Department of Planning, Housing and Infrastructure

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Modification 5 of Calga Sand Quarry

State Significant Development Modification Assessment Report (DA-94-4-2004-Mod-5)

May 2026

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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Modification 5 of Calga Sand Quarry Project (DA-94-4-2004-Mod-5) Assessment Report

Published: May 2026

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Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of modification 5 of the State significant development (SSD) application for the Calga Sand Quarry Project located at 2256 Peats Ridge Road, Calga lodged by Heidelberg Materials Australia Pty Ltd. The report includes:

- an assessment of the modification against government policy and statutory requirements, including mandatory considerations;
- a demonstration of how matters raised by stakeholders have been considered;
- an explanation of any changes made to the modification during the assessment process;
- an assessment of the likely environmental, social and economic impacts of the modification;
- an evaluation which weighs up the likely impacts and benefits of the modification, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable; and
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether the consent should be modified and any conditions that should be imposed.

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1 Introduction

1.1 Background

Heidelberg Materials Australia Pty Ltd (Heidelberg) own and operate Calga Sand Quarry. The quarry is located at 2256 Peats Ridge Road, Calga, approximately 1.7 kilometres northwest of the Calga Interchange on the M1 Motorway, within the Central Coast local government area (see **Figure 1**). Sandstone extraction has ceased and the quarry is now in the rehabilitation phase.

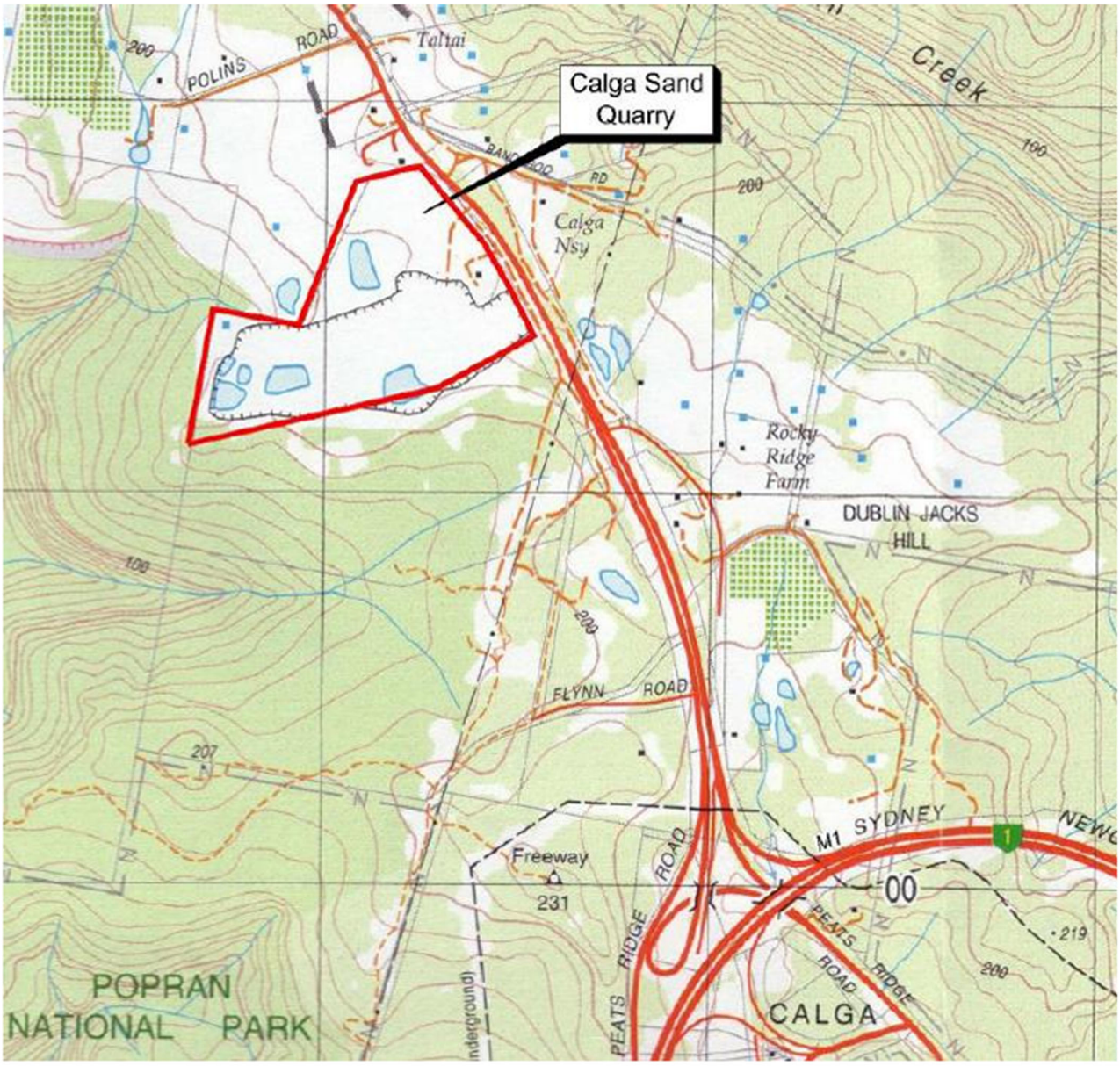

Figure 1 | Local context map

1.2 Approval history

Calga Sand Quarry operates under development consent DA94-4-2004 which was originally granted by the then Minister for Planning on 28 October 2005. The consent permits the extraction and processing of up to 400,000 tonnes per annum (tpa) of quarry products until 1 July 2030.

The consent has been modified on two occasions. Two more modification applications were also made but subsequently withdrawn (see **Table 1**).

Table 1 | Summary of modifications

Modification	Description	Decision-maker	Type	Date
MOD 1	Relocation of the administration centre	Minister	s 75W	29 June 2012
MOD 2	Install and operate a diesel-powered crushing system	n/a	s 75W	Withdrawn
MOD 3	Install and operate a diesel-powered crushing system	Planning Assessment Commission	s 75W	02 June 2017
MOD 4	Undertake glass processing	n/a	4.55	Withdrawn

2 Proposed modification

The approved conceptual final landform for the Calga Sand Quarry would be free draining to the southwest and established approximately 15 m to 25 m below the pre-extraction ground level. Calga Sand Quarry currently has insufficient fill material necessary to create this landform.

On 10 March 2026, Heidelberg lodged an application under section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify the development consent to allow for the importation and placement of approximately 953,000 m^3 of fill material to achieve the final landform (see **Figure 2**). The fill would consist of Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM) and other suitable material subject to a Resource Recovery Order and Exemption under the *Protection of the Environment Operations (Waste) Regulation 2014*. All other elements of the project would remain consistent with the current consent.

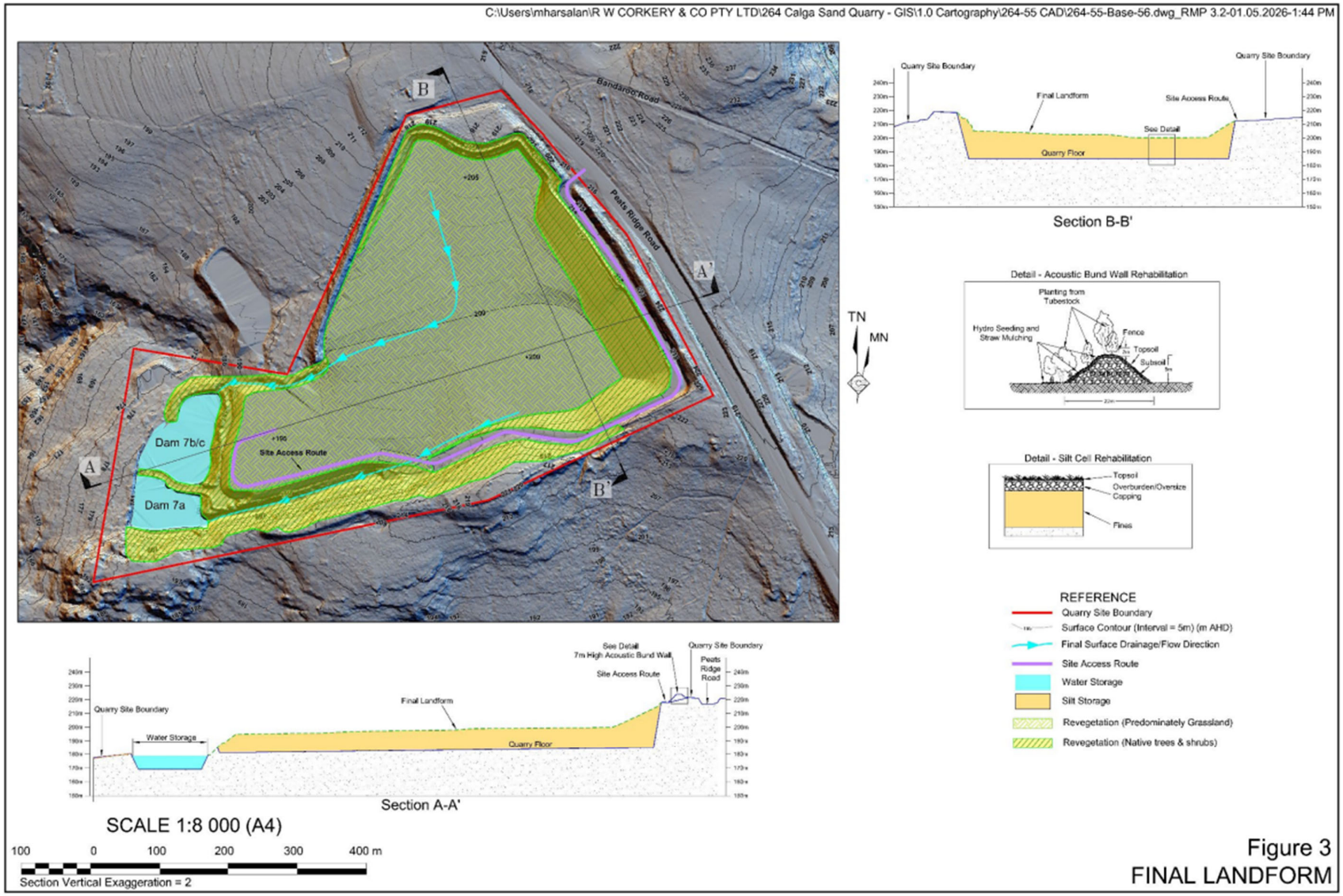

Figure 2 | Updated conceptual final landform

3 Statutory context

3.1 Scope of modification and assessment pathway

Details of the legal pathway under which modification is sought and are provided in **Table 2** below.

Table 2 | Permissibility and assessment pathway

Consideration	Description
Scope of modification	**Modification involving minimal environmental impact** The Department has reviewed the scope of the modification application and considers that the proposal would be substantially the same development as authorised by the consent, as last modified under section 75W of the EP& Act. The Department also considers that it can be characterised as a modification involving minimal environmental impact, as the proposal involves importation and placement of stable and non-polluting fill material to fulfill existing rehabilitation objectives, with no changes to the approved project. The Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.
Consent Authority	**Minister for Planning and Public Spaces** The Minister is the consent authority under section 4.5(a) of the EP&A Act and has the capacity to modify the approval of the project.
Decision-maker	**Director Energy and Resource Assessments** Under the Minister's delegation of 9 March 2022, the Director Energy and Resource Assessments can determine the modification application.

3.2 Other approvals and authorisations

Heidelberg holds an environment protection licence (EPL) for the quarry site issued by the NSW Environment Protection Authority (EPA) under section 42 of the *Protection of the Environment Operations Act 1997*. The modified project would not require a variation to the EPL.

3.3 Mandatory matters for consideration

3.3.1 Matters of consideration required by the EP&A Act

In determining the modification, the consent authority must take into consideration such of the matters referred to in section 4.15(1) of the EP&A Act as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified. The Department has carefully considered the objects of the Act (**Appendix C**), applicable planning instruments (**Appendix C**), the likely impacts of the modification application (**Section 5**), site suitability (**Section 3**) and the public interest (**Sections 4, 5** and **6**).

3.3.2 Objects of the EP&A Act

In determining whether or not to modify the approval, the approval authority should consider whether the modified project is consistent with the relevant objects of the EP&A Act (section 1.3) including the principles of ecologically sustainable development. Consideration of those factors is described in **Appendix C**.

The Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ecologically sustainable development (ESD).

3.3.3 Biodiversity development assessment report

The Department is satisfied that the modification would not increase the impact on biodiversity values and consequently a BDAR is not required to accompany the modification application.

4 Engagement

4.1 Department's engagement

In accordance with the Environmental Planning and Assessment Regulation (EP&A Regulation) the Department made the Modification Report publicly available on the Department's website and forwarded the application to Central Coast Council (Council) on 10 March 2026.

4.1.1 Summary of advice received from government agencies

The Department received advice from the NSW Environmental Protection Authority (EPA), NSW DCCEEW – Water Group (Water Group), Transport for NSW (TfNSW) and Council on the Modification Report. No issues were raised by any of the agencies.

A summary of the agency and Council advice is provided in **Table 3.** A link to the full copy of the advice is provided in **Appendix A**.

Table 3 | Summary of agency advice

Agency	Advice summary
EPA	The EPA stated that the current EPL (EPL 11295) remains valid, and the importation of VENM and ENM is exempt from additional licensing requirements under current regulations. No concerns were raised.
Water Group	The Water Group were satisfied with the information provided and had no further comments.
TfNSW	TfNSW noted that the proposed modification does not seek to amend the previously determined access arrangements, maximum vehicle movements or operating hours. No concerns were raised.
Council	Council considered that the proposed changes are unlikely to result in any additional or unacceptable impacts beyond those already approved and can be appropriately managed through existing consent conditions, environmental management plans and regulatory controls.

5 Assessment

The Department's assessment of the potential impacts of the proposed modification, including impacts to traffic, groundwater and surface water is discussed in **Table 4** along with other environmental aspects.

Table 4 | Assessment of issues

Issue	Findings and conclusions	Recommended conditions
Traffic	• The modification is not proposing to amend the permissible days and operating hours for truck arrival and dispatch to/from the quarry site.	No changes to consent conditions relating to traffic are recommended.

Issue	Findings and conclusions	Recommended conditions
	• There is no increase in traffic impacts beyond that already assessed and approved for the development. • The quarry would continue to operate under a Driver's Code of Conduct. • The Department considers traffic impacts unchanged and the existing consent conditions appropriate.	
Groundwater & Surface Water	• The material imported would interact with local groundwater in the north and north-east of the quarry site and surface water down-gradient • Heidelberg has committed to ensuring that all imported materials are: – classified correctly and meet the requirements of the Resource Recovery Order or Exemption and any other relevant soil properties for the quarry site; – verified on receipt at the Site and not blended with other non-approved materials; – placed in defined locations which are able to be tracked; and – independently validated where necessary to confirm they are suitable for receipt at the quarry site. • These controls would be incorporated into a Fill Import Management Plan • The quarry would continue to operate under the approved Calga Quarry Water Management Plan and Closure and Post-Closure Groundwater Management Plan. • The Department considers that the existing and recommended conditions would adequately manage and mitigate impacts to groundwater and surface water.	The Department has recommended a condition for a Fill Import Management Plan

Issue	Findings and conclusions	Recommended conditions
Rehabilitation	• The proposal to backfill all quarry voids with ENM, VENM and/or General or Specific Resource Recovery Order and Exemption material suitable for earthworks as a fill material does not affect the approved final landform. • Backfilling of the quarry voids to 15 to 25 m below pre-extraction ground level, to create free draining and geotechnically stable landform is generally consistent with the concept final landform in the Amendment Report and is required by existing consent conditions. • An updated final landform figure has been provided to reflect the proposed quantity of fill to be imported (**Figure 2**). • The Department considers the updated final landform to be consistent with the approved design, noting it will remain free-draining, safe, stable, and non-polluting. It will also support the same vegetation types, retain the same water storages, and maintain agriculture as the final land use.	No changes to consent conditions relating to rehabilitation are recommended.
Noise and vibration	• The Department considers noise and vibration impacts would not increase due to the modification and the existing consent conditions remain appropriate.	No changes to consent conditions relating to noise and vibration are recommended.
Biodiversity	• The Department considers biodiversity impacts unchanged and existing conditions relating to biodiversity remain appropriate.	No changes to consent conditions relating to biodiversity impacts are recommended.
Heritage	• The Department considers heritage impacts unchanged and existing conditions relating to heritage remain appropriate.	No change to consent conditions relating to heritage are recommended.

Issue	Findings and conclusions	Recommended conditions
Air quality	• The Department considers existing air quality monitoring and reporting remain appropriate and should continue throughout rehabilitation activities.	No change to consent conditions relating to air quality are recommended.

6 Evaluation

The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ecologically sustainable development (**Sections 3** & **5**), advice from government agencies and local council (**Section 4**), and strategic government policies and plans (**Section 3**).

The Department's assessment found that the proposed modification would not result in significant impacts and would have minimal risk beyond what has been previously assessed and approved for the existing project.

The Department has recommended that a Fill Import Management Plan be included as a requirement within the conditions of consent to mitigate potential impacts associated with the importation of fill material. The Department has also recommended that the conditions be updated to contemporise environmental auditing and reporting requirements consistent with the Department's standard conditions. The Department considers that all other existing conditions remain appropriate.

If approved, the modification would enable rehabilitation of the quarry site and permit the post-closure use as agricultural land. The Department has formed the opinion that the modification should be approved subject to the recommended conditions.

7 Recommendation

It is recommended that the Director, Energy and Resource Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modifies the consent** for the Calga Sand Quarry project (DA-94-4-2001-MOD 5), subject to the conditions in the attached instrument of modification.
- **signs** the attached instrument of modification (Appendix D).

Recommended by:

Kristina Robinson
Environmental Assessment Officer
Resource Assessments

Recommended by:

James McDonough
Team Leader
Resource Assessments

8 Determination

The recommendation is **adopted** by:

4/05/2026

Jessie Evans
Director Resource Assessments
Energy and Resource Assessments

as delegate of the Minister for Planning and Public Spaces

Glossary

Abbreviation	Definition
Council	Central Coast Council
DCCEEW - Water Group	Water Group within NSW Department of Climate Change, Energy, the Environment and Water
Department	Department of Planning, Housing and Infrastructure
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPI	Environmental planning instrument
EPL	Environment protection licence
ESD	Ecologically sustainable development
LGA	Local government area
LEP	Local environmental plan
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Housing and Infrastructure
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
Resources and Energy SEPP	State Environmental Planning Policy (Resources and Energy) 2021
SEPP	State environmental planning policy
SSD	State significant development
TfNSW	Transport for NSW

Appendices

Appendix A – List of referenced documents

Refer to the 'Modification application' tab on the Department's website at:

https://www.planningportal.nsw.gov.au/major-projects/projects/calga-sand-quarry-mod-5-rehabilitation-changes

Appendix B – Government agency advice

Refer to the 'Agency Advice' tab on the Department's website at:

https://www.planningportal.nsw.gov.au/major-projects/projects/calga-sand-quarry-mod-5-rehabilitation-changes

Appendix C – Statutory considerations

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 5** below.

Table 5 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The modification meets this objective because it would achieve the final landform approved for the development.

Object	Consideration
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The Department considers that the modification is minor and can be carried out in a manner that is consistent with the principles of ecological sustainable development as it would: • not require clearing of any native vegetation; • have no impact on Aboriginal cultural heritage or historic heritage; and • have minimal environmental impact beyond what is already approved.
(c) to promote the orderly and economic use and development of land,	The Department considers that this continues to represent an orderly and economic use of land.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The modification does not require any land clearing and avoids any impact on threatened species, communities and key habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The modification would not directly impact Aboriginal cultural heritage or historic heritage.
(g) to promote good design and amenity of the built environment,	The modification would not require any changes to the existing approved project boundary
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the state,	The Department has assessed the modification application in consultation with Central Coast Council and the other relevant NSW government authorities and considered the issues raised by these agencies in its assessment.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department made the Modification Report publicly available on its website and sought advice from Central Coast Council and relevant government agencies.

EP&A Regulation

The EP&A Regulation requires the applicant to have regard to the *State Significant Development Guidelines*.

The Department considers that the Modification Report is consistent with this guideline.

Environmental Planning Instruments (EPIs)

To satisfy the requirements of section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the consent authority is required to consider, amongst other things, the relevant provisions of the EPIs and development control plans. The Department has taken into consideration the proposed modification against the applicable provisions of relevant EPIs, including applicable State Environmental Planning Policies (SEPPs).

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The proposed modification is for the purposes of extractive industries which is identified as State Significant Development through Clause 7 of Schedule 1 of the Planning Systems SEPP.

State Environmental Planning Policy (Resources and Energy) 2021 (Resources and Energy SEPP)

Development permissible with consent (Section 2.9)

The proposed modification to extractive industry is permissible with consent on any land where development for the purposes of agriculture or industry may be carried out (with or without development consent). Consequently, the proposed modification is permissible with consent under this SEPP. The Department notes that the modification does not include any changes to the already approved disturbance area or project boundaries.

Compatibility with other land uses (section 2.17)

The modification would not conflict with existing grazing, horticulture, small-scale agriculture and residential areas in the locality, and the Department considers that the modification can be carried out in a manner that is compatible with surrounding land uses.

Natural resource management and environmental management (section 2.20)

The proposed modification would not impact any areas of remnant vegetation. Impacts to GDEs are not expected from the proposed modification. Surface water and groundwater impacts from the proposed modification would be negligible. Accordingly, the Department considers any potential impacts to natural resources from the proposed modification to be unlikely.

Resource recovery (section 2.21)

The proposed modification would optimise the potential for beneficial post-closure land uses of the site. Additionally, the proposed modification all for the receipt and recycling of fill material from other

sites in the region, consistent with the NSW EPA's Waste and Sustainable Materials Strategy 2041 and Circular Economy Policy

Rehabilitation (section 2.23)

The Department's existing and recommended changes to conditions would provide for the sound rehabilitation of the site to ensure it is restored to a safe, hydraulically stable, non-polluting landform that optimises the potential beneficial reuse of the site.

State Environmental Planning Policy (Resilience and Hazards) 2021

Contamination and remediation (section 4.6)

All proposed disturbance activities under the modified project are within areas that have already been approved for disturbance under the existing project.

The Department understands that additional fill material importation to site presents a risk of contamination impacts if not managed appropriately. However, the recommended Fill Import Management Plan would be developed to ensure effective processes for the ongoing monitoring and management of imported fill material are implemented.

Accordingly, the Department considers that the land is suitable for the purpose for which the development is proposed to be carried out.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposed modification would affect public infrastructure (roads). The Department has notified TfNSW and Council and carefully considered the advice from these authorities, particularly in relation to the traffic and transport-related impacts of the proposed modification, in its assessment of the modification application.

Appendix D – Recommended instrument of modification

A copy of the recommended instrument of modification can be found at:

https://www.planningportal.nsw.gov.au/major-projects/projects/calga-sand-quarry-mod-5-rehabilitation-changes

Appendix E – Recommended Consolidated Consent

A copy of the recommended Consolidated Consent can be found at:

https://www.planningportal.nsw.gov.au/major-projects/projects/calga-sand-quarry-mod-5-rehabilitation-changes