



19 September 2025

The Hon. Paul Scully MP
Minister for Planning and Public Spaces

By email: office@scully.minister.nsw.gov.au

Dear Minister,

Ministerial Call-in Request – Bombo Quarry

I refer to correspondence of 29 August 2025 from the Department of Planning, Housing and Infrastructure (**Department**) seeking advice from the Independent Planning Commission (**Commission**) on the potential State significance of site rehabilitation works at two existing hard rock quarries (**Development**), following a Ministerial call-in request by Urbis Ltd (**Urbis**) on behalf of the NSW Transport Asset Manager and Boral (**Applicants**). The Development is proposed to be located across several allotments, a road reserve and Crown Land, currently known as 'Bombo Quarry' (**Site**), within the Municipality of Kiama local government area (**LGA**).

Andrew Mills, Chair of the Commission appointed me to constitute the Commission Panel for this matter.

The Commission has formed the opinion that the Development is of State significance and recommends that you declare the Development to be SSD pursuant to section 4.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Neither the Development as proposed, nor the Site currently meets the statutory criteria in either Schedule 1 or Schedule 2 of the *State Environmental Planning Policy (Planning Systems) 2021 (SEPP Planning Systems)*.

The Applicant has requested that the Development be declared State significant development (**SSD**) by the Minister for Planning and Public Spaces (**Minister**), pursuant to section 4.36(3) of the EP&A Act, which states:

'(3) The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development.'

Before a declaration can be made, section 4.36(3A) of the EP&A Act requires you to obtain advice about the State or regional planning significance of the Development from the Commission:

'(3A) The Minister may make a declaration under subsection (3) only if the Minister has obtained and made publicly available advice from the Independent Planning Commission about the State or regional planning significance of the development.'

This correspondence constitutes the Commission's advice pursuant to section 4.36(3A) of the EP&A Act.

The Commission's considerations and subsequent reasons for its recommendation are discussed below.

Material considered by the Commission

In consideration of this matter, the Commission has reviewed the following material (**material**):

- the Department's letter dated 29 August 2025;
- the Department's report (**DR**) to the Commission and its appendices, dated August 2025;

Office of the Independent Planning Commission

Phone: (02) 9383 2100
Email: ipcn@ipcn.nsw.gov.au

Level 15, 135 King Street
Sydney, NSW, 2000



- report titled *Bombo Quarry, Site Rehabilitation Works, Request for State Significant Development Declaration* and its appendices, prepared by Urbis, dated May 2025; and
- the Department's 'Guideline on 'call-in' of State Significant Development under the Environmental Planning and Assessment Act 1979' (**Guideline**).

Commission's meetings

On 10 September 2025, the Commission met with the Director Planning, Environment and Communities for Kiama Municipal Council (**Council**) to discuss the Development and the Applicant's call-in request. During the meeting Council's representative noted the Site has long been identified by Council as an area of future urban expansion and that its rehabilitation is important for the local community. Council reiterated its position that it does not object to the Development being 'called-in' as SSD, consistent with Council's correspondence with the Department on the matter, dated 9 May 2025.

Development overview and relevant background

Based on its review of the material, the Commission notes:

- The Development entails the rehabilitation of the Site, and includes bulk earthworks to establish a suitable landform for future urban development (including approximately 2,000 dwellings), in accordance with a concurrent master planning process for the Site (discussed further below);
- Approximately 2,200,000m³ – 2,500,000m³ of material will be required to fill the Site and create the desired landform across a five-year period, requiring (DR, section 2.1):
 - 120-150 truck movements per day;
 - 31,800 – 39,750 truck movements per year; and
 - 147,000 – 167,000 truck movements in total;
- The Site is partially located within the following land use zones under the *Kiama Local Environmental Plan 2011 (KLEP)* (**Figure 2**):
 - RU1 Primary Production;
 - R2 Low Density Residential; and
 - C2 Environmental Conservation.

Planning Proposal

Although not forming part of the Applicant's call-in request, the Commission acknowledges it is the Applicants' intention to rezone the Site via a Planning Proposal to facilitate a range of urban land uses. The Planning Proposal process is a separate – but complementary – planning pathway to the SSD pathway, to support redevelopment of the Site for residential and employment land uses. The Planning Proposal will include a master plan for the Site to ensure planning controls are established that facilitate development in an orderly and economic manner.

Commission's Consideration

The following sub-headings detail the Commission's consideration of the call-in request material and provide the rationale to the Commission's recommendations.

Strategic context

The NSW Government has a target to deliver 377,000 well-located homes of the next five years. This policy is in support of the National Housing Accord that sets a national target to deliver 1.2 million new homes over 5 years. Although the Development does not directly propose residential

Office of the Independent Planning Commission

accommodation, it forms a critical first step by facilitating the rehabilitation of the Site to subsequently accommodate future urban development, including approximately 2,000 dwellings which can contribute to the State's housing targets.

The Illawarra-Shoalhaven Regional Plan 2041 (**ISRP**) applies to the Site, which identifies demand for 58,000 new homes in the region up to 2041. The Site is identified in the ISRP as part of a growth precinct which could provide opportunity to create employment and supply in-demand housing for the region. The ISRP further notes:

'[...] the community has expressed a desire to meet the demands for new housing by increasing the supply available in existing areas and through the development of Bombo Quarry, rather than providing opportunities for housing expansion in other non-urban areas' (p 64).'

The Commission finds the rehabilitation of the Site to be consistent with the objectives of the ISRP. The Commission also notes the Development is generally consistent with the following strategic land use strategies which are applicable to the Site:

- **Future Transport Strategy 2056:**
 - The Site is in close proximity to existing transport links. Bombo Train Station is less than a kilometer to the south-east and the Site can be accessed from the Princes Highway. The Commission finds that redevelopment of the Site for future urban purposes would be well supported by existing transport infrastructure.
- **Kiama Local Strategic Planning Statement 2025 (LSPS):**
 - Council's LSPS was updated in 2025 as part of its Local Housing Strategy adoption. The LSPS supports and gives effect to the ISRP, stating that *'Bombo quarry will provide opportunities for an appropriate balance between employment lands and suitable residential uses for the benefit of the local community.'*
- **Kiama Local Housing Strategy (LHS):**
 - The LHS identifies the Site as a 'greenfield area', with a potential yield of 2,100 allotments for residential development.
- **Illawarra-Shoalhaven Urban Development Program (ISUDP):**
 - The ISUD is the NSW Government's program for managing land and housing supply in the Illawarra and accompanies the Sydney Housing and Monitor program. The ISUDP notes the Site as being a significant opportunity for housing and employment once quarrying operations cease.

Statutory context

Both the Applicants and Department consider that the only available pathway for the Development to be considered SSD is for it to be 'called-in' by the Minister. The Commission notes the Department's consideration of whether the Development could be characterised as an *'extractive industry'* (DR, section 4.3.1), making it automatically an SSD project. The Commission agrees with the Department that the Development cannot be characterised as an extractive industry and therefore cannot satisfy the relevant extractive industry SSD criteria.

The Commission agrees that the Development does not meet the SSD criteria under SEPP Planning Systems and that the Minister's declaration is the only pathway available for the Development to be considered SSD.

In terms of permissibility of the Development, the Commission acknowledges that the Applicants consider the Development to be *'earthworks'* as defined under the KLEP. The DR states the

following regarding permissibility (section 4.2):

'The Applicant considers that there a[re] 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.'

The Commission's function in providing advice pursuant to section 4.36(3A) of the EP&A Act is limited to "the State or regional planning significance of the development." Notwithstanding the fact that the Development would appear to be aligned with 'earthworks' pursuant to the KLEP it will fall to the Applicants to demonstrate the Development's permissibility in any SSD application.

Applicants' justification

The Commission has considered and generally agrees with the Applicants' justification for the Development to be declared SSD, which is summarised in section 6.1 of the DR, as follows:

- *'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.'*

State or regional significance

When a Ministerial call-in request is made subject to section 4.36(3A) of the EP&A Act, the Guideline requires the Commission to consider six general issues when determining the State or regional planning significance of a development proposal. The Commission's consideration of the issues are detailed in **Table 1** below:

Table 1 – Six general issues to be considered by the Commission

General issues relating to State or regional significance	Commission's consideration
1. <i>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.</i>	The Site is identified in the ISRP for future growth and will contribute to the Illawarra-Shoalhaven region's housing targets. More broadly, the Development will also contribute to meeting the State Government's housing delivery targets.



General issues relating to State or regional significance	Commission's consideration
2. <i>Whether the proposal delivers major public benefits such as large-scale essential transport, utility infrastructure, or social services to the community.</i>	Major public benefits will result from the rehabilitation of a hard rock quarry at the end of its useful life, which otherwise would have limited redevelopment potential once quarrying operations cease. The rehabilitation outcomes can then be utilised for the supply of well-located residential accommodation and employment opportunities in alignment with the relevant regional strategic planning framework and the State's housing target policy.
3. <i>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.</i>	The Commission agrees with the Department, in that (DR, Table 1): • The Development is an opportunity to repurpose degraded quarry land reaching the end of its economic life; • Significant environmental and social benefits can be realised through provision of housing and employment land once the Site is rehabilitated; • The Department's experience in the coordination of relevant Government agencies with responsibilities for key environmental, social and economic impact assessment matters will be critical to ensure key issues are appropriately identified and assessed in a timely manner; • The Site has been disturbed over a long period of time and does not contain any known areas or locations of State or regional environmental, archaeological or cultural significance; and • Sites of heritage significance are unlikely to be adversely impacted or harmed.
4. <i>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.</i>	Significant economic benefits are considered likely to result from the Development. During rehabilitation and subsequent future development of the Site, the Applicants state that approximately 476 jobs (direct and indirect) will be created across a 15-year period (DR, Table 1). Positive economic impacts are also likely to extend beyond the Illawarra-Shoalhaven region through sourcing of fill material for the Development. With rehabilitation of the Site being a catalyst for its future redevelopment and urban growth within the Kiama LGA, the Development will ultimately facilitate critical residential accommodation and employment opportunities. This urban growth will result in positive economic growth within the Illawarra-Shoalhaven region.
5. <i>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.</i>	Whilst located entirely within the Kiama LGA, rehabilitation of the Site will have a broader long-term effect on the Illawarra-Shoalhaven region. The Development will also likely utilise the local and State Road network across a number of LGAs.



General issues relating to State or regional significance	Commission's consideration
6. <i>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.</i>	The large-scale rehabilitation of the Site is considered to be a unique and complex project with a significant number of potential environmental impact matters to be considered. Council also supports the Development to be regulated as SSD. The Development's earthworks and associated truck movements will be a key consideration for the Development, noting the Applicants' initial estimates of 120-150 movements per day required to rehabilitate the Site. Trucks will need to use classified roads and unclassified regional roads (pursuant to the <i>Roads Act 1993</i>) across the State road network which will require assessment across multiple relevant State agencies. The Department is well positioned through its experience and expertise to coordinate a whole-of-government environmental impact assessment of the Development.

Recommendation

Having carefully considered the Guideline and material before it, the Commission has formed the opinion that the Development is of State significance and recommends that you declare the Development to be State significant development pursuant to section 4.36 of the EP&A Act.

Reasons for the Commission's recommendation are as follows:

1. The Development is consistent with the relevant State, regional and local strategic planning framework applicable to the Site. The area is identified for future urban expansion in local and regional planning strategies and the Development is the first step in facilitating this growth to accommodate the region's projected population increase;
2. The Development will rehabilitate a quarry which is approaching the end of its economic life. In addition to the environmental benefits arising from the rehabilitation, the Development will facilitate future contributions to the State's housing targets. The Development will also result in future employment land being available within the region which will contribute to regional economic growth;
3. The Site has excellent connections to existing transport links which will support the rehabilitation of the Site, its future development and ongoing use for urban purposes;
4. The rehabilitation requires large-scale bulk earthworks and a significant number of truck movements across the State's classified road network. The potential amenity and environmental impacts arising are most appropriately assessed as part of a whole-of-government environmental impact assessment process coordinated by the Department; and
5. Council supports the Development being declared SSD.

Although the Commission is not the consent authority for 'called-in' SSD, as part of my consideration of this matter, I offer the following non-binding observations on what are likely to be key considerations for any future application(s) to develop the Site:

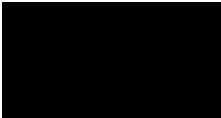
Integration: Future development of the Site should give regard to how it will integrate both physically and socially in a manner to ensure the Site does not become an isolated and disconnected precinct within the region and Kiama LGA.



Housing diversity and affordability: A broad range of dwelling typologies, tenures and affordability should be considered to accommodate the region's population growth and household demographic projections.

Timely provision of required infrastructure: Civil and social infrastructure required for the development should be clearly identified along with a timeline for its implementation.

Yours sincerely,



Richard Pearson

Panel Chair and Member of the Commission

cc: Kiersten Fishburn, Secretary Department of Planning, Housing and Infrastructure
David Gainsford, Deputy Secretary
Christopher Ritchie, A/Executive Director Energy, Resources and Industry