

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Part 8 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-77991709
Project	Cleary Bros Marulan Quarry
Location	Carrick Road, Carrick within the Goulburn Mulwaree local government area. Located within Lots 21, 22, 31, 37 and 64 of DP 750003 and Lot 2 of DP 545834
Proponent	CLEARY BROS (BOMBO) PTY LTD
Date of Issue	17/01/2025
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and must have regard to the <i>State Significant Development Guidelines</i>. Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: - adequate baseline data; - consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); - measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment The EIS must also be accompanied by a Estimated Development Cost (EDC) report, providing: - a detailed calculation of the EDC of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report; - the EDC of the extractive industry component of the development; and - an estimate of the retained and new jobs that would be created during the construction and operational phases, including details of the methodology to determine the figures provided.
Key issues	The EIS must assess the potential impacts of the proposal at all stages of the development, including the establishment, operation and decommissioning of the development. The EIS must address the following specific matters:

• **Statutory and Strategic Context**

Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:

- o *Goulburn Mulwaree Local Environmental Plan 2009*;
- o *State Environmental Planning Policy (Resources and Energy) 2021*;
- o *State Environmental Planning Policy (Planning Systems) 2021*;
- o *State Environmental Planning Policy (Biodiversity and Conservation) 2021*; and
- o *State Environmental Planning Policy (Resilience and Hazards) 2021*.

Address the relevant planning provisions, goals and strategic planning objectives in draft *South East and Table Lands Regional Plan 2041*.

• **Noise & Blasting** – including:

- a detailed assessment of the likely construction, operational and offsite transport noise impacts of the development in accordance with the *Interim Construction Noise Guideline*, *NSW Noise Policy for Industry* and the *NSW Road Noise Policy* respectively, and having regard to the *Voluntary Land Acquisition and Mitigation Policy*;
- proposed blasting hours, frequency and methods;
- a detailed assessment of the likely blasting impacts of the development (including noise, ground vibrations, overpressure, flyrock, visual and fumes and odour) on people, animals, buildings/structures, infrastructure and significant natural features, having regard to the relevant ANZEC guidelines;
- include reasonable and feasible mitigation measures to minimise noise emissions; and
- include consideration of monitoring and management measures, in particular, real-time and attended noise monitoring.

• **Air** – including:

- a detailed assessment of potential construction and operational air quality impacts, in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW, and with a particular focus on dust emissions including PM2.5 and PM10, and having regard to the *Voluntary Land Acquisition and Mitigation Policy*;
- an assessment of potential dust and other emissions generated from processing, operational activities and transportation of quarry products;
- reasonable and feasible mitigation measures to minimise dust and emissions;
- monitoring and management measures, in particular, real-time air quality monitoring;
- a greenhouse gas assessment of the operation of the development; and
- details of proposed mitigation, management and monitoring measures

• **Water** – including:

- a detailed site water balance, including a description of site water demands, water disposal methods (inclusive of volume and frequency of any water discharges), water supply infrastructure and water storage structures;

	- identification of any licensing requirements or other approvals under the Water Act 1912 and/or Water Management Act 2000; - demonstration that water for the construction and operation of the development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP); - a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant WSP or water source embargo; - an assessment of any likely flooding impacts of the development; - an assessment of the likely impacts on the quality and quantity of existing surface and ground water resources, including a detailed assessment of proposed water discharge quantities and quality against receiving water quality and flow objectives; - an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users; - a detailed description of the proposed water management system (including sewage, wastewater and stormwater), water monitoring program, erosion and sediment control measures, and other measures to mitigate surface and groundwater impacts; and - include a detailed consideration of any potential impacts on sensitive downstream receiving environments. • Biodiversity – including: - accurate predictions of any vegetation clearing on site; and - a detailed assessment of the potential biodiversity impacts of the development, paying particular attention to threatened species, populations and ecological communities and groundwater dependent ecosystems undertaken in accordance with Sections 7.2 and 7.7 of the <i>Biodiversity Conservation Act 2016</i> and the <i>Biodiversity Assessment Method 2020</i>; - a detailed consideration of the potential for off-site and in-direct impacts on local biodiversity and surrounding ecological corridors or habitat; - a strategy to offset any residual impacts of the development in accordance with the Biodiversity Offsets Scheme; and - a detailed description of the proposed measures to maintain or improve the biodiversity values of the region in the medium to long term. Any application that is required to be submitted with a Biodiversity Development Assessment Report must use the template available at: https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template. • Traffic & Transport – including: - accurate predictions of the road traffic generated by the construction and operation of the development, including a description of the types of vehicles likely to be used for transportation of quarry products; - an assessment of potential traffic impacts on the capacity, condition, safety, and efficiency of the local and State Road networks, detailing
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	the nature of the traffic generated, transport routes, traffic volumes and potential impacts on local and regional roads; - a description of the measures that would be implemented to maintain and/or improve the capacity, efficiency, and safety of the road network (particularly the proposed transport routes) over the life of the development; - evidence of any consultation with relevant roads authorities, regarding the establishment of agreed contributions towards road upgrades or maintenance; and - a description of access roads, specifically in relation to nearby Crown roads and fire trails; • Land Resources – including an assessment of: - potential impacts on soils and land capability (including potential erosion and land contamination) and the proposed mitigation, management, and remedial measures (as appropriate); and - activities that could cause erosion or sedimentation issues, and the proposed measures to prevent or control these impacts; • Waste – including estimates of the quantity and nature of the waste streams that would be generated or received by the development and any measures that would be implemented to minimise, manage, or dispose of these waste streams; • Hazards – including an assessment of the likely risks to public safety, paying particular attention to potential bushfire risks and the transport, storage, handling and use of any hazardous or dangerous goods; • Visual – including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain, including with respect to any new landforms; • Social & Economic – an assessment of the likely social and economic impacts of the development, including consideration of both the significance of the resource and the costs and benefits of the project. In accordance with the Social impact assessment guideline for <i>State significant mining, petroleum production and extractive industry (2021)</i>; • Rehabilitation – including: - a detailed description of the proposed rehabilitation measures that would be undertaken throughout the development and during quarry closure; - rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; - a detailed rehabilitation strategy, including justification for the nominated final landform and consideration of the objectives of any relevant strategic land use plans or policies, having regard to the key principles in the Strategic Framework for Mine Closure; - assessment of the potential for integrating the rehabilitation strategy with any other rehabilitation and/or offset strategies in the region; and potential impacts on landforms (topography), paying particular attention to the long-term geotechnical stability of any new landforms (such as overburden dumps, bunds etc).
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Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.
Engagement	During the preparation of the EIS, you must consult with the relevant local, State or Australian Government authorities, service providers, community groups and affected landowners. In particular you must consult with: • Aboriginal stakeholders • Goulbourn Mulwaree Council • Environment Protection Authority • Transport for New South Wales • Conservation Programs, Heritage and Regulation (formerly Biodiversity and Conservation Division) within the Department of Climate Change, Energy, the Environment and Water • Crown Lands • the Water Group within the Department of Climate Change, Energy, the Environment and Water • Heritage NSW – Aboriginal Cultural Heritage Regulation • NSW Rural Fire Service • Department of Primary Industries (including Agriculture and Fisheries) • Commonwealth Department of Climate Change, Environment, Energy and Water The EIS must detail the engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.
Expiry Date	If you do not lodge a Development Application and EIS for the development / within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT A

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

<http://www.epa.nsw.gov.au/>

<http://www.environment.nsw.gov.au/>

<http://www.dpi.nsw.gov.au/>

Policies, Guidelines & Plans

Air	
	Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments 2018 (DP&E)
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)
	Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia' (EPA)
	National Greenhouse Accounts Factors (Commonwealth)
Noise & Blasting	
	Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E)
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (DECC)
	NSW Road Noise Policy (EPA)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC)
Soil and Water	
Groundwater	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	NSW Aquifer Interference Policy 2012 (NOW)
	Office of Water Guidelines for Controlled Activities (2012)
	Groundwater Monitoring and Modelling Plans – Information for prospective mining and petroleum exploration activities (NOW)
	Australian Groundwater Modelling Guidelines 2012 (Commonwealth)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
Surface Water	NSW Government Water Quality and River Flow Objectives (EPA)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)

	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	NSW Water Conservation Strategy (2000)
	State Water Management Outcomes Plan
	NSW State Rivers and Estuary Policy (1993)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC/EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control (EPA)
	Technical Guidelines: Bunding & Spill Management (EPA)
	Environmental Guidelines: Use of Effluent by Irrigation (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	NSW Guidelines for Controlled Activities on Waterfront Land (NOW)
Flooding	NSW Floodplain Development Manual 2005 (OEH)
	Floodplain Risk Management Guideline (OEH)
Soil	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
Land	
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	Agfact AC.25: Agricultural Land Classification (NSW Agriculture)
	Agricultural Issues for Extractive Industries (DPI)
	State Environmental Planning Policy (Resilience and Hazards)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Land Use Conflict Risk Assessment Guide (DPI)
Traffic	
	NSW Guide to Traffic Generating Development (RMS)
	NSW Road Design Guide (RMS) & relevant Austroads Standards
	Austroads Guide to Traffic Management, Part 2, Integrated Traffic Assessments for Developments
Biodiversity	
	Biodiversity Assessment Method (OEH)
	Fisheries NSW policies and guidelines
	Guidelines for developments adjoining Developments adjacent to National Parks and Wildlife Service lands Department of Environment, Climate Change and Water (DECCW, 2010)
	Guidelines for Threatened Species Assessment (DP&E)
	Guidance to assist a decision-maker to determine a serious and irreversible impact (OEH)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Revocation, recategorisation and road adjustment policy (OEH, 2012)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
Heritage	
	The Burra Charter 2013 (The Australia ICOMOS Charter for Places of Cultural Significance)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (OEH)
	Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 (OEH)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011 (OEH)
	NSW Heritage Manual (OEH)

	Statements of Heritage Impact (OEH)
	Archaeological Assessments Guidelines 1996 (Heritage Council)
Hazards and Risk	
	State Environmental Planning Policy (Resilience and Hazards)
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning for Bush Fire Protection 2019 (RFS)
Waste	
	Waste Classification Guidelines (EPA)
	NSW Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA)
Rehabilitation	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Strategic Framework for Mine Closure (ANZMEC-MCA)
Social	
	Social Impact Assessment Guideline for State Significant Projects

ATTACHMENT B Government Authority Responses to Request for Key Issues