

# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I **approve** the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Jessie Evans  
Director Energy and Resource Assessments

Sydney

4 May 2026

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## SCHEDULE 1

The development consent (DA 94-4-2004) for the Calga Sand Quarry Extension Project, granted by the Minister for Planning, on 28 October 2005.

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## SCHEDULE 2

1. Delete the Table of Contents.
2. In Schedule 1, delete “Hanson Construction Materials Pty Ltd” and insert “Heidelberg Materials Australia Pty Ltd.”.
3. In the list of DEFINITIONS, delete “Applicant”, “BCA”, “Department”, “DPI Water”, “DRG”, “OEH”, “RMS” and “Secretary” and their associated definitions, and insert the following in alphabetic order:

Applicant	Heidelberg Materials Australia Pty Ltd, or its successors
CPHR	Conservation Programs, Heritage and Regulation Group of the NSW Department of Climate Change, Energy, the Environment and Water
Department	NSW Department of Planning, Housing and Infrastructure
EA (MOD 5)	Modification Application DA 94-4-2001 MOD 5, and the accompanying Environmental Assessment titled Heidelberg Materials Calga Quarry SSD Modification Report prepared by 4Pillars Environmental Consulting Pty Ltd on behalf of the applicant and the Applicant’s additional information response in support of the modification application and included in Appendix A of the Department’s assessment report on the Calga Sand Quarry Modification 5, dated April 2026
ENM	Excavated Natural Material (classified under the ENM Resource Recovery Order and Exemption 2014)
Fill	Includes VENM, ENM and other suitable materials under general or specific Resource Recovery

	Orders/Exemptions granted by the NSW EPA and approved by the EPA
Heritage NSW	Heritage NSW within the NSW Department of Climate Change, Energy, the Environment and Water
NCC	National Construction Code
NSW DCCEEW – Water Group	Water Group within the NSW Department of Climate Change, Energy the Environment and Water
Planning Secretary	Secretary of the Department, or nominee
TfNSW	Transport for NSW
VENM	Virgin Excavated Natural Material (classified under the ENM Resource Recovery Order and Exemption 2014)

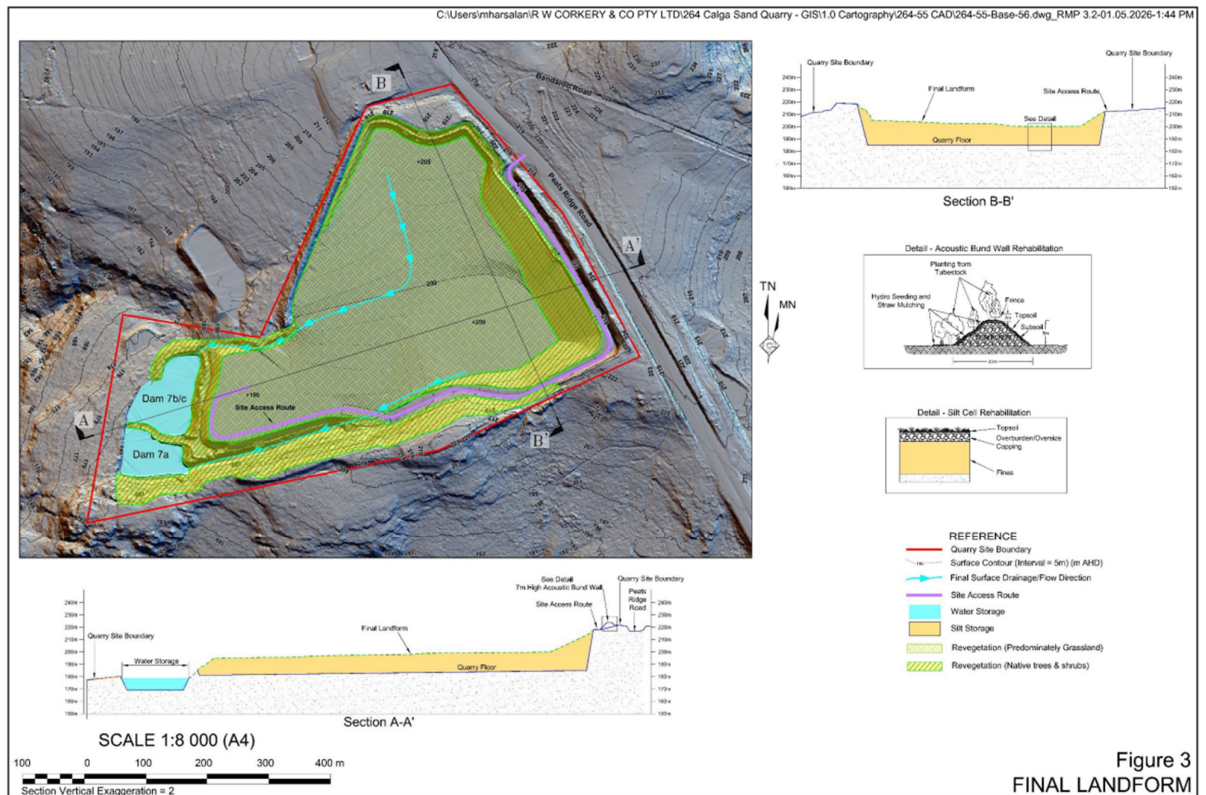
4. In the DEFINITIONS list, reorder the definitions into alphabetical order.
5. In the list of DEFINITIONS, in the definition for “EP&A Regulation”, delete “2000” and replace with “2021”.
6. In the list of DEFINITIONS, in the definition for “Minister”, after “Planning” and before “, or delegate”, insert “and Public Spaces”.
7. In the bottom left of the footer, insert
 

*“NSW Government  
Department of Planning, Housing and Infrastructure”.*
8. In the top right of the header insert “CONSOLIDATED CONSENT”.
9. In condition 2a) of Schedule 2, delete “and EA (Mod 3)” and insert “, EA (Mod 3) and EA (MOD 5)”.
10. Replace all references to “Secretary” with “Planning Secretary”.
11. Replace all references to “DPI Water” with “NSW DCCEEW – Water Group”.
12. Replace all references to “the RMS” with “TfNSW”.
13. Replace all references to “BCA” with “NCC”.
14. Replace all references to “NSW Industrial Noise Policy” with “NSW Noise Policy for Industry (EPA, 2017)”.
15. In condition 22 of Schedule 3, replace “OEH” with “CPHR”.
16. In condition 44(b) of Schedule 3, replace “OEH” with “Heritage NSW”.
17. Delete condition 7 of Schedule 2 and replace with the following:
  7. The Applicant must not:
    - a) transport more than 400,000 tonnes of quarry products per year from the site; or
    - b) import more than 400,000 tonnes of Virgin Excavated Natural Material, Excavated Natural Material (classified under the ENM Resource Recovery Order and Exemption 2014) or General or Specific Resource Recovery Order and Exemption material that is suitable for earthworks, engineering fill or similar applications for the purposes of rehabilitation.

*Note: a combined total of no more than 400,000 tonnes of material (either quarry products or fill for use in rehabilitation) may be transported to or from the quarry site per year.*
18. In Table 2 of condition 5 of Schedule 3, replace “Extraction and processing” with “Extraction, processing, earthworks and fill placement”.
19. After condition 25 of Schedule 3, insert the following:
 

Fill Import Management Plan

- 25A. Prior to the import of Fill to the site, the Applicant must prepare a Fill Import Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- a) identify the quantities of Fill to be imported to site;
  - b) describe:
    - a protocol for monitoring Fill imported to the site to ensure that it meets relevant quality specifications for VENM, ENM or other appropriate materials approved under Resource Recovery Orders and Exemptions to avoid or minimise contamination of the receiving environment;
    - a protocol for the management of unsuitable material;
    - management measures for the emplacement and temporary stockpiling of Fill;
    - the process for handling Fill for use in rehabilitation; and
  - c) include an indicative schedule of Fill material to be imported to the site in order to achieve the conceptual final landform.
- 25B. The Applicant must implement the Fill Import Management Plan as approved by the Planning Secretary.
20. Delete condition 39 of Schedule 3 and replace with the following:
39. The Applicant must report the calendar year total quantity of quarry product transported from and imported to the development in the Annual Review (required under condition 10 of Schedule 5).
21. Delete condition 8 of Schedule 5 and replace with the following:
8. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
    - a) date, time and location;
    - b) a brief description of what occurred and why it has been classified as an incident;
    - c) a description of what immediate steps were taken in relation to the incident; and
    - d) identifying a contact person for further communication regarding the incident.
  - 8A. The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 5.
22. In Appendix 2, replace the figure with the following figure:



After Appendix 4, insert the following on a new page:

## APPENDIX 5 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under Condition D7 of Schedule 2 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with Condition D7 of Schedule 2), the Applicant is required to submit a subsequent incident report that:
  - a) identifies how the incident was detected;
  - b) identifies when the Applicant became aware of the incident;
  - c) identifies any actual or potential non-compliance with conditions of consent;
  - d) identifies further action(s) that will be taken in relation to the incident; and
  - e) a summary of the incident;
  - f) outcomes of an incident investigation, including identification of the cause of the incident;
  - g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
  - h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

**End of modification  
(DA 94-4-2004 MOD 5)**