

Notice of Decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	Gunlake Quarry Continuation Project (SSD-12469087)
Applicant	Gunlake Quarries Pty Ltd
Consent Authority	Minister for Planning

Decision

The Executive Director Energy Resources and Industry, under delegation from the Minister for Planning has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (the Act) granted consent to the Gunlake Quarry Continuation Project (the project) subject to conditions.

A copy of the Department of Planning and Environment (Department)'s Assessment Report and development consent conditions is available at:
<https://www.planningportal.nsw.gov.au/major-projects/projects/gunlake-quarry-continuation-project>

Date of decision

02 March 2023

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's assessment report;
- the prescribed matters under the Environmental Planning and Assessment Regulation 2000;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted to the Department during the merit assessment of the development application;
- the findings and recommendations in the Department's Assessment Report;
- agency advice, submissions and independent expert advice; and
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including employment for up to 228 full-time equivalent (FTE) personnel;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the Department's assessment report and the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 - Community Views

The applicant engaged with the community during the preparation of the environmental impact statement (EIS) as a requirement of the Secretary's environmental assessment requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

Once the EIS was accepted by the Department it was placed on exhibition from 8 October until 4 November 2021. 57 submissions were received, including 21 objections, 3 comments and 33 in support of the project.

The table below includes a summary of how issues raised by the community (including in submissions) were taken into consideration. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
Traffic	Community concerns raised related to increased traffic movements in the project, road safety and efficiency and safety of the local road network. The Department commissioned a traffic expert to provide independent advice on the traffic and transport aspects of the project. In its merit assessment of the project, the Department carefully considered the technical assessments provided by the Applicant, the independent advice and advice from the relevant government agencies. The Department has imposed stringent conditions of consent requiring Gunlake to improve the existing road safety measures on the primary transportation route, and to undertake additional road repairs including delineation measures and sight distance maintenance measures prior to heavy vehicle traffic volumes exceeding currently approved numbers. The Department considers the implementation of an approved Traffic Management Plan would ensure the management of any residual traffic and transport impacts in the project.
Amenity	Concerns were raised regarding noise (including road noise) and air quality impacts of the project. The noise emissions and the air quality impacts of the project are predicted to comply with the relevant noise and air quality criteria. The recommended conditions for noise require Gunlake to comply with a range of noise operating conditions, noise criteria at sensitive residential noise receptors and to prepare and implement a comprehensive Noise Management Plan. Similarly, the recommended conditions for air quality require Gunlake to comply with contemporary air quality criteria, implement all reasonable and feasible 'source-based' measures to minimise dust emissions on site, continue to implement a comprehensive air quality monitoring program, and to prepare and implement a comprehensive Air Quality and Greenhouse Gas Management Plan.
Greenhouse gas emissions	The greenhouse gas (GHG) emissions due to the proposed increase in traffic movements in the project was raised as a key issue by the community. Gunlake has committed to implement a wide range of GHG mitigation and minimisation measures from quarrying operations and quarry product transportation including, but not limited to, regular maintenance of plant and equipment, utilising energy efficient plant and equipment and utilising higher payload trucks to minimise the number of product traffic movements. The Department supports these measures, however has additionally recommended a condition of consent that Gunlake prepare and implement an updated Air Quality and Greenhouse Gas Management Plan to further detail the measures to minimise GHG emissions associated with the operation of the project.