



New South Wales

Environmental Planning and Assessment Amendment (Muswellbrook Pumped Hydro Energy Storage Project) Order 2024

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Public Spaces, make the following order under the *Environmental Planning and Assessment Act 1979*, sections 5.12(4) and 5.13.

Dated 19 June 2024.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

Explanatory note

The object of this order is declare development for the purposes of the Muswellbrook Pumped Hydro Energy Storage Project to be State significant infrastructure and critical State significant infrastructure.

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1 Name of order

This order is the *Environmental Planning and Assessment Amendment (Muswellbrook Pumped Hydro Energy Storage Project) Order 2024*.

2 Commencement

This order commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of State Environmental Planning Policy (Planning Systems) 2021

Schedule 5 Critical State significant infrastructure

Insert at the end of the schedule, with appropriate section numbering—

Muswellbrook Pumped Hydro Energy Storage Project

- (1) Development for the purposes of the Muswellbrook Pumped Hydro Energy Storage Project on land in the Muswellbrook local government area, including the following—
 - (a) the construction and operation of pumped hydroelectric and generation works, including—
 - (i) an upper water storage dam, reservoir and spillways, and
 - (ii) works at an existing mine void for a lower water storage dam and reservoir, and
 - (iii) the construction of water and access tunnels, surge tanks and inlet and outlet structures, and
 - (iv) the construction and operation of a new pumped hydroelectric power station, and
 - (v) subsurface works for exploratory geotechnical investigations,
 - (b) transmission works, including—
 - (i) the construction and operation of a new electricity substation, new switchyards and new electricity transmission lines to connect the project to the Muswellbrook 330kV substation, the Liddell 330kV switching station and the existing electricity transmission network, and
 - (ii) the upgrade of the existing electricity transmission network,
 - (c) the construction and operation of a pipeline between the project and the Hunter River,
 - (d) water offtake works to connect the project to the Hunter River,
 - (e) decommissioning works and rehabilitation of the site,
 - (f) the emplacement of excavated materials,
 - (g) ancillary development, including access tracks and roads, construction accommodation, construction compounds, construction power supply, on-site quarry and related infrastructure, utilities and communications infrastructure, water management infrastructure and water treatment plants.
- (2) In this section—

development does not include the following—

 - (a) surveys, sampling, environmental investigations, geotechnical borehole drilling, test drilling, test excavations or other tests or investigations for the purposes of the preliminary design and assessment of the project,
 - (b) the construction of temporary access tracks and temporary site facilities to allow for the carrying out of tests or investigations described in paragraph (a).