

## Department of Planning and Environment

Gary Peacock  
Director  
Outline Planning Consultants Pty Ltd  
Suite 2301, Level 3, Quattro Building  
No. 4 Daydream Street  
Warriewood, NSW 2102

Via email: [gpeacock@outline.com.au](mailto:gpeacock@outline.com.au)

30 August 2022

---

### Planning Secretary's Environmental Assessment Requirements Bolgers Pit Quarry Project (EAR 1674)

Dear Mr Peacock

I refer to your request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for the above development, which is designated local development under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Please find attached a copy of the SEARs for the Environmental Impact Statement (EIS) for the development. These requirements have been prepared in consultation with relevant government agencies based on the information your company has provided to date. The Department is awaiting advice from several agencies. This advice will be forwarded for your consideration once it is received. You must have regard to this advice in the preparation of the EIS.

In your request for SEARs, you have also indicated that the proposal is classified as integrated development under section 4.46 of the EP&A Act. You are encouraged to consult with the relevant agencies with respect to licence/approval requirements. If further integrated approvals are required, you must undertake your own consultation with the relevant public authorities and address their requirements in the EIS.

The Department wishes to emphasise the importance of effective and genuine community consultation during the preparation of the EIS. This process should provide the community with a clear understanding of the proposal and its potential impacts and include active engagement with the community regarding key issues of concern. The development application (DA) for the proposed development must be accompanied by clear evidence of the consent to the lodgement of the DA of all owners of land directly subject to the DA.

Please contact the consent authority at least two weeks before you propose to submit your DA. This will enable the consent authority to:

- confirm the applicable fees; and
- determine the number of copies (hard-copy and digital) of the EIS that will be required for reviewing purposes.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environmental Protection and*

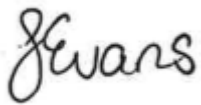
## Department of Planning and Environment

*Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of Climate Change, Energy, the Environment and Water to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 111).

You should also contact the Mine Safety branch of the NSW Resources Regulator regarding matters relating to compliance with the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*.

If you have any enquiries about these requirements, please contact James McDonough on 02 9585 6313 or email at [james.mcdonough@dpie.nsw.gov.au](mailto:james.mcdonough@dpie.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink that reads "Jessie Evans".

Jessie Evans

Director Resource Assessments  
Energy, Resources and Industry  
as delegate for the Planning Secretary

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* and Part 8 Division 5 of the *Environmental Planning and Assessment Regulation 2021*.

## Designated Development

EAR Number	EAR 1674
Proposal	Expand existing gravel quarrying operations to extract up to 40,000 tonnes per annum for a period of approximately 20 years from a resource of 300,000 tonnes.
Location	Bolgers Pit Quarry – No.809 Oakey Creek Road, Piallaway NSW 2342 (Lots 139 DP 751012 & Lot B DP 432415)
Applicant	Gunnedah Shire Council (c/- Gary Peacock, Outline Planning Consultants Pty Ltd)
Date of Issue	30/08/2022
Date of Expiry	30/08/2024
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must comply with the requirements in in Clauses 190, 192 and 193 of Part 8 Division 5 of the <i>Environmental Planning and Assessment Regulation 2021</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a comprehensive description of the development, including: <ul style="list-style-type: none"> <li>- a detailed site description and history of any previous quarrying on the site, including a current survey plan;</li> <li>- identification of the resource, including the amount, type, composition;</li> <li>- the layout of the proposed works and components (including any existing infrastructure that would be used for the development);</li> <li>- an assessment of the potential impacts of the development, as well as any cumulative impacts, including the measures that would be used to minimise, manage or offset these impacts;</li> <li>- a detailed rehabilitation plan for the site;</li> <li>- any likely interactions between the development and any existing/approved developments and land uses in the area, paying particular attention to potential land use conflicts with nearby residential development;</li> <li>- a list of any other approvals that must be obtained before the development may commence;</li> <li>- the permissibility of the development, including identification of the land use zoning of the site;</li> <li>- identification of sensitive receivers likely to be affected by the development using clear maps/plans, including key landform areas, such as conservation areas and waterways;</li> </ul> </li> <li>• a conclusion justifying why the development should be approved, taking into consideration: <ul style="list-style-type: none"> <li>- alternatives;</li> <li>- the suitability of the site;</li> <li>- the biophysical, economic and social impacts of the project, having regard to the principles of ecologically sustainable development; and</li> <li>- whether the project is consistent with the objects of the Environmental Planning and Assessment Act 1979; and</li> </ul> </li> <li>• a signed declaration from the author of the EIS, certifying that the information contained within the document is neither false nor misleading.</li> </ul>
Consultation	In preparing the EIS for the development, you should consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers and any surrounding landowners that may be impacted by the development.

	<p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.</p>
Key Issues	<p>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.</p> <p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> <li>• <b>Noise</b> – including a quantitative assessment of potential: <ul style="list-style-type: none"> <li>- construction and operational noise and off-site transport noise impacts of the development in accordance with the <i>Interim Construction Noise Guideline, NSW Noise Policy for Industry and NSW Road Noise Policy</i> respectively;</li> <li>- reasonable and feasible mitigation measures to minimise noise emissions; and</li> <li>- monitoring and management measures;</li> </ul> </li> <li>• <b>Blasting &amp; Vibration</b> – including: <ul style="list-style-type: none"> <li>- proposed hours, frequency, methods and impacts; and</li> <li>- an assessment of the likely blasting and vibration impacts of the development, having regard to the relevant ANZECC guidelines and paying particular attention to impacts on people, buildings, livestock, infrastructure and significant natural features;</li> </ul> </li> <li>• <b>Air</b> – including an assessment of the likely air quality impacts of the development in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i>. The assessment is to give particular attention to potential dust impacts on any nearby private receivers due to construction activities, the operation of the quarry and/or road haulage;</li> <li>• <b>Water</b> – including: <ul style="list-style-type: none"> <li>- a detailed site water balance and an assessment of any water licensing requirements or other approvals required under the <i>Water Act 1912</i> and/or <i>Water Management Act 2000</i>, including a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant Water Sharing Plan or water source embargo</li> <li>- an assessment of potential 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; and</li> <li>- a detailed description of the proposed water management system, water monitoring program and other measures to mitigate surface and groundwater impacts;</li> </ul> </li> <li>• <b>Biodiversity</b> – including: <ul style="list-style-type: none"> <li>- accurate predictions of any vegetation clearing on site;</li> <li>- 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</li> <li>- a detailed description of the proposed measures to maintain or improve the biodiversity values of the site in the medium to long term, as relevant.</li> </ul> </li> <li>• <b>Heritage</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the potential impacts on Aboriginal heritage (cultural and archaeological), including evidence of appropriate consultation with relevant Aboriginal communities/parties and documentation of the views of these stakeholders regarding the likely impact of the development on their cultural heritage; and</li> <li>- identification of Historic heritage in the vicinity of the development and an assessment of the likelihood and significance of impacts on heritage items, having regard to the relevant policies and guidelines listed in Attachment 1;</li> </ul> </li> <li>• <b>Traffic &amp; Transport</b> – including: <ul style="list-style-type: none"> <li>- 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;</li> <li>- an assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State road networks, detailing the nature of the traffic generated, transport routes, traffic volumes and potential impacts on local and regional roads;</li> <li>- 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;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- evidence of any consultation with relevant roads authorities, regarding the establishment of agreed contributions towards road upgrades or maintenance; and</li> <li>- a description of access roads, specifically in relation to nearby Crown roads and fire trails;</li> <li>• <b>Land Resources</b> – including an assessment of: <ul style="list-style-type: none"> <li>- potential impacts on soils and land capability (including potential erosion and land contamination) and the proposed mitigation, management and remedial measures (as appropriate); and</li> <li>- an assessment of activities that could cause erosion or sedimentation issues, and the proposed measures to prevent or control these impacts;</li> </ul> </li> <li>• <b>Waste</b> – 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;</li> <li>• <b>Hazards</b> – 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;</li> <li>• <b>Visual</b> – 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;</li> <li>• <b>Social &amp; Economic</b> – 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; and</li> <li>• <b>Rehabilitation</b> – including: <ul style="list-style-type: none"> <li>- a detailed description of the proposed rehabilitation measures that would be undertaken throughout the development and during quarry closure;</li> <li>- a detailed rehabilitation strategy, including justification for the proposed final landform and consideration of the objectives of any relevant strategic land use plans or policies; and</li> <li>- potential impacts on landforms (topography), paying particular attention to the long-term geotechnical stability of any new landforms (such as overburden dumps, bunds etc).</li> </ul> </li> </ul>
<b>Environmental Planning Instruments</b>	<p>The EIS must take into account all relevant State Government environmental planning instruments, guidelines, policies, and plans. While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies and plans that may be relevant to the environmental assessment of this development.</p> <p>During the preparation of the EIS you must also consult the Department's EIS Guideline – Extractive Industries – Quarries. This guideline is available at <a href="http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/extractive-industries-quarries-eis-guideline-1996-10.ashx">http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/extractive-industries-quarries-eis-guideline-1996-10.ashx</a>.</p> <p>In addition, the EIS must assess the development against Gunnedah Local Environmental Plan 2012 and any relevant development control plans/strategies.</p>

## ATTACHMENT 1

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.

### Environmental Planning Instruments, Policies, Guidelines & Plans

Environmental Planning Instruments - General	
	State Environmental Planning Policy (Resources and Energy) 2021
	State Environmental Planning Policy (Planning Systems) 2021
	State Environmental Planning Policy (Transport and Infrastructure) 2021
	Gunnedah Local Environmental Plan 2012
Risk Assessment	
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Land	
	State Environmental Planning Policy No. 55 – Remediation of Land
	Agricultural Land Classification (DPI)
	Rural Land Capability Mapping (OEH)
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Guidelines for Consultants Reporting on Contaminated Sites (EPA)
	Agricultural Issues for Extractive Industry Development (DPI)
Water	
Groundwater	NSW Aquifer Interference Policy 2012 (NOW)
	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (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 State Rivers and Estuary Policy (NOW)
	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)
	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)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control (EPA)
	Technical Guidelines: Bunding & Spill Management (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	NSW Guidelines for Controlled Activities (NOW)
Flooding	Floodplain Development Manual (OEH)
	Floodplain Risk Management Guideline (OEH)
Biodiversity	
	Biodiversity Assessment Method (DPIE 2020)
	Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (DPIE 2019)

	Policy and Guidelines for Aquatic Habitat Management and Fish Conservation (Fisheries NSW)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
<b>Heritage</b>	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Guide to investigation, assessing and reporting on Aboriginal cultural heritage in NSW (OEH) 2011
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
<b>Noise</b>	
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (EPA)
	NSW Road Noise Policy (EPA)
<b>Air</b>	
	Protection of the Environment Operations (Clean Air) Regulation 2010
	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)
	Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	National Greenhouse Accounts Factors (Commonwealth)
<b>Transport</b>	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RMS) & relevant Austroads Standards
<b>Hazards</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning for Bushfire Protection 2019 (RFS)
<b>Resource</b>	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)
<b>Waste</b>	
	Waste Classification Guidelines (EPA)
	Protection of the Environment Operations (Waste) Regulation 2014
	Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 (EPA)
<b>Rehabilitation</b>	
	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)

## ATTACHMENT 2

### AGENCY CORRESPONDENCE