

Project Name: Modification 4 Western Extension
Case ID: SSD-6125-Mod-4

Applicant Details

Project Owner Info

Title	Mr
First Name	Darren
Last name	Williams
Role/Position	Director
Phone	0429877704
Email	darren@newcastlesand.com.au
Address	398 CABBAGE TREE ROAD WILLIAMTOWN , 2318 , AUS

Company Info

Are you applying as a company/business?

Yes

Company Name	WILLIAMTOWN SAND SYNDICATE PTY LIMITED
ABN	56606820875

Primary Contact Info

Are you the primary contact?

Yes

Title	First Name	Last Name
Mr	Jonathan	Berry
Phone	Email	Role/Position
0421440139	jberry@wedgetail.com.au	Principal Advisor

Address

11
JODY CLOSE
JEWELLS,
New South Wales
2280
AUS

Political Donations

Do you need to disclose a political donation?

No

Modification Details

Project Info

Project Name	Modification 4 Western Extension
Additional Estimated Development Cost (excl GST)	AUD1,000,000.00
Additional Operation Jobs	10
Additional Construction Jobs	0
Additional Dwellings	0

Modification Description

Modification 4 includes the following core elements:

1. An additional 7.1 ha extraction area on Lot 9 DP239608 (Western Extension).
2. A net reduction in the extent of the impact area approved under SSD-6125, by extending some extraction areas less than 20m and relinquishing other areas.
3. Amend Condition 34 relating to the Biodiversity Offset Strategy.
4. Change Statement of Commitments.
5. Permit import of VENM sand.
6. Clarify operational methods.

How is the modification substantially the same as the original development?

The proposed modification is substantially the same as the original development as the extraction rates, approved quarry life and processing methods remain the same as originally approved, with the impact area increasing by 15.7%. Environmental impacts, such as noise, dust, surface and groundwater impacts are consistent with existing approvals and can be managed in a consistent manner with existing management methods.

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Site Details

Site Information

Site Name	Cabbage Tree Road Quarry
Site Address (Street number and name)	398 Cabbage Tree Road Williamtown New South Wales Australia 2318

Local Government Area

Local Government	District Name	Region Name	Primary Region
Port Stephens		Hunter	<input checked="" type="radio"/>

Additional Lot & DP

Lot and DP

Lot 9 DP239608

Landowner's Consent

Is the applicant the sole owner of the land?

No

Was landowner's consent required for the original development application for consent to which this modification application relates?

Yes

Attachments

File Name	398 Cabbage Tree Road Williamtown - PSC Owner's Consent
File Name	Lot 9_Owners Consent

Does the modification application relate to land owned by a Local Aboriginal Land Council?

No

Statutory Context

Modification Type

Section 4.55(2) – other modification, where the development as originally approved remains the substantially the same

Critical Habitat and Threatened Species

Is the land, or part of the land, critical habitat?

No

Is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats?

Yes

Sustainable Buildings SEPP

Is the development exempt from the [State Environmental Planning Policy \(Sustainable Buildings\) 2022 Chapter 3](#), relating to non-residential buildings?

- The DA was submitted on the NSW Planning Portal before 1st October 2023.
- The DA was submitted on the NSW Planning Portal on or after 1st October 2023 but was deemed exempt due to the reasons outlined in Chapter 3.1.

Yes

Have all the requirements of the [State Environmental Planning Policy \(Sustainable Buildings\) 2022](#) been met for the development that is the subject of this Modification Application?

No

Other Requirements

Is the modification application accompanied by a biodiversity development assessment report (BDAR)?

Yes

Are different biodiversity credits proposed to be used as offsets in accordance with the variation rules under the Biodiversity Conservation Act 2016?

No

Does the modification application relate to residential apartment development and was the original development application required to be accompanied by a design verification statement from a qualified designer [Section 29 \(1\) of the Environmental Planning and Assessment Regulation 2021](#) ?

No

Does this modification application relate to a development for which the original development application was required to be accompanied (or in the case of BASIX optional development, was accompanied) by a BASIX certificate or BASIX certificates?

No

Approvals - Part1

A permit under [Section 201, 205 or 219](#) of the [Fisheries Management Act 1994](#)?*

No

An approval under [Part 4](#), or an excavation permit under [Section 139](#), of the [Heritage Act 1977](#)?*

No

An Aboriginal heritage impact permit under [Section 90](#) of the [National Parks and Wildlife Act 1974](#)?*

Yes

A bush fire safety authority under [Section 100B](#) of the [Rural Fires Act 1997](#)?*

No

A water use approval under [Section 89](#), a water management work approval under [Section 90](#) or an activity approval under [Section 91](#) of the [Water Management Act 2000](#)?*

No

Approvals - Part2

Do you require any of the following approvals from [Section 4.42](#) of the Environmental Planning and Assessment Act 1979, in order to carry out the development:

An aquaculture permit under [Section 144](#) of the [Fisheries Management Act 1994](#)?*

No

An approval under [Section 15](#) of the [Mine Subsidence Compensation Act 1961](#)?*

No

A mining lease under the [Mining Act 1992](#)?*

No

A petroleum production lease under the [Petroleum \(Onshore\) Act 1991](#)?*

No

An environment protection licence under [Chapter 3](#) of the [Protection of the Environment Operations Act 1997](#) (for any of the purposes referred to in [Section 43](#) of that Act)?*

Yes

A consent under [Section 138](#) of the [Roads Act 1993](#)?*

No

A licence under the [Pipelines Act 1967](#)?*

No

Modification Report and Attachments

Attachments

File Name	App8 MOD4_BDAR
File Name	App5 MOD4 ACHAR
File Name	App6 MOD4 AQIA
File Name	App7 MOD4 NIA
File Name	App3 MOD4 Consultation
File Name	App9 MOD4 Groundwater Extension Area MEL_V2
File Name	App4 MOD4 Amendments to Statement of Commitments
File Name	NewcastleSand Mod4 Modification Report Rev1