

6 May 2026

SUBMITTED VIA NSW PLANNING PORTAL

Mr Iwan Davies
Director, Solar & Battery Assessments
NSW Department of Planning, Housing and Infrastructure

Dear Mr Davies,

**RE: REQUEST FOR EXTENSION OF SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS
FOR EDDERTON SOLAR PROJECT (SSD-69965958)**

On behalf of Voltere Pty Ltd (Voltere), Malabar Resources Limited (Malabar) is requesting an extension to the Secretary's Environmental Assessment Requirements (SEARs) for the Edderton Solar Project (SSD-69965958) (the Project) from the New South Wales (NSW) Department of Planning, Housing and Infrastructure (DPHI).

Introduction

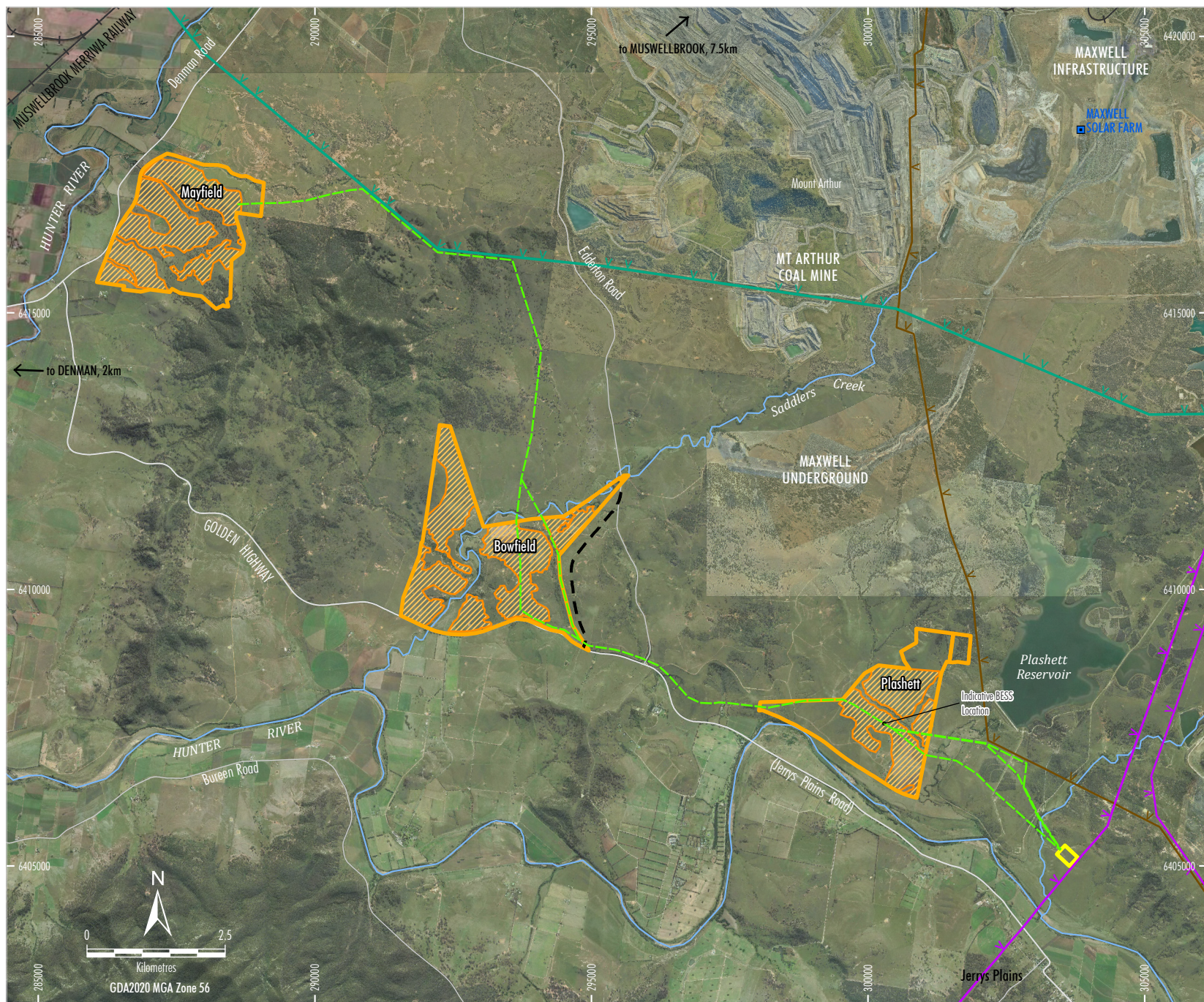
The Project involves the construction, operation and eventual decommissioning of a proposed solar farm, Battery Energy Storage System (BESS), internal power reticulation system and other supporting infrastructure in the Hunter Valley region of NSW, largely within land owned by Malabar.

A Scoping Report for the Project was lodged with DPHI in April 2024.

The Project as proposed in the Scoping Report comprised three "power islands" known as Mayfield, Bowfield and Plashett with a combined power generation capacity of 350 Megawatts of alternating current (MWac). The BESS component was nominally located at the Plashett power island and proposed connection to the regional network was via the existing 330 kilovolt (kV) Transgrid Electricity Transmission Line (ETL), located south-east of the Plashett power island.

The indicative general arrangement of the Project as proposed in the Scoping Report is shown on Figure 1.

Project SEARs were issued on 17 May 2024 and subsequently modified by DPHI on 7 August 2024 to reflect contemporary assessment requirements.



- LEGEND**
- Approved Edderton Road Realignment[#]
 - Existing/Approved Energy Generation Site
 - Electricity Transmission Line
 - 132kV
 - 330kV
 - 500kV
 - Project Layout as Presented in Scoping Report
 - Indicative PV Study Area
 - Indicative PV Area
 - Indicative Substation Location
 - Internal Reticulation System Easements Under Consideration

Source: Malabar (2023, 2026); NSW Spatial Services (2026)
 Orthophoto: Malabar (2023); Esri, Maxar, Earthstar Geographics,
 and the GIS User Community (2025)

[#]Edderton Road Realignment approved as part of the
 Maxwell Underground Mine (SSD 9526).

MALABAR
 EDDERTON SOLAR PROJECT
 Indicative Project Layout
 as Presented in Scoping Report

Figure 1

Project Developments Since Issue of SEARs

The proponent of the Project, Voltere, was originally established as a Joint Venture between EDF Renewables Australia Pty Ltd (EDF Renewables) and Malabar. In 2025, Malabar acquired EDF Australia's shares in Voltere and increased its ownership interest in the Project to 100%.

Since issue of the Project SEARs in 2024 and resolution of the ownership structure of Voltere in 2025, Malabar has continued to proactively engage with key stakeholders, including:

- Participation in the Registration of Interest process for the Hunter-Central Coast Renewable Energy Zone (REZ).
- Ongoing discussions with the Energy Corporation of NSW (EnergyCo) and Ausgrid (the authorised network operator) in relation to transmission infrastructure capacity and connection options for the Project as part of the Hunter-Central Coast REZ.
- Provision of regular Project updates to Muswellbrook Shire Council (MSC), lessees of Malabar-owned land, the Maxwell Community Consultative Committee and other relevant community representatives as part of Malabar's ongoing dialogue with key stakeholders in the region.

At the end of 2025, Malabar also reached an agreement with Akaysha Energy, a dedicated builder-owner-operator of BESS projects, to provide an option to develop a grid-scale energy storage project within the Mayfield power island footprint.

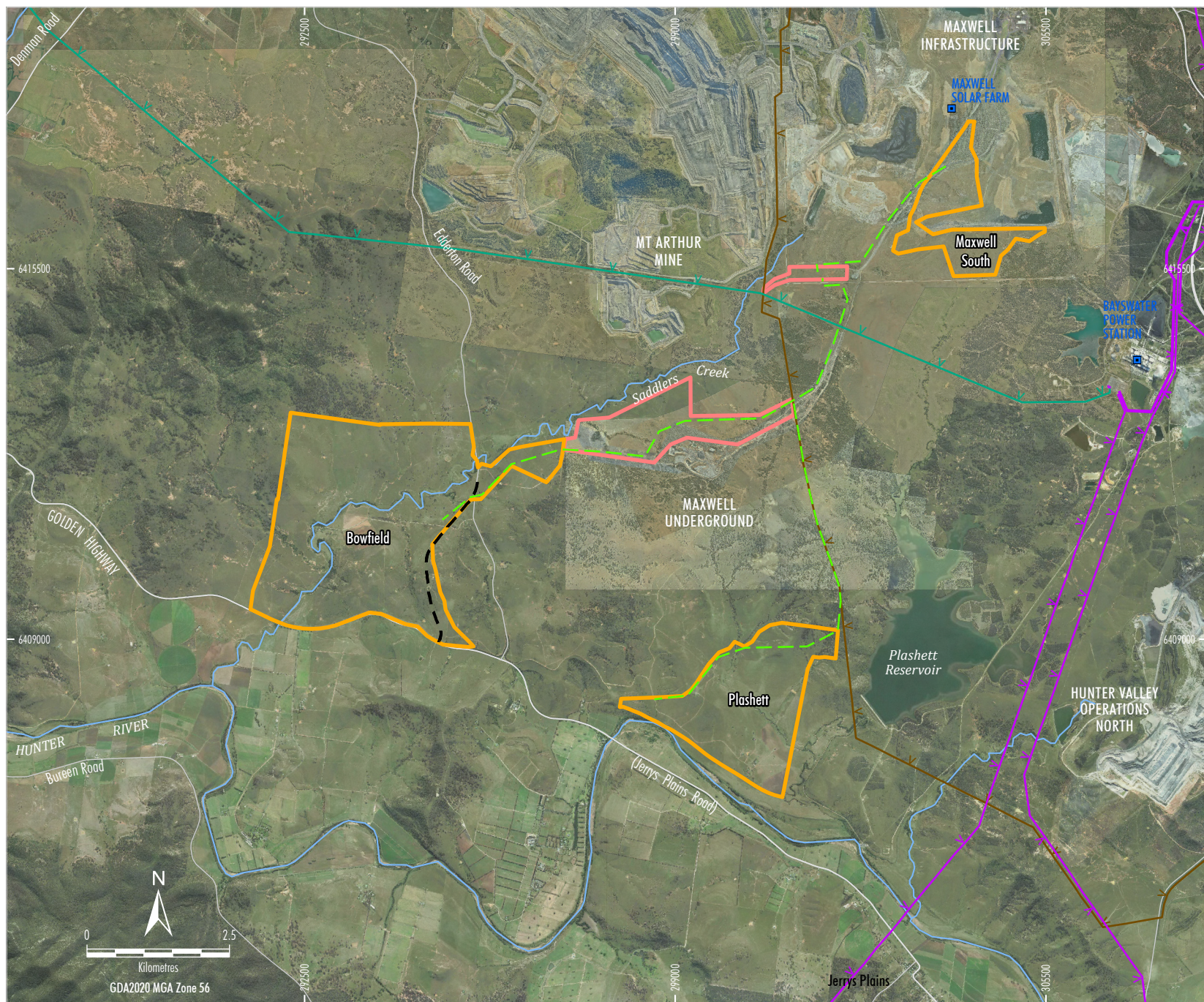
Proposed Refinements to Project Design

As part of their development of the Hunter-Central Coast REZ, EnergyCo and Ausgrid have identified an opportunity to connect the Project via redundant capacity available on the existing 132 kV Ausgrid ETL (95X). The 95X line runs in an approximate north/south direction from the Plashett power island towards Malabar's Maxwell Infrastructure area.

Malabar has determined that connection of the Project to the existing 132 kV Ausgrid ETL and alignment with the Hunter-Central Coast REZ network development is preferred compared to a connection option to the existing 330 kV Transgrid ETL. Connection to the existing 132 kV Ausgrid ETL would minimise interaction of internal transmission easements with third-party land.

Two potential connection locations are currently being considered for the cut in to line 95X, and the associated switching station and/or substation, in consultation with Ausgrid (Figure 2). The BESS component of the Project would also be relocated from the Plashett power island closer to the preferred connection point.

As an outcome of Malabar's agreement with Akaysha Energy, the Mayfield power island would be removed as a component of the Project. To maintain the previously proposed solar generation capacity, Malabar is proposing to incorporate a new power island on rehabilitated mine land adjacent to Malabar's Maxwell Infrastructure area and proposed Maxwell Solar Farm (referred to as the 'Maxwell South' power island) (Figure 2).



- LEGEND**
- Existing/Approved Energy Generation Site
 - Approved Edderton Road Realignment[#]
 - Electricity Transmission Line
 - 132kV
 - 330kV
 - 500kV
 - Revised Project Layout
 - Indicative PV Study Area
 - Indicative BESS and Switching Station/Substation Locations
 - Indicative Internal Reticulation System Easement

Source: Malabar (2023, 2026); NSW Spatial Services (2026)
 Orthophoto: Malabar (2023); Esri, Maxar, Earthstar Geographics,
 and the GIS User Community (2025)

Note: PV areas, Internal Reticulation System, and BESS
 and Switching Station/Substation Locations are indicative
 only and subject to change during detailed design.

[#]Edderton Road Realignment approved as part of the
 Maxwell Underground Mine (SSD 9526)

MALABAR
 EDDERTON SOLAR PROJECT
 Revised Indicative Project Layout

Figure 2

Ongoing Project design works have identified a number of other minor refinements to the power island Study Area boundaries, internal reticulation system easements and other supporting infrastructure. The physical layout and design of the Project would continue to be refined in consideration of outcomes of key environmental assessments and the conceptual design process.

Table 1 details the proposed refinements compared to the Project as proposed in the Scoping Report. The amended Development Application area for the revised Project design is provided in Enclosure 1.

Strategic and Statutory Context

The strategic context and benefits as presented in Section 2 of the Scoping Report would be retained for the revised Project. The proposed refinements would also provide additional benefits including:

- Use of redundant capacity on the existing 132 kV Ausgrid ETL, which is strategically located and a key asset of the Hunter-Central Coast REZ.
- Avoidance of visual impacts to users of Denman Road and other surrounding private residences associated with the previous Mayfield power island.
- Alignment with EnergyCo's objectives for the Hunter-Central Coast REZ to facilitate development of renewable energy generation that:
 - utilises available capacity in the existing electricity network;
 - provides a beneficial post-mining use for rehabilitated mining land;
 - improves the Hunter region's infrastructure and facilities; and
 - provides opportunities for skilled employment as the region transitions away from coal mining.

The planning framework and statutory context relevant to the assessment of the Project as described in Section 4 of the Scoping Report would not change as a result of the proposed refinements to the Project. For completeness, Enclosure 2 of this letter provides an updated statutory compliance summary table.

Review of Preliminary Environmental Impact Assessment

The proposed level and scope of environmental assessment identified in the Scoping Report to assist DPHI in issuing Project SEARs would not be materially changed by the proposed refinements to the Project.

A summary of the key matters identified as requiring further assessment in the Environmental Impact Statement (EIS) is provided in Table 2, including a preliminary list of study requirements to address these matters.

Table 1. Comparison of Revised Project to Project as Proposed in Scoping Report

Component	Project as Proposed in Scoping Report	Revised Project
Total Photovoltaic (PV) Study Area	Approx. 1,660 hectares (ha).	Increase in combined total PV Study Area to approx. 1,985 ha (i.e. additional 325 ha) to reflect outcomes of ongoing design works and provide flexibility in location of PV areas to maintain overall solar generation capacity while minimising potential environmental impacts.
PV Areas	Approx. 886 hectares (ha) of PV panels across three power islands (Mayfield, Bowfield and Plashett).	No material change in PV panel area across the power islands. Removal of Mayfield power island and inclusion of new 'Maxwell South' power island to maintain overall solar generation capacity.
Solar PV Design	Single-axis tracking bi-facial PV solar panels up to 2.7 metres (m) in height (to be determined following further design work).	No change proposed.
Capacity	Approx. 350 MWac (approx. 800,000 Megawatt-hours per year*).	No change proposed.
Internal Reticulation Line	Approx. 22 kilometres (km) of powerlines for the internal reticulation system to connect the three power islands. 330 kV line to connect combined Project power generation to existing 330 kV Transgrid ETL.	No material change in length of powerlines for the internal reticulation system. Alignment of connection between the three power islands has been revised to reflect changes to PV Study Areas. 132 kV line to connect combined Project power generation to existing 132 kV Ausgrid ETL.
Connection to Grid	Combined power generation of all three islands to connect to existing 330 kV Transgrid ETL via approx. 3.5 km of electricity line and an approx. 7 ha substation.	Combined power generation of all three power islands to connect to existing 132 kV Ausgrid ETL via switching station and/or substation. Two connection locations are currently being considered. Proposed connection to existing 330 kV Transgrid ETL is no longer required.
BESS Included	Nominally located at Plashett power island (with the ability to store power from three power islands as well as the existing electricity network). Capacity to be determined during detailed design, however indicatively 350 Megawatts.	The BESS would be relocated adjacent or nearby to the preferred connection location to the existing 132 kV Ausgrid ETL. No change in indicative capacity or ability to store power from three power islands as well as the existing electricity network.
Project Life	Construction period of approx. 20 months. Operational life of approx. 35 years.	No proposed change.
Employment	Approx. 400 to 450 full-time equivalent (FTE) roles during the construction period. Approx. 10 to 15 FTE roles during operations	No proposed change.

* Based on an average of 6 hours per day solar electricity generation, 365 days per year.

Table 2. Summary of Key Matters Requiring Further Assessment in the EIS

Environmental/Social Matter		Proposed Level and Scope of Assessment
Visual Amenity	Visual Glint and Glare	Detailed Landscape and Visual Impact Assessment in accordance with <i>Large-Scale Solar Energy Guideline</i> (DPHI, 2024a) and <i>Technical Supplement for Landscape Character and Visual Impact Assessment</i> (DPHI, 2024b). Standard Glint and Glare Assessment prepared in accordance with <i>Large-Scale Solar Energy Guideline</i> (DPHI, 2024a). Focused engagement with the local community and landholders concerned about potential visual impacts, as well as MSC.
Biodiversity	Terrestrial and Aquatic Flora and Fauna	Detailed Biodiversity Development Assessment Report in accordance with <i>Biodiversity Assessment Method</i> (DPIE, 2020). Standard Aquatic Ecology Assessment. Focused engagement with biodiversity regulator.
Heritage	Aboriginal Cultural Heritage	Detailed Aboriginal Cultural Heritage Assessment, including consultation with Aboriginal community representatives.
	Historic Heritage	Standard Historic Heritage Assessment. Focused engagement with interested stakeholders.
Transport	Traffic and parking Road and rail facilities	Detailed Road Transport Assessment. Focused engagement with Transport for NSW and MSC.
Land Use	Land Suitability Land Capability Land Use Compatibility	Detailed Agricultural Impact Assessment prepared in accordance with <i>Large-Scale Solar Energy Guideline</i> (DPHI, 2024a). Standard Land Contamination Assessment. Focused engagement with neighbouring landholders and MSC.
Social	Social Values	Detailed Social Impact Assessment prepared in accordance with the <i>Social Impact Assessment Guideline for State Significant Projects</i> (DPHI, 2026). Focused engagement with relevant stakeholders, including MSC and Singleton Council.
Hazards and Risks	Hazards	Standard Preliminary Hazards Assessment.
	Environmental Risks	Standard Environmental Risk Assessment.
Bushfire	Bushfire Risk	Standard Bushfire Management Assessment of potential bushfire risk. Focused engagement with local NSW Rural Fire Service.
Noise Amenity	Construction Noise Road Traffic Noise	Standard Noise Assessment. Focused engagement with the local community and landholders concerned about potential impacts on acoustic amenity.
Air	Particulate Matter Gases	Standard Air Quality Assessment. Focused engagement with the local community and landholders.
Water Resources	Hydrology Flooding	Standard Surface Water Assessment. Focused engagement with the local community and landholders.
Economic	Livelihood Opportunity Cost	Standard Economic Assessment. Focused engagement with other industries and businesses in the area.

Assessment of the key potential environmental matters identified would include consideration of:

- the existing environment, using baseline data from surrounding development;
- potential impacts of all stages of the Project including relevant cumulative impacts;
- measures that could be implemented to avoid, mitigate, rehabilitate/remediate, monitor and/or offset the potential impacts of the Project; and
- contingency plans and/or adaptive management for managing any potentially significant residual risks to the environment.

Consistent with the Scoping Report, suitably qualified and experienced specialists would be commissioned to conduct the studies required to address key matters requiring further assessment in the EIS. Assessments for the EIS will also consider applicable policies, guidelines and plans listed on DPHI's website, including the *Large-Scale Solar Energy Guideline* (DPHI, 2024a).

The EIS would also be prepared in accordance with the SEARs to be extended and/or updated (as required) by DPHI in response to this request.

Request for Extension of SEARs

The current SEARs for the Project expire in August 2026. Resolution of the ownership structure of Voltere, discussions with EnergyCo and Ausgrid regarding connection options and resulting refinement of the Project design has extended the anticipated timeframe to prepare the EIS for the Project.

Section 183 of the *Environmental Planning and Assessment Regulation 2021* provides that a proponent can request the Planning Secretary extend the SEARs expiry period, prior to the SEARs expiry date.

On behalf of Voltere, Malabar is seeking an extension of the Project SEARs to allow complete environmental assessments to be undertaken for the Project incorporating the proposed refinements, to inform an EIS and support a development application.

Should you wish to discuss further or require additional information, please do not hesitate to contact me via email at (wseabrook@malabarresources.com.au).

Yours sincerely,



Wayne Seabrook
Chairman
Malabar Resources

References

NSW Department of Planning and Environment (2023). *Dark Sky Planning Guideline*.

NSW Department of Planning, Housing and Infrastructure (2024a). *Large-Scale Solar Energy Guideline*.

NSW Department of Planning, Housing and Infrastructure (2024b). *Large-Scale Solar Energy Guideline – Technical Supplement for Landscape Character and Visual Impacts*.

NSW Department of Planning, Housing and Infrastructure (2026). *Social Impact Assessment Guideline*.

NSW Department of Planning, Industry and Environment (2020). *Biodiversity Assessment Method*.

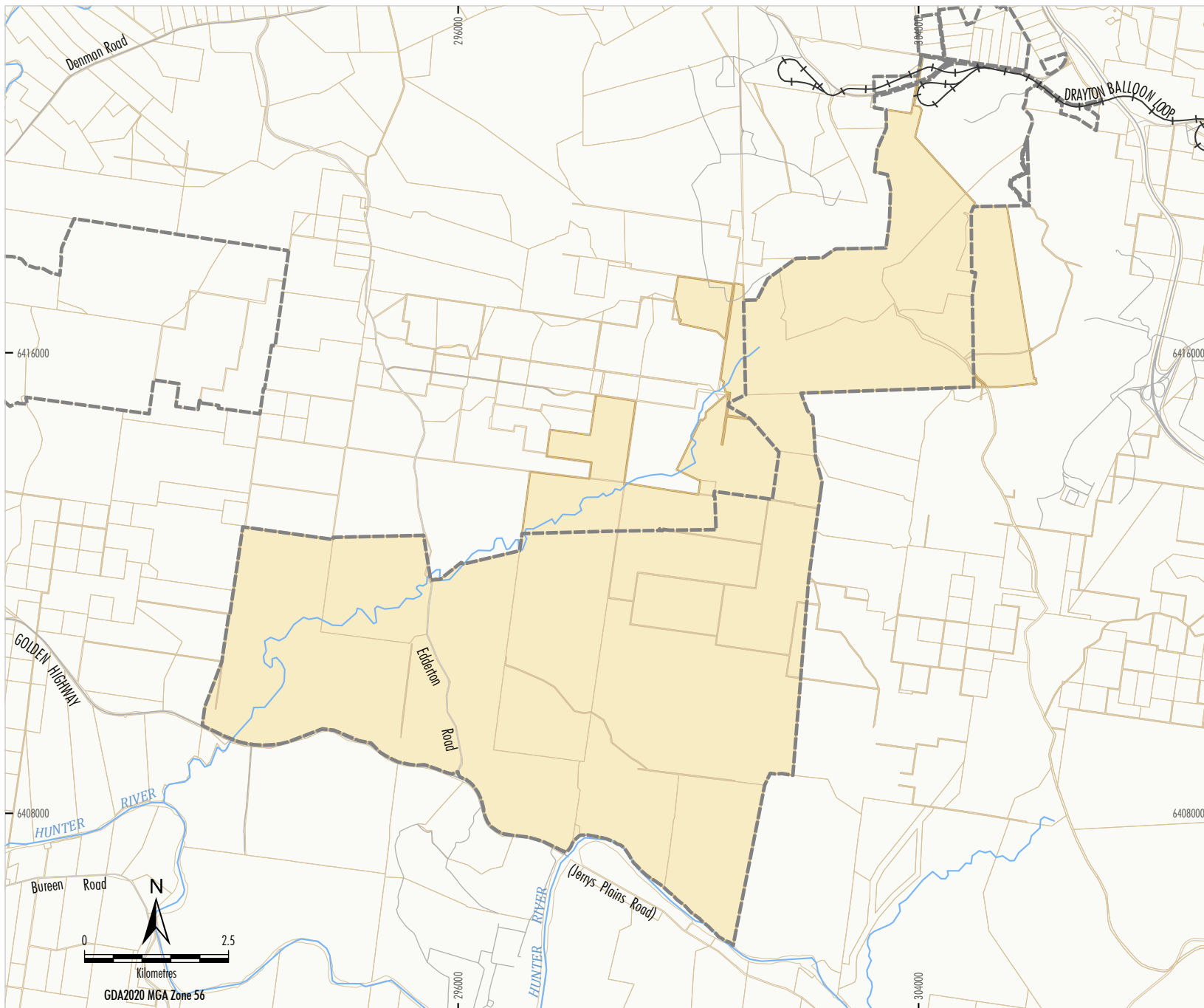
Enclosure 1 – Revised Provisional Development Application Area

Table A1. Revised Provisional Development Application Area – Lots and DPs

Tenure Type	Lot	Deposited Plan Number
Freehold	21	DP545087
Freehold	10	DP701496
Freehold	12	DP701496
Freehold	1	DP247510
Freehold	1	DP972589
Freehold	2	DP616024
Freehold	11	DP861359
Freehold	321	DP625513
Freehold	11	DP29950
Freehold	64	DP850818
Freehold	65	DP850818
Freehold	13	DP701496
Freehold	4	DP843634
Freehold	5	DP843635
Freehold	6	DP843635
Freehold	7	DP843635
Freehold	8	DP843635
Freehold	1	DP1095515
Freehold	1	DP1159371
Freehold	2	DP1159371
Freehold	2	DP1193252
Freehold	1	DP1211789
Freehold	22	DP1018587
Freehold	1	DP1179733
Freehold	20	DP1245080

Table A2. Revised Provisional Development Application Area – Other

Other	
Muswellbrook Shire Council or NSW Crown Lands	Various Council and Crown Public and Unformed Roads located within, between or adjacent to the above Parcels of Land, including Edderton Road.
Crown Lands	Creeks or Streams located within, between or adjacent to the above Parcels of Land
Freehold	Any Unidentified Historical Title Residues located within, between or adjacent to the above Parcels of Land.



LEGEND

- Malabar-owned Land
- Provisional Development Application Area
- Lot Boundary

Source: Malabar (2023, 2026); NSW Spatial Services (2026)

 **MALABAR**
EDDERTON SOLAR PROJECT
 Revised Provisional Development
 Application Area

Attachment 1

Enclosure 2 – Updated Statutory Compliance Table

Table 2.1. Pre-conditions to Granting Consent

Statutory Reference	Pre-condition	Relevance
<i>Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)</i>		
clause 23(1)	A development application may be made by the owner of the land to which the development application relates, or another person, with the written consent of the owner of the land.	Voltere will seek written consent from all relevant landowners.
clause 24	A development application must comply with the procedural requirements under section 24 of the EP&A Regulation.	The development application will comply with the relevant procedural requirements under section 24 of the EP&A Regulation.
clause 28(2)	A development application that is accompanied by a Biodiversity Development Assessment Report (BDAR) under the <i>Biodiversity Conservation Act 2016</i> must contain the biodiversity credits information.	The development application for the Project will be accompanied by a BDAR (including biodiversity credit information) and the Environmental Impact Statement (EIS) will include the biodiversity assessment required by the environmental assessment requirements.
<i>Biodiversity Conservation Act 2016</i>		
clause 7.9	A development application for State significant development is to be accompanied by a BDAR (unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values) and the EIS is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the EP&A Act.	The development application for the Project will be accompanied by a BDAR and the EIS will include the biodiversity assessment required by the environmental assessment requirements.
<i>Muswellbrook Local Environmental Plan 2009 (Muswellbrook LEP) and Singleton Local Environmental Plan 2013 (Singleton LEP)</i>		
clause 5.10(7)	If applicable, a consent authority must, before granting consent to the carrying out of development on an archaeological site, notify the Heritage Council of its intention to grant consent, and take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	An Aboriginal Cultural Heritage Assessment and Historic Heritage Assessment will be prepared for the Project and included in the EIS to identify suitable management and mitigation measures for potential direct and indirect impacts of the Project.

Table 2.1. Pre-conditions to Granting Consent (Continued)

Statutory Reference	Pre-condition	Relevance
State Environmental Planning Policy (Transport and Infrastructure) 2021		
clause 2.48(2)	<i>Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—</i> <i>(a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and</i> <i>(b) take into consideration any response to the notice that is received within 21 days after the notice is given.</i>	A connection enquiry was previously lodged with Transgrid in relation to connection to its 330 kilovolt (kV) electricity transmission line (ETL). Malabar has since engaged with Ausgrid regarding potential connection to their existing 132 kV ETL (Line 95X). Malabar would seek to lodge a connection enquiry and enter into a third-party agreement with Ausgrid to facilitate connection to the existing 132 kV ETL. The consent authority will be required to notify Ausgrid of the application.
State Environmental Planning Policy (Biodiversity and Conservation) 2021		
clause 3.6	<i>(1) Before a council may grant consent to a development application for consent to carry out development on land to which this Part applies, the council must be satisfied as to whether or not the land is a potential koala habitat.</i> <i>(2) The council may be satisfied as to whether or not land is a potential koala habitat only on information obtained by it, or by the applicant, from a person who is qualified and experienced in tree identification.</i> <i>(3) If the council is satisfied—</i> <i>(a) that the land is not a potential koala habitat, it is not prevented, because of this Chapter, from granting consent to the development application, or</i> <i>(b) that the land is a potential koala habitat, it must comply with section 3.7.</i>	A BDAR will be prepared for the Project and included in the EIS. Potential koala habitat will be identified and assessed in the BDAR.

Table 2.1. Pre-conditions to Granting Consent (Continued)

Statutory Reference	Pre-condition	Relevance
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>		
clause 3.11	In accordance with clause 3.11, a person who proposes to make a development application to carry out development for the purposes of a potentially hazardous industry must prepare (or cause to be prepared) a preliminary hazard analysis in accordance with the current circulars or guidelines published by the Department of Planning and submit the analysis with the development application. The Resilience and Hazards SEPP defines potentially hazardous industry as: <i>a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality—</i> <i>(a) to human health, life or property, or</i> <i>(b) to the biophysical environment,</i> <i>and includes a hazardous industry and a hazardous storage establishment.</i>	A BESS would be developed as part of the Project, constituting a potentially hazardous storage establishment. A Preliminary Hazard Analysis will be prepared for the Project and included in the EIS.

Table 2.2. Mandatory Matters for Consideration

Relevant Legislation or Instrument	Mandatory Consideration
<i>Environmental Planning and Assessment Act 1979 (EP&A Act)</i>	
section 1.3	Relevant objects of the EP&A Act: • to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources, • to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats, • to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention, • to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage, • to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings, • to provide opportunities for participation in environmental planning and assessment, • to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment, • to promote a proportionate and risk-based approach to environmental planning and assessment, • to promote the orderly and economic use and development of land.
section 4.15	Relevant environmental planning instruments: • <i>State Environmental Planning Policy (Planning Systems) 2021.</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021.</i> • <i>State Environmental Planning Policy (Resilience and Hazards) 2021.</i> • <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021.</i> • Muswellbrook LEP. • Singleton LEP. • The EP&A Regulation (to the extent that it prescribes matters for the purposes of section 4.15(1)(a)(iv) of the EP&A Act).

Table 2.2. Mandatory Matters for Consideration (Continued)

Relevant Legislation or Instrument	Mandatory Consideration
EP&A Act (continued)	
section 4.15 (continued)	In determining a development application, a consent authority is required to take into consideration the following matters that are of relevance to the development subject of the development application, including: - the significant likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality; - the suitability of the site for the development; - any submissions made in accordance with the EP&A Act or the EP&A Regulation; and - the public interest.
EP&A Regulation	
clause 61(3)	For State Significant Development on land less than 200 km from the Siding Springs Observatory, the consent authority must consider the requirements of the <i>Dark Sky Planning Guideline</i> (NSW Department of Planning and Environment, 2023).
Biodiversity Conservation Act 2016	
section 7.14(2)	The consent authority is to take into consideration the likely impact of the proposed development on biodiversity values as assessed in the BDAR.
section 7.16(3)	If consent authority is of the opinion that the Project is likely serious and irreversible impacts on biodiversity values, the consent authority is required to: - take those impacts into consideration; and - determine whether are any additional and appropriate measures that will minimise those impacts if consent or approval is to be granted.
Muswellbrook LEP and Singleton LEP	
clause 2.3(2)	The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.
clause 5.10(4)	If applicable, a consent authority must, before granting consent under clause 5.10 in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.
clause 5.10(8)	If applicable, a consent authority must, before granting consent under clause 5.10 to the carrying out of development in an Aboriginal place of heritage significance, consider the effect of a proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment.

Table 2.2. Mandatory Matters for Consideration (Continued)

Relevant Legislation or Instrument	Mandatory Consideration
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	
clause 3.12	In determining an application to carry out development to which this Part applies, the consent authority must consider (in addition to any other matters specified in the Act or in an environmental planning instrument applying to the development)— • current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and • whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and • in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and • any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and • any likely future use of the land surrounding the development.
clause 4.6	A consent authority must not consent to the carrying out of any development on land unless— • it has considered whether the land is contaminated, and • if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and • if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. Before determining a development application for development that would involve a change of use on any of the land specified in section 4.6(4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines. In this regard, the applicant must carry out the investigation and must provide a report on it to the consent authority.

¹ Clause 1.5 of Part 1 of the Muswellbrook LEP and Singleton LEP states “*The consent authority for the purposes of this Plan is (subject to the Act) the Council.*” The Consent authority under the EP&A Act, in the case of the Project, is the Minister or the Independent Planning Commission.