



Mrs Helen Cleary
Executive General Manager - Development and Partnerships
Cleary Bros (Bombo) Pty Ltd
39 Five Islands Road
Port Kembla NSW 2505

Dear Mrs Cleary

Albion Park Quarry - Stage 7 Expansion (SSD-10369)
Planning Secretary's Environmental Assessment Requirements

Please find attached the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Albion Park Quarry Stage 7 Expansion. These requirements have been prepared in consultation with relevant public authorities based on the information you have provided in your scoping report. I wish to advise that you must have regard to the comments provided by public authorities (see Attachment 2) in the preparation of your EIS.

Please note that the Planning Secretary may modify these requirements at any time. If you do not submit the DA and EIS within 2 years, you must consult further with the Planning Secretary in relation to the preparation of the EIS.

Prior to exhibiting the EIS, the Department will review the document in consultation with relevant authorities to determine if it addresses these SEARs and the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). You will be required to submit an amended EIS if it does not adequately address the requirements.

The Department wishes to emphasise the importance of effective and genuine community consultation. A comprehensive open and transparent community consultation engagement process must be undertaken during the preparation of the EIS. This process should ensure the community is provided with a good understanding of what is proposed, description of any potential impacts and are actively engaged in issues of concern to them.

Please contact the Department at least two weeks before you propose to submit your DA and EIS. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the EP&A Regulation); and
- determine the number of copies (hard-copy and USB) of the DA and EIS that will be required.

Further to the above, I note that your scoping report states that you are yet to confirm the significance of any impacts on Matters of National Environmental Significance. If your development is deemed likely to have a significant impact on these matters, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation, however there may be an opportunity to streamline the two assessment processes in accordance with the Bilateral Agreement between the NSW and Commonwealth Governments. Please contact the Commonwealth Department of the Environment and Energy to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

If you have any questions in relation to the attached, please contact Anthony Barnes at the details listed above.

Yours sincerely,

03/10/19

Matthew Sprott
A/Director
Resource Assessments (Coal & Quarries)
as delegate for the Secretary