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-99860959
Project	Bobs Farm Sand Quarry, which involves: • development of a new quarry to extract and process up to 530,000 tonnes of sand per year for up to 10 years; • extraction of the resource using an excavator loading into articulated haul trucks; • onsite processing, dry screening, washing and stockpiling; • transport of material offsite via public roads; and • progressively rehabilitating the site.
Location	3631 Nelson Bay Road Bobs Farm within the Port Stephens local government area. Located within Lot 254 DP 753204
Proponent	NEWCASTLE SAND
Date of Issue	18/12/2025

General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and must have regard to the *State Significant Development Guidelines*.
	
	In particular, the EIS must include:
	• a stand-alone executive summary;
	• a full description of the development, including:
	  ○ the resource to be extracted, including the amount, type and composition;
	  ○ the site layout and extraction plan, including cross-sectional plans;
	  ○ the production process and processing activities, including the in-flow and out-flow of materials and points of discharge to the environment;
	  ○ surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process);
	  ○ a waste (overburden, rejects, tailings etc) management strategy;
	  ○ a water management strategy;
	  ○ a rehabilitation strategy to apply during, and after completion of,

extraction operations, and proposed final use of site; and

- the likely interactions between the development and any existing, approved or proposed development in the vicinity of the site;

- a strategic justification of the development focusing on site selection and the suitability of the proposed site;
- a list of any approvals that must be obtained before the development may commence;
- an assessment of the likely impacts of the development on the environment, focussing on the key issues identified below, including:
  - a description of the existing environment likely to be affected by the development, using sufficient baseline/background data;
  - an assessment of the likely impacts of all stages of the development, including any cumulative impacts, taking into consideration any relevant laws, environmental planning instruments, guidelines, policies, plans and industry codes of practice;
  - a description of the measures that would be implemented to avoid, minimise, mitigate and/or offset the likely impacts of the development, and an assessment of:
    - whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented;
    - the likely effectiveness of these measures; and
    - whether contingency measures would be necessary to manage any residual risks; and
  - a description of the measures that would be implemented to monitor and report on the environmental performance of the development;
- a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS;
- consideration of the development against all relevant environmental planning instruments (including Part 2 of the *State Environmental Planning Policy (Resources and Energy) 2021* and Section 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021*);
- the reasons why the development should be approved, having regard to:
  - relevant matters for consideration under the *Environmental Planning and Assessment Act 1979*, including the objects of the Act;
  - the biophysical, economic and social impacts of the development, including the principles of ecologically sustainable development;
  - the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses;
  - feasible alternatives to the development (and its key components), including the consequences of not carrying out the development;
- a signed declaration from the author of the EIS, certifying that the

	information contained within the document is neither false nor misleading. Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. The EIS must also be accompanied by an 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; - be accurate at the date of application and include details of all components and assumptions from which it is derived; - 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 address the following specific matters: **1. Statutory and Strategic Context** Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including: o *State Environmental Planning Policy (Resources and Energy) 2021;* o *State Environmental Planning Policy (Planning Systems) 2021;* o *State Environmental Planning Policy (Transport and Infrastructure) 2021;* o *State Environmental Planning Policy (Biodiversity and Conservation) 2021;* o *State Environmental Planning Policy (Resilience and Hazards) 2021; and* o *Port Stephens Local Environmental Plan 2013* Address the relevant planning provisions, goals and strategic planning objectives in the following: o Hunter Regional Plan 2041; o Port Stephens Local Strategic Planning Statement; and o Port Stephens Regional Economic Development Strategy 2021-2025. **2. Biodiversity** - accurate predictions of any vegetation clearing on site; - 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 *Biodiversity Conservation Act 2016* and the Biodiversity Assessment Method 2020;

- 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.

The application is required to be submitted with a Biodiversity Development Assessment Report using the template available at: https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template.

3. Noise

A noise impact assessment including:

- a detailed assessment of the likely construction, operational and off-site 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*. If a claim is made for specific construction noise criteria for certain activities, then this claim must be justified and accompanied by an assessment of the likely construction noise impacts of these activities under the *Interim Construction Noise Guideline*;
- reasonable and feasible mitigation measures to minimise noise emissions; and
- consideration of monitoring and management measures, in particular, real-time and attended noise monitoring.

4. Air Quality

An air quality impact assessment including:

- a detailed assessment of potential construction and operational air quality and odour 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;
- an assessment of the greenhouse gas emission impacts of the development;

- reasonable and feasible mitigation measures to minimise dust and emissions; and
- details of proposed monitoring and management measures in particular, real-time air quality monitoring.

5. Water resources

A water resources impact assessment, including:

- a detailed site water balance for the life of the development, including a description of site water demands, water take from any water source, water disposal methods (inclusive of anticipated volumes, quality and frequency of any water discharges), water supply infrastructure and water storage structures as defined by the relevant Water Sharing Plan;
- 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;
- a conceptual groundwater model that assesses the potential groundwater hazards and impacts associated with the development in accordance with the *Australian Groundwater Modelling Guidelines* (Commonwealth, 2012) having regard to the *NSW Aquifer Interference Policy* (2012);
- 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;
- a detailed assessment of the need to maintain an adequate buffer between excavations and the highest predicted or recorded regional groundwater table;
- an assessment of any likely flooding impacts of the development;
- an assessment of the likely impacts (including cumulative impacts) of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users;
- an assessment of the potential water quality hazards surrounding the site including acidity, metals, salinity and contaminants including poly-fluoroalkyl substances (PFAS). This assessment must include measures proposed to reduce or manage the hazards and potential interactions of the development and surrounding water users;
- a detailed description of the proposed water management system

(including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts; and

- include a detailed consideration of any potential impacts on sensitive downstream receiving environments.

6. Heritage

An assessment of impacts to Aboriginal and historic heritage, including:

- 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
- identification of any historic heritage in the vicinity of the development and an assessment of the likelihood and significance of impacts on heritage items.

7. Traffic and Transport

A traffic and transport impact assessment, 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;
- a detailed assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State Road network (as identified above), including a road safety audit detailing the nature of the traffic generated, transport routes, traffic volumes and potential impacts on local and regional roads;
- an assessment of cumulative traffic impacts, having regard to any other proposed developments in the locality;
- a description of the measures that would be implemented to mitigate any impacts, including concept plans of any proposed upgrades, developed in consultation with the relevant road authorities (if required);
- evidence of any consultation with relevant roads authorities, regarding the establishment of agreed contributions towards road upgrades or maintenance; and
- a description of existing and proposed access roads.

8. Land resources

A land resources impact assessment, including:

- potential impacts on soils and land capability (including potential erosion, land contamination and biosecurity risks) and the proposed mitigation, management and remedial measures (as appropriate);
- potential impacts on landforms (topography), paying particular attention to the long-term geotechnical stability of any new landforms (such as

overburden dumps and bunds etc); and

- the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements in Section 2.17 of *State Environmental Planning Policy (Resources and Energy) 2021*, paying particular attention to the agricultural land use in the region.

9. Waste management

A waste management assessment, 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.

10. Hazards

An assessment of the likely risks to public safety, paying particular attention to potential bushfire risks and the transport, handling and use of any hazardous or dangerous goods.

11. Visual

A detailed 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.

12. Social

Provide a Social Impact Assessment prepared in accordance with the *Social Impact Assessment Guideline for State Significant Projects*

13. Economic

A detailed assessment of the likely economic impacts of the development, paying particular attention to:

- the significance of the resource;
- the costs and benefits of the project; identifying whether the development as a whole would result in a net benefit to NSW, including consideration of fluctuation in commodity markets and exchange rates; and
- the demand for the provision of local infrastructure and services.

14. Cumulative Impacts

An assessment of likely cumulative impacts of the proposed quarry operating in combination with other developments in the locality, paying particular attention to likely impacts on road safety, water resources, land capability and shared infrastructure.

15. Rehabilitation

The proposed rehabilitation strategy for the site having regard to the key principles in the Strategic Framework for Mine Closure, 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; - justification for the nominated final landform; - nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; - the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region; and - a detailed description of the measures that would be put into place to ensure sufficient resources are available to implement the proposed rehabilitation measures, and the ongoing management of the site following the cessation of quarrying.
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 - Port Stephens Council - NSW National Parks and Wildlife Service - Environment Protection Authority - Transport for New South Wales - Conservation Programs, Heritage and Regulation (CPHR) within the Department of Climate Change, Energy, the Environment and Water (DCCEEW) - The Water Group within DCCEEW - Hunter Water Corporation - Heritage NSW - Heritage Council of NSW - NSW Rural Fire Service - Fire and Rescue NSW - Department of Primary Industries (Agriculture) The EIS must detail the engagement undertaken and demonstrate how it was

	consistent with the *Undertaking Engagement Guidelines for State Significant Projects*. 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 1

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 (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'
	National Greenhouse Accounts Factors (Commonwealth)
	EPA Climate Change Policy (EPA)
	Climate Change Action Plan 2023-26 (EPA)
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)
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 (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	Soil Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure1999 (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 No. 55 – Remediation of Land
	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 (2020)
	Fisheries NSW policies and guidelines
	Guidelines for developments adjoining 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)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH)
	NSW Heritage Manual (OEH)

	Statements of Heritage Impact (OEH)
Hazards	
	State Environmental Planning Policy (Resilience and Hazards) 2021
	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 and Sustainable Materials Strategy 2041 (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 & Economic	
	Social Impact Assessment Guideline for State Significant Projects (DPE, 2023)
Cumulative	
	Cumulative Impact Assessment Guideline for State Significant Projects

ATTACHMENT 2
Government Authority Responses to Request for Key Issues

Available at
https://www.planningportal.nsw.gov.au/major-projects/projects/bobs-farm-sand-quarry