|  |
| --- |
|  **DEFERRED COMMENCEMENT CONDITIONS** |

The following condition is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979.*

This consent does not operate until the following have been satisfied:

1. Submit to Councils Environmental Protection Officer, a Detailed Contaminated Site Investigation and Site-Specific Risk Assessment and Modelling prepared by a suitably qualified contaminated land consultant that is accredited by the Certified Environmental Practitioners Scheme- Site Contamination (CEnvP(SC)) and/or the Certified Professional Soil Scientist- Contaminated Site Assessment and Manager (CPSS CSAM). Such investigation must be undertaken in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998) and NSW Environment Protection Authority’s Contaminated Land Guidelines - Consultants Reporting on Contaminated Land 2020 and Contaminated Sites – Sampling Design Guidelines (2022) and the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013).
	1. (If required) Provide a Detailed Contaminated Site Investigation and Site-Specific Risk Assessment and Modelling prepared by a suitably qualified contaminated land consultant that is accredited by the Certified Environmental Practitioners Scheme- Site Contamination (CEnvP(SC)) and/or the Certified Professional Soil Scientist- Contaminated Site Assessment and Manager (CPSS CSAM). Such investigation must be undertaken in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998) and NSW Environment Protection Authority’s Contaminated Land Guidelines - Consultants Reporting on Contaminated Land 2020 and Contaminated Sites – Sampling Design Guidelines (2022) and the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013).
	2. (If required) Provide a Remedial Action Plan prepared by a suitably qualified contaminated land consultant that is accredited by the Certified Environmental Practitioners Scheme- Site Contamination (CEnvP(SC)) and/or the Certified Professional Soil Scientist- Contaminated Site Assessment and Manager (CPSS CSAM). Such investigation must be undertaken in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998) and NSW Environment Protection Authority’s Contaminated Land Guidelines - Consultants Reporting on Contaminated Land 2020 and Contaminated Sites – Sampling Design Guidelines (2022) and the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013).
2. Submit to Councils Environmental Protection Officer, detailed designs and plans for hardstand (impermeable layer) for the entirety of the site. The designs standards must be in accordance with Councils Civil Works Specification.
3. Submit to Councils Environmental Protection Officer, a water quality management plan and routine stormwater monitoring report. The Plan and Report is to be prepared by a suitable qualified consultant and include best-practice stormwater management. Best practice for resource recovery facilities is to provide pit insert baskets, filters (such as StormFilter) to remove hydrocarbons, fine suspended soils and nutrients, OSD basin and stop valves to contain any waters from entering the system should spills, leaks, or firefighting activities occur on site. Overland flow into the system is to be via hardstand (not gravel surfaces). The Report is to include a water quality monitoring program developed by a duly qualified person. The monitoring program must include validation testing and ongoing testing occurring every month for a period of 3 months, at a minimum. Water samples must be analysed by a NATA accredited laboratory; the analytical results must be reviewed against ANZECC water quality guidelines for all contaminants of concern and corrective actions must be included for elevated results.
4. Submit to Councils Environmental Protection Officer, An Operational Environmental Management Plan must be prepared for the proposed development. Council requires this information to assess environmental pollution risk (air, water and land emissions) for the proposed activities in accordance with the Protection of Environment Operations Act 1997. The guideline for the plan is outlined below. The level of detail of the EMP must be appropriate having regard to the operational scale of the proposed development. The plan must also be signed and dated by an appropriately authorised person.

Information to be included in the Plan is as follows:

* 1. Written procedures outlining management of:
		1. stormwater, run-off and all water used on the site (including treatment and disposal);
		2. soil, including any possible contamination issues;
		3. pesticide, fertiliser and other chemicals or hazardous substances (including use, storage and disposal);
		4. solid and liquid water (including storage, treatment and disposal);
		5. weeds and other vegetation;
		6. erosion and sediment;
		7. emergency spill response;
		8. noise emissions; and
		9. air emissions.
	2. A list of legislation applicable to the activities conducted on site, including how legal updates will be accessed.
	3. Records of environmental training undertaken or to be undertaken by employees of the organisation in the areas of:
		1. identifying potential environmental hazards;
		2. prevention of pollution and environmental damage;
		3. spill control;
		4. hazardous material storage and handling;
		5. best practice in waste management; and
		6. consequences of non-compliance with legislation.
	4. Methods to be employed to reduce energy consumption and, where possible, employ alternative energy sources to reduce environmental impacts.
	5. Establishment of a periodic review of all information contained within this Plan to ensure currency and continued compliance.
1. Submit to Councils Environmental Protection Officer, an Air Quality Impact Assessment (AQIA). The AQIA is to be prepared by a suitable qualified air quality professional and must model impacts of putrescible waste material (liquid food waste) and soil stockpiles that are being stored at the premises, air quality impacts to commercial/industrial and sports field receivers that surround the site and provide adequate information on reasonable and practicable measures to control dust and odours.
2. Submit to Councils Environmental Protection Officer, a Noise Impact Assessment prepared by a suitably qualified acoustic consultant that meets the technical eligibility criteria for membership with the Association of Australasian Acoustical Consultants. The report must be prepared in accordance with the Noise Policy for Industry (NSW EPA, 2017).
3. Submit to Councils Environmental Protection Officer, a Hazardous Materials Survey is required that confirms that all hazardous building materials, such as asbestos, mineral fibres, lead paint etc is identified, safely removed by a licensed removalist, and replaced during the refurbishment.
4. Submit to Councils Environmental Protection Officer, details on how site operations will comply with the threshold requirements of schedule 1 of the *Protection of the Environment Operations Act 1997.*
5. Provide A Soil and Water Management Plan in accordance with Section 2.3 of the ‘Blue Book’ *(Managing Urban Stormwater: Soils and Construction, Landcom, 2004).* The plan shall be prepared by a suitably qualified environmental/civil consultant.  Section 9.3 of the Blue Book provides guidance on preparing a Soil and Water Management Plan for medium-density development. (Note: A Soil and Water Management Plan is a more comprehensive document than an Erosion and Sediment Control Plan).

At a minimum, the following information must be included in the SWMP: -

* a site survey which identifies contours and approximate grades and the direction(s) of fall;
* locality of site and allotment boundaries;
* location of adjoining road(s) and all impervious surfaces;
* location of site within catchment including an estimate of flows through the site;
* existing vegetation and site drainage;
* nature and extent of clearing, excavation and filling;
* diversion of run off around disturbed areas;
* location and type of proposed erosion and sediment control measures;
* location of site access and stabilisation of site access;
* location of material stockpiles;
* location and engineering details with supporting design calculations for all necessary sediment retention basins;
* location and concept plans of proposed constructed wetlands/ gross pollutant traps, trash racks or trash collection / separator units;
* proposed site rehabilitation and landscaping;
* detailed staging of construction works (breaking down of catchment disturbed), and
* maintenance program for erosion and sediment control measures.
* All design criteria and calculations used to size soil and water control measures shall be shown, and construction standard drawings are to be provided on each type of soil and water control measure proposed.
1. Submit to Councils Environmental Protection Officer, a Fire compliance assessment for the safe storage and processing of waste in accordance with the *Fire Safety Guidelines – Fire Safety in Waste Facilities* and the *Hazardous Industry Planning Advisory Paper (HIPAP) No. 2 – Fire Safety Guidelines.*
	1. Technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment, fire management (including the location of fire hydrants and water flow rates at the hydrants) and containment measures.
	2. Details of the size and volume of stockpiles and their arrangements to minimise fire spread and facilitate emergency vehicle access.
	3. The measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the NSW Fire and Rescue guideline Fire Safety in Waste Facilities dated 27 February 2020
2. Submission of a civil engineering plans that include the following details, at a minimum, in accordance with the requirements listed in CCCDCP and CCC *Civil Works Specifications*:
* Minimum industrial driveway width of 6.2 metres at the property boundary of Lake Road, and design details as per CCC *Civil Works Specifications* Standard Drawings SD506.
* Driveway width at the road gutter to be designed to cater for the largest design vehicle of Heavy Rigid Vehicle to use the site, with swept path analysis for the HRV at the road and property boundary., demonstrating the vehicle can enter and exit the site in a forward direction.
* Standard detail of pavement design.
* Site pavement to be constructed of concrete where all vehicles will be manoeuvring and parking as per CCC *Civil Works Specifications* Industrial pavement design*.*
* Site pavement to be constructed of concrete where waste is to be stored.
1. Submission of a Stormwater management plan that includes the details of the following at a minimum, ensuring that stormwater runoff form the site is treated to the efficiencies included in Table 1.2 of Australian Runoff Quality and CCCDCP Chapter 3.1 and CCC *Civil Works Specifications*:
* Construction of a stormwater management system that includes details of water quality and quantity conveyance, treatment and storage mechanisms.
* Construction of stormwater drainage collection and piping of all stormwater runoff from areas within the site to the approved connection to Council’s storm water drainage system located in Lake Road.
* Details of treatment of stormwater runoff from hazardous and non-hazardous waste storage areas.
* Use of an industry accepted, proprietary stormwater treatment device.
* Details of any stormwater to be reused on site.

Evidence must be produced to the consent authority sufficient to enable it to be satisfied that above conditions have been complied within twelve (12) months of the date of this approval, otherwise this consent will lapse. Upon compliance with the conditions of deferred commencement Council will issue an operative consent (including stamped plans) that is subject to the attached conditions.

|  |
| --- |
| **1.PARAMETERS OF THIS CONSENT** |

* 1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Plan No. | Revision No. | Plan Title | Drawn By. | Dated  |
| Sheets 1-6 | B | Soil and Water Management Plan | Larry Cook Consulting | 17 August 2025 |
| Plans and Specifications submitted to satisfy the deferred conditions of this consent. |

|  |  |  |  |
| --- | --- | --- | --- |
| Document Title. | Version No. | Prepared by. | Dated. |
| Environmental Impact Statement – Resource Transfer Facility | 2 | L.D.A Services | 11/04/2023 |
| Aboricultural Impact Assessment for Proposed Development at 63-69 Lake Road Tuggerah NSW | - | Michael Shaw Consulting Arborist | 06 April 2023 |
| Emergency Flood Evacuation Plan  |  | Larry Cook Consulting | 15 June 2024 |
| Operational Plan – Dumpers Skip Bins Central Coast | - | - | Undated |

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

**Note:** an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

1.2. Carry out all building works in accordance with the National Construction Code Series, Building Code of Australia, Volume 1 and 2 as appropriate.

|  |
| --- |
|  **2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE** |

1. All conditions under this section must be met prior to the issue of any Construction Certificate.

2.2 No activity is to be carried out on-site until the Construction Certificate has been issued, other than:

1. Site investigation for the preparation of the construction, and / or
2. Implementation of environmental protection measures, such as erosion control and the like that are required by this consent

2.3 Obtain a Roads Act Works Approval by submitting an application to Council for a Section 138 Roads Act Works Approval for all works required within the road reserve. The application is to be lodged using an *Application for Subdivision Works Certificate or Construction Certificate, Roads Act Works Approval and other Development related Civil Works* form.

The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably experienced qualified professional in accordance with Council’s *Civil Works Specifications*.

Fees, in accordance with Council’s Fees and Charges, will be invoiced to the applicant following lodgement of the application. Fees must be paid prior to Council commencing assessment of the application.

Design drawings, reports and documentation will be required to address the following works within the road reserve:

1. Construction of an industrial vehicle access crossing that has a minimum width of 6.2. metres at the property boundary and construction of a heavy-duty gutter crossing and road pavement adjacent to the gutter crossing. A structural design to cater for anticipated loadings and detailing all concrete element must be provided.
2. Swept path analysis demonstrating a heavy rigid vehicle can enter and exit the site in a forward direction.
3. Construction of stormwater drainage under the industrial vehicle access crossing to cater for conveyance of upstream stormwater.
4. Construction of any works required to transition new works into existing infrastructure and the surrounding land formation.
5. Removal of all redundant vehicular access crossings.
6. Construction of a storm water drainage connection from the development site to Council’s storm water drainage system within the road reserve.

The design is to be certified by a registered practising Civil or Structural engineer as being in accordance with Australian Standards.

The section 138 Roads Act Works Approval must be issued by Council and all conditions of that approval must be addressed prior to occupying and commencing any works in the road reserve.

2.4 Submit to Council a dilapidation report detailing the condition of all Council assets within the vicinity of the development. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs, street lights or any other Council assets in the vicinity of the development. The dilapidation report will be required to be submitted to Council prior to the issue of the Section 138 Roads Act Works approval or the issue of any construction certificate for works on the site. The dilapidation report may be updated with the approval of Council prior to the commencement of works. The report will be used by Council to establish damage to Council’s assets resulting from the development works.

2.5 Obtain a Section 68 Local Government Act Works Approval for Stormwater Drainage works by submitting an application to Council for a ‘Section 68 Local Government Act Works Approval – stormwater drainage’ for storm water drainage works connecting to or within Council’s storm water system using an *Application for Subdivision Works Certificate or Construction Certificate, Roads Act Works Approval and other Development related Civil Works* form.

The application is to be accompanied by detailed design drawings, reports and other documentation prepared by a suitably experienced qualified professional in accordance with Council’s *Civil Works Specifications*.

Fees, in accordance with Council’s Fees and Charges, will be invoiced to the applicant following lodgement of the application. Fees must be paid prior to Council commencing assessment of the application.

Design drawings, reports and documentation will be required to address the following works:

1. Connection of all piped and collected stormwater runoff from within the development site to Council’s stormwater system located in Lake Road.
2. Construction of stormwater drainage infrastructure that treats stormwater runoff to a minimum level as detailed in Table 2.1 of Australian Runoff Quality and Council’s *Civil Works Specifications* Chapter 10 and 11.

The *Section 68 Local Government Act Works Approval – stormwater drainage* must be issued and all conditions of that approval addressed prior to commencing any works that are the subject of the approval.

2.6Submit to the Registered Certifier responsible for issuing the construction certificate for works within the development site detailed design drawings and design reports for the following engineering works:

1. Construction of driveways, ramps and car parking areas in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: Parking Facilities and other applicable Australian Standards.
2. Construction of concrete car parking and vehicle manoeuvring areas, in accordance with the details included in *Civil Works Specification 2020* for industrial pavements to cater for heavy rigid vehicles.
3. Construction of driveway, vehicle manoeuvring and car parking areas to cater for a Heavy Rigid Vehicles entering and exiting the site in a forward direction.
4. Driveway long sections are to be consistent with the requirements included in Council’s *Civil Works Specification 2020, Standard Drawings and* AS/NZS 2890*.2:2004.*
5. Construction of a stormwater management system that treats stormwater runoff that contains hazardous and non hazardous waste, to the requirements outlined in able 2.1 of Australian Runoff Quality and Council’s *Civil Works Specifications* Chapter 10 and 11.
6. Construction of stormwater drainage collection and piping of all stormwater runoff from all hardstand and roof areas within the site to the approved connection to Council’s storm water drainage system located in Lake Road.
7. Construction of a stormwater management system that includes the use of an industry accepted, proprietary stormwater treatment device.
8. The design of stormwater infrastructure is to be prepared by a suitably experienced qualified professional in accordance with Council’s *Civil Works Specifications.*

Detailed design drawings and design reports acceptable to the Registered Certifier must be included in the Construction Certificate documentation.

2.7 Submit an application to Council under section 305 of the Water Management Act 2000 for a section 306 Requirements Letter. The Application form can be found on Council’s website [centralcoast.nsw.gov.au](https://www.centralcoast.nsw.gov.au/council/forms-and-publications/forms). Early application is recommended.

The section 305 application will result in a section 306 letter of requirements which must be obtained prior to the issue of any Construction Certificate. The requirements letter will outline which requirements must be met prior to each development milestone e.g. prior to construction certificate, subdivision works certificate, occupation certificate and/or subdivision certificate.

2.8 Prepare an Unexpected Finds Protocol detailing how unexpected contamination encountered within the site during development works will be managed. The Protocol shall be prepared by a suitably qualified environmental consultant.

|  |
| --- |
|  **3. PRIOR TO THE COMMENCEMENT OF ANY WORKS** |

3.1. All conditions under this section must be met prior to the commencement of any works.

3.2 Prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) for all activities related to works within the site. The plan must be prepared and implemented only by persons with Roads and Maritime Service accreditation for preparing and implementing traffic management plans at work sites.

The CTPMP must describe the proposed construction works, the traffic impacts on the local area and how these impacts will be addressed.

The CTPMP must address, but not be limited to, the following matters:

* Ingress and egress of construction related vehicles to the development site.
* Details of the various vehicle lengths that will be used during construction and the frequency of these movement.
* Use of swept path diagrams to demonstrate how heavy vehicles enter, circulate and exit the site or Works Zone in a forward direction.
* Deliveries to the site, including loading / unloading materials and requirements for work zones along the road frontage to the development site. A Plan is to be included that shows where vehicles stand to load and unload, where construction plant will stand, location of storage areas for equipment, materials and waste, locations of Work Zones (if required) and location of cranes (if required).
* Works Zones if heavy vehicles cannot enter or exit the site in a forward direction.
* Control of pedestrian and vehicular traffic where pre-construction routes are affected.
* Temporary Road Closures.

Where the plan identifies that the travel paths of pedestrians and vehicular traffic are proposed to be interrupted or diverted for any construction activity related to works inside the development site an application must be made to Council for a Road Occupancy Licence. Implementation of traffic management plans that address interruption or diversion of pedestrian and/or vehicular traffic must only take place following receipt of a Road Occupancy Licence from Council or the Roads and Maritime Service where on a classified road.

Where a dedicated delivery vehicle loading and unloading zone is required along the road frontage of the development site a Works Zone Application must be lodged and approved by Council. A minimum of 3 months is required to allow Traffic Committee endorsement and Council approval.

The Construction Traffic and Pedestrian Management Plan must be reviewed and updated during construction of the development to address any changing site conditions.

A copy of the Construction Traffic and Pedestrian Management Plan must be held on site at all times and be made available to Council upon request.

3.3 Submit to Council a completed *Notice of Intention to Commence Subdivision, Roads and Stormwater Drainage Works* form with supporting documentation prior to the commencement of any Subdivision Works Certificate works, Roads Act Works Approval works, or Section 68 Local Government Act Stormwater Drainage Works Approval works. These works are not to commence until a pre-commencement site meeting has been held with Council.

|  |
| --- |
| **4. DURING WORKS** |

4.1. All conditions under this section must be met during works.

4.2 The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

7.00 am and 5.00 pm on Monday to Saturday

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council’s approval.

* 1. Undertake works in accordance with the Unexpected Finds Protocol.
	2. Implement all soil and water management control measures and undertake works in accordance with the approved Soil and Water Management Plan. Update the plan as required during all stages of the construction or in accordance with the *‘Blue Book’ (Managing Urban Stormwater: Soils and Construction, Landcom, 2004)*.
	3. Classify all excavated material removed from the site in accordance with *NSW EPA (2014) Waste Classification Guidelines* prior to disposal. All excavated material must be disposed of to an approved waste management facility, and receipts of the disposal must be kept on-site.
	4. No soils to be imported to the subject site except for Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*.
	5. Immediately notify Council of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation.
	6. (If required) Undertake remediation works in accordance with the approved Remediation Action Plan.
	7. A notice of completion of remediation work must be provided to council within 30 days of the completion of remediation work. The notice must include particulars as specified by clause 4.15 of *State Environment Planning Policy No 55 (Resilience and Hazards) 2021.*
	8. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
	9. Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan submitted with the subject application.
	10. During construction works, all cut or fill is to be constructed in such a manner that surface water will not be permanently or temporarily diverted to adjoining land and so that natural drainage from adjoining land will not be obstructed or affected.
	11. Arrange with the relevant service provider / Authority (eg. Ausgrid, Jemena, NBN or other communications provider) for the supply of any proposed services concurrently with the engineering works required by this consent. Arrangements must include, where required, any relocation of existing mains and services, and dedication of easements for mains and services.
	12. Maintain the temporary fence around the conservation area. The fence must be maintained for the duration of construction works.

|  |
| --- |
| **5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE OR USE**  |

5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate or Use of the SIte.

5.2 Construct any additional civil works, where required by Council, to ensure satisfactory transitions to existing site formations and pavements where designs contained in the Roads Act Works Approval do not adequately address transition works.

5.3 Complete construction of the stormwater management system in accordance with the Stormwater Management Plan and Australian Standard AS 3500.3-*Stormwater drainage systems*. Certification of the construction by a suitably qualified consultant must be provided to the Principal Certifier.

5.4 Complete construction of all works within the road reserve in accordance with the Roads Act Works Approval. Completion of works includes the submission and acceptance by Council of all work as executed drawings plus other construction compliance documentation and payment of a maintenance/defects bond to Council in accordance with Council’s Fees and Charges.

5.5 Repair any damage to Council’s infrastructure and road reserve as agreed with Council. Damage not shown in the dilapidation report submitted to Council before the development works had commenced will be assumed to have been caused by the development works unless the Developer can prove otherwise.

5.6 Complete the civil engineering works within the development site in accordance with the detailed design drawings and design reports plans within the construction certificate.

5.7 Complete Construction of driveways, ramps and car parking areas in accordance with the requirements of the current edition Australian Standard AS/NZS 2890: *Parking Facilities*, other applicable Australian Standards and the detailed designs and design reports within the construction certificate. Certification by a suitably qualified person that construction is complete is to be provided to the Principal Certifier.

5.8 Submit to the Principal Certifier certification prepared by a Registered Surveyor certifying that all construction has been affected within the appropriate property, easement boundaries and rights of carriageway.

5.9 Obtain the Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Subdivision Certificate.

Note: Standard wording, acceptable to Council, for covenants can be obtained by contacting Council Subdivision Certificate Officer.

5.10 Obtain the Section 307 Certificate of Compliance under the Water Management Act 2000 for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Subdivision Certificate.

All water supply and sewer works for the development must be completed and all other conditions of the Section 306 letter satisfied. Completion of works includes the submission and acceptance by Council of all work as executed drawings plus other construction compliance documentation and payment of a maintenance / defects bond to Council in accordance with Council’s adopted fees and charges.

5.11 (If required) Provide a Validation Report, and/or Environmental Management Plan and/or Ongoing Monitoring Report prepared by a suitably qualified contaminated land consultant that is accredited by the Certified Environmental Practitioners Scheme- Site Contamination (CEnvP(SC)) and/or the Certified Professional Soil Scientist- Contaminated Site Assessment and Manager (CPSS CSAM). Such investigation must be undertaken in accordance with Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998) and NSW Environment Protection Authority’s Contaminated Land Guidelines - Consultants Reporting on Contaminated Land 2020 and Contaminated Sites – Sampling Design Guidelines (2022) and the National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013).

|  |
| --- |
| **6. ONGOING** |

6.1 Should a report of a noise/vibration nuisance be received and confirmed by Council the person benefiting this consent must supply to Council, within 30 days, an acoustic assessment of operational noise/vibration emissions from the premises to be undertaken by an suitably qualified and experienced Acoustic Consultant that identify any areas where further noise/vibration mitigation measures will be required.

6.2 Undertake the operation and management of the site in accordance with the Approved Operational Environmental Management Plan.

6.3 Implement the approved routine storm water quality monitoring program and submit monthly reports to Council for a minimum 3 months.

6.4 Undertake the operation and management of the site in accordance with any noise mitigation measures and recommendation as outlined in the approved Noise Impact Assessment.

6.5 Undertake the operation and management of the site in accordance with any mitigation measures and recommendation as outlined in the approved Air Quality Impact Assessment.

6.6 The premises shall process a maximum of 6,000 tonnes per annum of waste or store more than 40 tonnes of waste material on site. Records of waste received by the site and transferred for processing/disposal are to be retained and made available for review by Council upon request.

6.7 Restrict the hours of operation of the use to those times listed below:

* Weekdays 7:00am to 5:00pm
* Saturdays 7:00am to 12:00pm
* Sundays and Public Holidays: Closed.

Any variation to these hours is subject to the prior consent of Council.

* 1. The following activities on site are not permitted:
	2. Refuelling,
	3. Storage of fuel or fuel products,
	4. On-site washing or cleaning of vehicles, and/or
	5. Maintenance of vehicles.
	6. The *Flood Preparation & Action Plan* applicable to the site is to be implemented, with a readily accessible hard copy available to occupants at all times. The *Flood Preparation & Action Plan* is to be revised at the frequency recommended within the Plan, by a suitably qualified and experienced consultant, to incorporate any applicable new and/or revised regulatory requirements and/or recommendations, and any changes to flood levels applicable to the site due to updated flood modelling and/or climate change impacts.
	7. Maintain the site landscaping for the life of the development.
	8. Do not give rise to offensive noise as defined in the *Protection of the Environment Operations Act 1997*.
	9. Do not give rise to offensive odour as defined in the *Protection of the Environment Operations Act 1997*.
	10. Do not give rise to air pollution as defined in the Protection of the *Environment Operations Act 1997*.
	11. The Waste Transfer Station must only accept and process dry and non-putrescible waste. No liquids, hazardous, dangerous or general solid waste (putrescible) is to be accepted.