSW, 2000



Status of the proceedings

The Court has listed the appeal for a first directions hearing on 2 December 2025.

At the first directions hearing the Court will typically list the matter for a conciliation conference to be facilitated by a Commissioner of the Court. The Commission will publish notice of the date and location for any conciliation conference listed by the Court.

If listed for a Court-ordered conciliation, there will be a public part of the conciliation conference where the public may attend and a limited number of objectors have an opportunity to give oral evidence on-site. The Commission will issue a notice inviting expressions of interest to give oral evidence at the open session of the conciliation conference once the conciliation conference date has been set.

Please note that the Court limits the number of objectors giving evidence at the conciliation conference to approximately six people. The Court's policy for the conduct of conciliation conferences can be accessed [here](#).

After the conclusion of the evidence session at a conciliation conference, the parties to the proceedings have confidential conciliation discussions facilitated by a Commissioner of the Court. Attendance at and participation in those discussions is limited to the parties and their representatives.

Your right to be heard on the appeal

Persons who have made a submission by way of objection to the application during the Department of Planning, Housing and Infrastructure's formal public exhibition period from 8 March 2024 to 11 April 2024 are entitled, on an application to the Land and Environment Court within 28 days after this notice is given, to be heard at the hearing of the appeal if they are not already a party to the proceedings (see [section 8.12\(3\)](#) of the *Environmental Planning and Assessment Act 1979*).

As soon as practicable after receiving such an application, the Registrar is required to give notice of that fact to all parties to the appeal.

How to apply to be heard

An application to be heard at the hearing of the appeal is to be made by means of a letter, addressed and delivered to the Registrar, that identifies the appeal proceedings (see [rule 3.4](#) of the *Land and Environment Court Rules 2007*).

If you wish to apply to exercise this right, the Court's details are as follows:

The Land and Environment Court of NSW

In person: Level 4, 225 Macquarie Street
Sydney NSW 2000

By post: GPO Box 3565

Office of the Independent Planning Commission



Sydney NSW 2000
Email: lecourt@justice.nsw.gov.au
Phone: + 61 2 9113 8200
Facsimile: + 61 2 9113 8222

We recommend that you obtain independent legal advice before exercising this right.

Updates

Updates and further information about the appeal are available on the Commission's website at <https://www.ipcn.nsw.gov.au/cases/restart-redbank-power-station>.

If you do not wish to receive any further correspondence in this matter, please advise us in writing at ipcn@ipcn.nsw.gov.au.