

Department of Planning, Housing and Infrastructure

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Request for Ministerial Call-In

Bombo Quarry Site Rehabilitation Works

Report to the NSW Independent Planning Commission

August 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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1 Introduction

1.1 Ministerial Call-In

Urbis Ltd (Urbis) on behalf of the NSW Transport Asset Manager (TAM) and Boral (the Applicant) have submitted a call-in request under Section 4.36(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to the Minister for Planning and Public Spaces (the Minister).

The Applicant requests that the Minister declare site rehabilitation works proposed for two hard rock quarries located near Bombo on the South Coast as State significant development. The call-in request is included in **Appendix A**.

This report presents the Department of Planning, Housing and Infrastructure's (the Department) consideration of the call-in request in accordance with the Department's *Guideline on 'call-in' of State significant development under the Environmental Planning & Assessment Act 1979* (the Guideline).

1.2 Site

The Bombo Quarry Precinct (the Precinct) is located off the Princes Highway in Bombo, within the Kiama local government area. The site comprises two hard rock quarries. The principal landowners of the site are the Transport Asset Manager of NSW (TAM), who own the quarry on the eastern end of the site (TAM Site), and Boral who own the quarry on the western end of the site (Boral Site) (see **Figure 1**).

Sydney Trains currently operates TAM's Bombo Quarry, producing ballast for use at TAM owned assets across NSW. A rail siding connecting it to the main railway corridor is in the east of the site adjacent to Panama Street. This rail line is used to transfer ballast from the quarry for use in rail track maintenance activities.

Boral has operated the hard rock quarry on the western side of the Precinct since 1972. There is no development consent for the operations. However, the site is regulated by an Environment Protection Licence (313). The Applicant advises quarry operations ceased in 2014 with limited site management activities recommencing in 2023. The Applicant advises that most of the processing equipment has been removed.

Other government landowners, including Kiama Municipal Council (Council) and Crown Lands, own the land associated with the road infrastructure within the Precinct. Cleary Bros (part of Maas Group) also operate a concrete batching plant on the eastern edge of the Precinct.



Source: Urbis, 2025

Figure 1 | Local context map and Precinct ownership

2 Description of Proposal

2.1 Proposal Aim

The overall aim of the proposed call-in project is to repurpose the Precinct to accommodate future urban development, including the delivery of housing for the local area and the broader region. A crucial step to unlocking this Precinct for urban development is to undertake rehabilitation works to ensure the land is suitable for the construction of housing and other urban infrastructure.

The proposed site rehabilitation works would import approximately 2,200,000 m³ – 2,500,000 m³ of material over 5 years, at the proposed trucking rates of:

- 120-150 movements per day;
- 31,800 – 39,750 truck movements per year; and
- 147,000 – 167,000 truck movements in total.

3 Strategic context

The Department has considered the call-in request against the provisions of several key strategic planning documents. The proposal is consistent with:

- The objectives in the *Illawarra-Shoalhaven Regional Plan 2041* (Regional Plan) which identifies the site as a precinct that will drive job creation, housing diversity and foster connected communities. The following objectives and actions are relevant to this proposal:
 - Objective 18: provide housing supply in the right locations. The Regional Plan supports regionally significant growth areas by developing a shared vision for the future of Bombo Quarry lands with Kiama Municipal Council, landowners and the community.
 - Objective 20: establish a shared vision for the future of Bombo Quarry land. Progressing beyond the vision for Bombo, the NSW Government will collaborate with Kiama Municipal Council, landowners and the community to better understand timeframes for the Quarry's end of life, remediation and landowner objectives.
 - Action 9: Develop a shared vision for the future of Bombo Quarry in collaboration with Kiama Municipal Council, landowners and the community.
- The priorities in the *Future Transport Strategy 2056* prepared by Transport for NSW including:
 - supporting growth around public transport by locating new residential dwellings adjacent to existing high frequency heavy rail transport.
 - using space and assets more sustainably through the balanced approach to master planning the future use of the site.
- *Kiama Local Strategic Planning Statement (LSPS) 2020* (updated in 2025) has been developed to align with the directions set out in the Region Plan.
- *Kiama Local Housing Strategy (2025)* builds on the relevant actions under the Regional Plan and LSPS.
- *Illawarra-Shoalhaven Urban Development Program (UDP)* identifies a significant housing and employment lands opportunity through the post extractive development of the Bombo Quarry site.
- The objects of the EP&A Act to promote and coordinate the orderly and economic use and development of land.

The Department's consideration of the call-in request in relation to these strategies and plans is detailed further in **Section 6**.

4 Statutory context

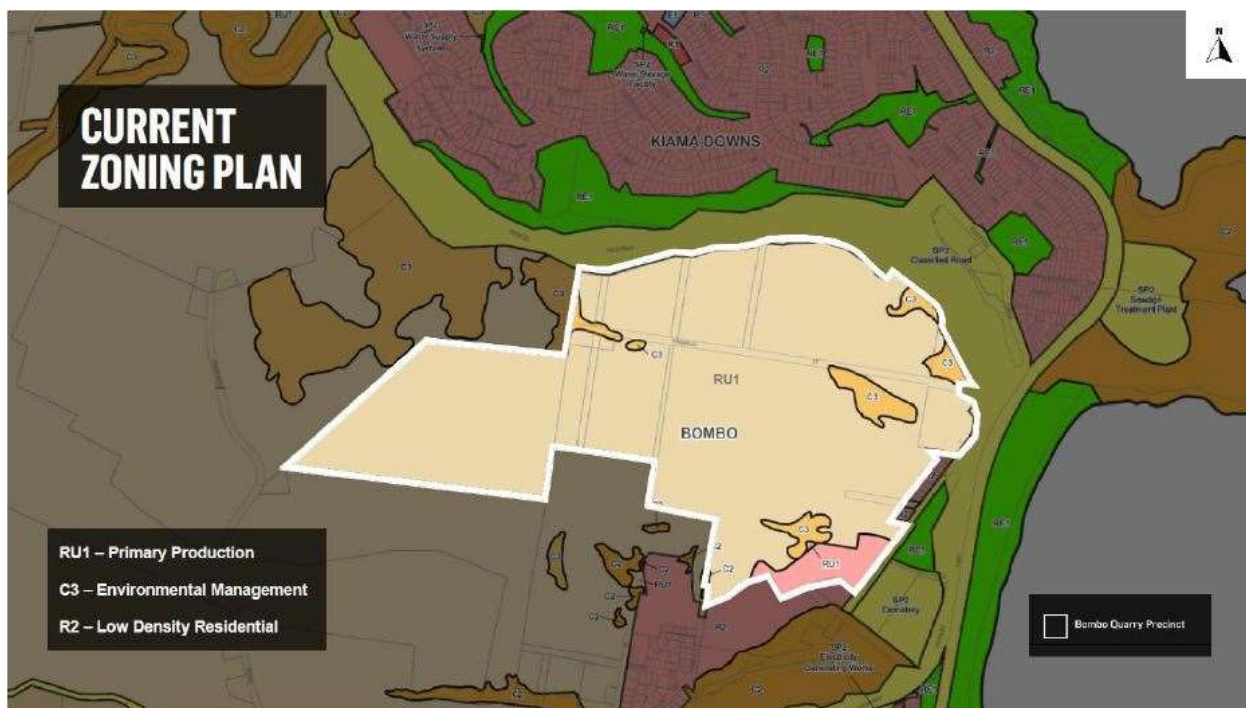
4.1 Call-In Power

Section 4.36 of the EP&A Act provides that the Minister may, by order published in the Gazette, declare specified development on specified land that is not declared under Section 4.36 to be SSD, but only if the Minister has obtained and made publicly available advice from the NSW Independent Planning Commission (the Commission) about the State or regional planning significance of the development.

4.2 Zoning and Permissibility

The majority of the Precinct is zoned RU1 Primary Production. The remainder is R2 Low Density Residential and C3 Environmental Conservation as shown in **Figure 2**.

To meet the overall objectives for the repurposing of the Precinct to accommodate future urban purposes, rezoning of the land will be required. While not the subject of this call-in, the Applicant would continue to engage with Kiama Municipal Council and the Department to amend the Kiama Local Environmental Plan 2011 (Kiama LEP) in accordance with the strategic planning framework detailed in **Section 3**.



Source: Urbis, 2025

Figure 2 | Current Zoning

For the purposes of permissibility under the Kiama LEP, the Applicant considers the rehabilitation activity for the site, to be ‘earthwork’ using ‘fill’ that would be compacted and shaped into a final landform fit for future use as housing and related other urban development opportunities. The Applicant considers that there are many permissible uses under the RU1 zoning including flood mitigation works, roads, recreation areas and environmental protection works. However, the proposed activities align most closely with the definition for ‘earthworks’ from the Kiama LEP meaning *excavation or filling*.

The Department agrees that the proposed development would be earthworks as defined by the Kiama LEP and that there are several permissible land uses which include this activity.

4.3 SSD Planning Pathways

Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) describes the categories that are SSD. The Applicant considers there are no possible pathways for the proposal, hence they have lodged the call-in request. The Department agrees that there are no clear pathways for the proposal to be considered SSD without the call-in request.

4.3.1 Extractive Industry

Schedule 1 of the Planning Systems SEPP lists classes of development that are of State significance. Clause 79(3) describes a possible pathway for extractive industry related works, being Extractive Industries as:

(3) Development for the purpose of extractive industry related works (including processing plants, water management systems, or facilities for storage, loading or transporting any construction material or waste material) that —

(a) is ancillary to or an extension of another State significant development project, or

(b) has an estimated development cost of more than \$30 million.

While the estimated development cost (EDC) of the proposal has been calculated at \$127.50 million (excluding GST), the definition of extractive industry under the Kiama LEP is the ‘*the winning or removal of extractive materials*’. The Department considers that given there is no genuine extraction or winning of material proposed, it cannot be classed as SSD under this clause.

5 Engagement

The Department consulted with Kiama Municipal Council (Council) to seek its view on the call-in request. On 9 May 2025, Council advised it has no objection to the application being assessed by the State government and it supports the use of the ‘call-in’ power under Section 4.36(3) of the EP&A Act. Council’s submission on the proposal is attached at **Appendix B**.

6 Consideration of Call-In Request

6.1 Justification for Call-In

The Applicant considers the proposal is of State planning significance and requests it be declared SSD for the following reasons:

- the Proposal would assist in meeting the objectives of the Regional Plan, which identifies the Precinct as a regionally significant site that represents an opportunity to supply diverse housing options in an area where supply is limited.
- the Precinct represents one of only three regionally significant areas in the Illawarra-Shoalhaven with the ability to deliver additional housing at scale.
- the subject site is located close to existing transport infrastructure (Bombo train station and Princes Highway) to connect future residents with the wider region.
- the progression of these remediation works would provide much needed certainty regarding the ability of the site to provide homes.
- the proposal would require coordination between multiple Government agencies and the Department is experienced in coordinating assessments of this nature. The Department’s expertise on technical matters unique to quarries and mines would also be invaluable to the assessment and project timeline.

The Commission must consider six general issues when providing its advice to the Minister when determining the State or regional planning significance of the proposal.

Table 1 describes each of these issues and summarises the Applicant’s and the Department’s position.

Table 1 | Consideration of issues

| Applicant's Consideration | Department's Consideration |
|---|---|
| <p>Issue 1</p> <p>Whether the proposal is of regional or State importance because it is in an identified strategic location, or is critical in advancing the nominated strategic direction or achieving a nominated strategic outcome, contained in a relevant State policy, plan or strategy, or regional or sub-regional strategy.</p> | |
| <p>The Applicant notes:</p> <ul style="list-style-type: none"> the Precinct is identified in the <i>Illawarra Shoalhaven Regional Plan 2041 (2021)</i> as a key site in the Kiama LSPS., which states it is: <ul style="list-style-type: none"> strategically located near two main transport corridors, being Bombo train station on the Southern Railway Line and the Princes Highway; in a central location, connecting Kiama Town Centre and Kiama Downs; and a once-in-a-generation opportunity to attract sustainable and diverse employment opportunities and supply a greater choice of housing in an area where supply is limited. the proposal would assist in achieving the objectives of the Regional Plan by delivering over 2,000 dwellings; and the proposal would directly and indirectly contribute to the generation of long-term jobs. | <p>The Department agrees and considers that the proposal is:</p> <ul style="list-style-type: none"> of State significance as it would assist in delivering the Governments strategic objectives for delivering housing to meet the regions forecast future growth; and consistent with the objectives in the Regional Plan. |

Issue 2

Whether the proposal delivers major public benefits such as large-scale essential transport, utility infrastructure, or social services to the community.

The Applicant states:

- the proposed works would unlock land to deliver significant social infrastructure for the existing and incoming residents of the area through the delivery of a master planned community;
- the future land is likely to contain community facilities, passive recreation and improved linkages to existing natural areas including nearby beaches; and
- repurposing the land would enable a thriving, accessible village aligned to the objectives of the Kiama LSPS.

The Department agrees and concludes that the proposal would:

- support the delivery of the Kiama LSPS objectives by providing opportunities for an appropriate balance between residential housing and local employment lands;
- provide benefit to the local community through provision of housing supply and rehabilitation of a currently inaccessible site;
- enable beneficial use of the land required for the development, which is consistent with State strategic planning objectives; and
- provide a major public benefit by rehabilitating a quarry site to a safe and stable landform.

Issue 3

Whether the proposal is likely to have significant environmental, social or economic impacts or benefits, be of a significant hazardous or environmentally polluting nature, or is located in or in close proximity to areas or locations that have State or regional environmental, archaeological or cultural heritage significance.

The Applicant states:

- the land is not a greenfield site and the proposal seeks to utilise a degraded parcel of land reaching the end of its economic life as a quarry resource;
- filling the site would ensure the stability of land for future intended uses and ensure public safety and confidence;

The Department agrees and concludes that:

- the proposal presents an opportunity to repurpose land degraded by many years of quarrying that is reaching the end of its economic life;
- once rehabilitated the proposal would provide a significant environmental and social benefit through provision of urban development including housing;
- the Department has experience in coordinating assessment between Government agencies to

| Applicant's Consideration | Department's Consideration |
|--|---|
| <ul style="list-style-type: none"> the proposal is not expected to be hazardous nor would it result in significant environmental impacts; the remediation work would require a significant number of heavy vehicle movements; Bombo Headland Quarry Geological Site and Bombo Railway Station Group are located to the east of the site and are identified as State significant archaeological sites; Kiama Cemetery is in close proximity being directly adjoining the southeast corner of the site and is identified as a local heritage item within the KLEP; and economic benefits are detailed further in Issue 4. | <p>ensure key issues are appropriately identified and assessed in a timely manner;</p> <ul style="list-style-type: none"> the site is largely disturbed and does not contain any known areas or locations of State or regional environmental, archaeological or cultural significance; the Department considers the key heritage sites are unlikely to be harmed given; <ul style="list-style-type: none"> the Bombo Headland Quarry Geological Site is approximately 900 m to the east, across the Princes Highway and would not be impacted by the rehabilitation activities; the Bombo Train Station is approximately 300 m to the southeast across the Princes Highway; and the Kiama Cemetery adjoins the site to the southeast but would be approximately 200 m from the proposed rehabilitation works. |

Issue 4

Whether the proposal is of significant economic benefit to a region, the State or the national economy, such as those with high levels of financial investment and continuing or long-term employment generation.

| | |
|--|---|
| <p>The Applicant notes the proposal would bring significant economic benefits to the region through:</p> <ul style="list-style-type: none"> the creation of additional local jobs associated with the rehabilitation and urban development works (476 direct and indirect) during the 15-year development phase (construction); and ongoing jobs that contribute to the NSW economy. | <p>The Department agrees with the Applicant's position and notes that the proposal:</p> <ul style="list-style-type: none"> would enable the site to contribute to long-term employment generation by rehabilitating it to a level suitable for housing; is a large parcel of land that presents a unique opportunity for redevelopment; and would support the economic growth of the Illawarra Shoalhaven region, in line with strategic objectives. |
|--|---|

Issue 5

Whether the proposal is geographically broad in scale, including whether it crosses over multiple council and other jurisdiction boundaries, or impacts a wide area beyond one local government area.

The Applicant notes that:

- this is not a significant determining issue as the Precinct is within the Kiama local government area (LGA); and
- heavy vehicle movements may have impacts outside the Kiama LGA, however, this will be the subject of further studies.

The Department notes:

- the Precinct is located solely within the Kiama LGA;
- while the proposal is not geographically broad in scale, the proposal would require coordination across various regulatory agencies and stakeholders to assess and manage the project's impacts; and
- the proposal would require consideration of multiple planning instruments.

Issue 6

Whether the proposal is complex, unique or multi-faceted and requires specialist expertise or State coordinated assessment, including where councils require or request State assistance.

The Applicant:

- has identified a significant change in future land use activities;
- considers that the SSD pathway would enable a more streamlined assessment;
- has identified that the Department regularly assesses complex applications for mines and quarries and has the expertise in this area; and
- would work closely with Council to guide and inform the environmental and technical investigations.

The Department agrees with the views presented by the Applicant and concludes that:

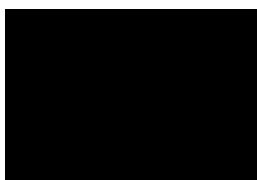
- the proposal is unique due to the scale and quantum of heavy vehicle movements, and the rehabilitation activities resulting in amenity issues arising from large scale earthworks at the site;
- the Department has extensive experience in coordinating assessment processes for extractive industry projects of State significance to ensure that impacts are thoroughly assessed and managed in an integrated way with key state agencies;
- Council acknowledges the landowner's group preference is for the rehabilitation works to be assessed and regulated by the Department based on public interest and the complexities of the project; and
- Council supports the use of the 'call-in' power.

7 Advice

The Department asks that the NSW Independent Planning Commission:

- **considers** the information outlined in **Section 6** of this report.
- **provides advice** based on the six identified issues as to the State or regional planning significance of the proposal to assist the Minister for Planning and Public Spaces in their decision of the significance and whether to call-in the proposal as State significant development.

Recommended by:



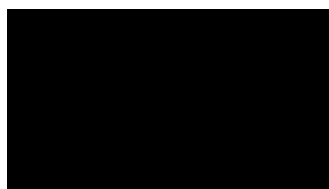
19/08/2025

Jessie Evans

Director

Energy and Resource Assessments

Recommended by:



29/08/2025

Chris Ritchie

A/Executive Director

Energy, Resources and Industry

Appendices

Appendix A – Applicant Call-In Request

Appendix B – Kiama Municipal Council Submission