

DETERMINATION AND STATEMENT OF REASONS

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DETERMINATION	2 September 2026
DATE OF PANEL DECISION	2 September 2026
DATE OF PANEL MEETING	1 September 2026
PANEL MEMBERS	Alison McCabe (Chair), Roberta Ryan, Stephen Leathley, Eugene Sarich, Jacinta Ledlin
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 24 August 2026.

MATTER DETERMINED

PPSHCC-365 – Muswellbrook – DA/2025/26 at 252 Coal Road, Muswellbrook – Council Works Public Administration Building and Depot (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matter listed at item 8 in Schedule 1.

The Panel has had the benefit of an initial and final briefing from Council and the applicant.

The Panel notes that additional information was lodged arising from matters raised at the initial briefing, relating to:

- Potential landfill gas impacts
- Further consideration of “avoid and minimise” in regard to ecological impacts
- Consideration of potential impacts arising from the sewer infrastructure works
- Timing of bypass
- Earthworks and potential for retaining walls

This information has been considered.

The proposal involves a two-lot subdivision and a new integrated public administration building and works depot on the new smaller lot which will adjoin - the Muswellbrook Waste Facility.

The Panel notes that the Environmental Protection Authority did not raise any objections to the proposal, noting that there will be a need to apply for a variation to the existing Environmental Protection Licence (EPL) for the waste facility. The Panel understands that there is ongoing gas monitoring on the landfill site and that this matter will be further considered in the amended EPL.

The construction of the bypass will require changes to Coal Road, which will be addressed as part of that process.

The Panel considers the site to be suited to the development and that any impacts can be appropriately mitigated.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* subject to the conditions attached to the Council Assessment Report.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report at page 38.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Roberta Ryan
 Stephen Leathley	 Eugene Sarich
 Jacinta Ledlin	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-365 – Muswellbrook – DA/2025/26
2	PROPOSED DEVELOPMENT	Council Works Public Administration Building and Depot - two Lot subdivision and construction of a new Works Depot building containing office administration and depot uses, car park and vehicle parking associated with the operational functions of Muswellbrook Shire Council.
3	STREET ADDRESS	252 Coal Road, Muswellbrook
4	APPLICANT/OWNER	CCG Architects Pty Ltd Muswellbrook Shire Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Sustainable Buildings) 2022 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Muswellbrook Local Environmental Plan 2009 - Draft environmental planning instruments: Nil - Development control plans: - Muswellbrook Development Control Plan 2009 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - Coastal zone management plan: Nil - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council Assessment Report: 24 August 2026 - Written submissions during public exhibition: 0 - Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Initial Briefing: 26 August 2025 - Panel members: Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Eugene Sarich - Council assessment staff: Ian Dencker - Applicant representatives: Hisham Noori, Tony Blue, Kelly Scholes - Department staff: Holly McCann - Site inspection: - Panel members: - Stephen Leathley: 23 August 2026 - Applicant Briefing: 1 September 2026 - Panel members: Alison McCabe (Chair), Roberta Ryan, Stephen Leathley, Eugene Sarich, Jacinta Ledlin - Council assessment staff: Hamish McTaggart, Sharon Pope

		○ <u>Applicant representatives:</u> Hisham Noori ○ <u>Department staff:</u> Carolyn Hunt, Holly McCann • Final briefing to discuss Council's recommendation: 1 September 2026 ○ <u>Panel members:</u> Alison McCabe (Chair), Roberta Ryan, Stephen Leathley, Eugene Sarich, Jacinta Ledlin ○ <u>Council assessment staff:</u> Hamish McTaggart, Sharon Pope ○ <u>Department staff:</u> Carolyn Hunt, Holly McCann
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report