

## CONDITIONS OF CONSENT

### TERMS OF CONSENT

#### 1. General Terms of Approval - EPA

All General Terms of Approval issued by NSW EPA shall be complied with prior, during and at the completion of the development, as required.

The General Terms of Approval include the following:

- a) NSW EPA (Notice Number 1634125), dated 4 December 2023.

A copy of the General Terms of Approval is attached to this determination notice.

#### 2. General Terms of Approval – NSW Subsidence Advisory

All General Terms of Approval issued by NSW Subsidence Advisory in letter dated 2 November 2022 (reference TBA22 – 03926) shall be complied with prior, during and at the completion of the development, as required.

#### 3. Bushfire Protection

All conditions of approval issued by NSW Rural Fire Service (in letter dated 18 October 2023) are to be complied with prior, during and at the completion of the development, as required.

#### 4. Approved Plans and Documents

Development must be carried out strictly in accordance with DA No. 8/2023/622/1 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Plan Details	Prepared by	Date
<ul style="list-style-type: none"><li>Cover Sheet</li><li>DA01 – Site Plan</li><li>DA02 – Floor Plans</li><li>DA03 – Elevations</li><li>DA04 – Elevation and Section</li><li>DA05 – Vehicle Movement Plan</li></ul> <p>Project No. 22173A Revision No.1</p>	GCA Engineering Solutions	5 September 2022
Subdivision Plan of Lot 1 DP 536570 and Lot 1 DP 957782 Revision J	DELFS LASCELLES Consulting Surveyors	14 November 2024

- A. Environmental Impact Statement, prepared by EMM, (dated August 2023)  
B. Aboriginal Heritage Due Diligence Assessment, prepared by EMM (dated 2 May 2023)  
C. Social Impact Assessment, prepared by AIGIS Group (dated July 2023)  
D. Rehabilitation Strategy, prepared by EMM (dated July 2023)

- E. Water Balance Modelling Report, prepared by Consulting Earth Scientists (dated 4 August 2023)
- F. Soil and Water Management Plan, prepared by Consulting Earth Scientists (dated 4 August 2023)
- G. Water Impact Assessment, prepared by EMM (dated July 2023)
- H. Air Quality and Greenhouse Gas Assessment, prepared by EMM (dated July 2023)
- I. Noise and Vibration Impact Assessment, prepared by EMM (dated July 2023)
- J. Visual Impact Assessment, prepared by EMM (dated August 2023)
- K. Traffic Impact Assessment, prepared by EMM (dated July 2023)
- L. Biodiversity Development Assessment Report, prepared by EMM (dated August 2023)
- M. Bushfire Assessment Report, prepared by Cool Burn, (dated May 2023)
- N. Landfill Gas and Leachate Management Plan, prepared by Consulting Earth Scientists (dated 27 July 2023)
- O. Infrastructure Gap Analysis, prepared by MRA Consulting Group (dated 26 May 2023)
- P. Management Measures Summary, prepared by EMM (undated)
- Q. Road Safety Assessment, prepared by EMM (dated September 2024)

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

## **5. Time Limited Consent**

The waste management facility (including both the landfill and resource recovery operations) is permitted to operate for 30 years from the issue of the Occupation Certificate (OC). Following this the facility is to be decommissioned and the site rehabilitated in accordance with the Rehabilitation Strategy prepared by EMM (dated July 2023) and the General Terms of Approval issued by the EPA (Notice Number 1634125), dated 4 December 2023.

Upon rehabilitation of the site, an 88B instrument is to be prepared identifying on the deposited plan the area of the property utilised for the purpose of landfill to alert future purchasers of the previous land use.

## **6. Operational Requirements**

This consent permits the following:

- The only permitted waste material collected, stored and processed is to be general solid waste (non-putrescible) as prescribed in the General Terms of Approval (GTA) and Environment Protection Licence (EPL) issued by the Environment Protection Authority (EPA).
- The maximum amount of waste permitted to be received at the premises is 225,000 tonnes per year.
- The maximum amount of waste to be disposed of at the premises is 150,000 tonnes per year.
- A maximum number of 108 truck movements per day (54 laden trucks in and 54 unladen trucks out).
- All trucks entering and leaving the premises must have their loads covered at all times, except during material inspection, loading and unloading.
- Trucks are not permitted to turn right onto Black Hill Road when exiting the site.
- Trucks are not permitted to approach the site from the east along Black Hill Road. Only light vehicles are permitted to approach the site from the east along Black Hill Road.

## **7. Hours of Operation**

Operating hours are limited to the following:

- Monday to Friday - 7.00am to 6.00pm
- Saturday - 7.00am to 1.00pm
- Sunday and Public Holidays – Closed

## **8. Closure Plan**

A written closure plan is to be submitted to Council no later than twelve (12) months before the completion of the Waste Management Facility operations (in accordance with the requirements of the Environmental Protection Licence (EPL) issued by the Environmental Protection Authority (EPA)).

The closure plan is to include a revegetation plan for the site (prepared by a suitably qualified professional) and have regard for the capping layer in relation to plant root penetration and long term survival rates.

## **9. Signage**

No signage will be permitted advertising the waste management (either on or off the site).

## **10. CC, PC & Notice Required**

In accordance with the provisions of Section 6.6 & 6.7 of the *EP&A Act 1979*, construction works approved by this consent must not commence until:

- a) A CC has been issued by a Certifier (being Council or a registered certifier); and
- b) A PC has been appointed by the person having benefit of the development consent; and
- c) If Council is not the PC, notify Council no later than two (2) days before building work commences as to who is the appointed PC; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

## **PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

**The following conditions are to be complied with prior to the issue of a Construction Certificate (CC).**

### **11. Consolidation of Lots**

Prior to issue of a CC, the consolidation / resubdivision of Lot 1 DP 536570 and Lot 1 DP 957782 is to be undertaken (and registered) in accordance with the Proposed Subdivision Plan of Lot 1 DP 536570 and Lot 1 DP 957782, prepared by DELFS LASCELLES Consulting Surveyors, Revision J dated 14 November 2024, Project No: 16621.

### **12. Crown Road**

Prior to issue of a CC, evidence is to be provided that the portion of Crown Road traversing Lot 1 DP 536570 has been closed and consolidated within the Lot (Crown Land Ref: W633312).

### **13. Roof Material and Colour – Resource Recovery Building**

The plans submitted with the CC are to identify the roof material of the resource recovery building to match the wall cladding, being colourbond (colour – pale eucalypt).

### **14. Approval of Council Local Traffic Committee**

Prior to issue of the CC, approval will be required from the Council Local Traffic Committee for the installation of, or amendment to regulatory signage, line marking and/or traffic control devices. Full details are to be submitted to and approved by the Council Local Traffic Committee prior to issue of any CC and any subsequent Section 138 Roads Act approval.

### **15. Biodiversity – Ecosystem Credits**

- a) Prior to issue of CC the class and number of ecosystem credits in Table [1] must be retired to offset the residual biodiversity impacts of the development.
- b) The requirement to retire credits in (a) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator<sup>1</sup>.
- c) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of (a) must be provided to the consent authority prior to CC.

**Table [1] - Ecosystem credits required to be retired – like for like**

<b>Impacted plant community type</b>	<b>Number of ecosystem credits</b>	<b>IBRA sub-region</b>	<b>Plant community type(s) that can be used to offset the impacts from development</b>
1592-Spotted Gum - Red Ironbark - Grey Gum shrub - grass open forest of the Lower Hunter	5	Hunter, Ellerston, Karuah Manning, Kerrabee, Liverpool Range, Peel, Tomalla, Upper Hunter, Wyong and Yengo. or Any IBRA subregion that is within 100 kilometers of the outer edge of the impacted site.	Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions This includes PCT's: 1590, 1592, 1593, 1600, 1602, 3433, 3442, 3443, 3444

<sup>1</sup> Note that prices of credits in the Biodiversity Offsets Payment Calculator are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.

- d) Prior to issue of CC the class and number of species credits in Table [2] must be retired to offset the residual biodiversity impacts of the development.
- e) The requirement to retire credits in (d) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator<sup>1</sup>.
- f) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table [2] requirements must be provided to the consent authority prior to CC.

**Table [2] Species credits required to be retired – like for like**

<b>Impacted species credit species</b>	<b>Number of species credits</b>	<b>IBRA sub-region</b>
Acacia bynoeana / Bynoe's Wattle	5	Anywhere in NSW
Callistemon linearifolius / Netted Bottle Brush	171	Anywhere in NSW
Chalinolobus dwyeri / Large-eared Pied Bat	35	Anywhere in NSW
Cynanchum elegans / White-flowered Wax Plant	5	Anywhere in NSW
Grevillea parviflora subsp. parviflora / Small-flower Grevillea	5	Anywhere in NSW
Miniopterus australis / Little Bent-winged Bat	19	Anywhere in NSW
Miniopterus orianae oceanensis / Large Bent-winged Bat	19	Anywhere in NSW
Myotis macropus / Southern Myotis	5	Anywhere in NSW
Petaurus norfolcensis / Squirrel Glider	5	Anywhere in NSW

Phascolarctos cinereus / Koala	24	Anywhere in NSW
Planigale maculata / Common Planigale	24	Anywhere in NSW
Pomaderris queenslandica / Scant Pomaderris	5	Anywhere in NSW
Rutidosis heterogama / Heath Wrinklewort	5	Anywhere in NSW
Tetratheca juncea / Black-eyed Susan	5	Anywhere in NSW
Thesium australe / Austral Toadflax	3	Anywhere in NSW
Vespadelus troungtoni / Eastern Cave Bat	7	Anywhere in NSW

<sup>1</sup> Note that prices of credits in the Biodiversity Offsets Payment Calculator are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.

- g) Prior to the issue of a CC a Micro-bat Management Plan must be submitted to and approved by council's ecologist. This plan must incorporate inspections for roosting microbats and identify bat exclusion measures. The plan must be prepared by a suitably qualified ecologist.
- h) Prior to issue of CC, a Biodiversity Management Plan must be prepared to the satisfaction of the consent authority. The Biodiversity Management Plan may form part of a Construction Environmental Management Plan. The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report and approved plans.
  - (i) The Biodiversity Management Plan must identify areas of land that are to be retained as outlined in the Biodiversity Development Assessment Report and the intersection upgrade detailed design.
  - (ii) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the Biodiversity Development Assessment Report. Measures to ensure that development does not extend beyond the development site are to be identified.
  - (iii) The Biodiversity Management Plan must identify all measures proposed in the Biodiversity Development Assessment Report by EMM dated (August 2023) to mitigate and manage impacts on biodiversity.

## 16. Parking – Minimum Requirement

Onsite car parking shall be provided for a minimum of twelve (12) vehicles and such being set out generally in accordance with Council's Development Control Plan.

The plans submitted in association with the CC application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as

satisfying this requirement prior to the issue of a CC.

#### **17. Disabled Car Parking Spaces**

A total of one (1) car parking space for use by persons with a disability must be provided as part of the total car parking requirements.

Plans demonstrating compliance with this requirement and the following Australian Standards are to be submitted to, and approved by, the Certifier prior to the issue of a CC.

- \* AS/NZS 2890.1:2004 Parking Facilities – Off street car parking
- \* AS/NZS 1428.1:2009 Design for access and mobility – General requirements for access – New building work
- \* AS/NZS 1428.4.1:2009 Design for access and mobility – Means to assist the orientation of people with vision impairment – Tactile ground surface indicators.

#### **18. Roadworks**

The person having the benefit of the Development Consent shall construct the following in accordance with Council's 'Engineering Guidelines for Design and Construction' and set out on a set of plans, four (4) copies of which are to be submitted to, and approved by Council prior to issue of a CC / Section 138 for the civil works general in accordance with the Fisher Consulting Engineers Concept Plans and:

- a) Construct an acceleration lane in accordance with Austroads Guide to Road Design-Part 4A.
- b) Installation of a 'no-right turn' sign on the southern leg of the site access / Black Hill Road intersection.
- c) Installation of a 'no-left turn' sign on the eastern leg of the site access / Black Hill Road intersection.
- d) Install linemarking to indicate a BAL/BAR intersection treatment.
- e) Installation of vehicle activated flashing lights on Black Hill Road 250 metres to the east of the quarry access road (on the western approach).
- f) Install a raised medium island, signage and line marking on Black Hill Road on approach to the entry to the site to Council's requirements, subject to Local Traffic Committee approval.
- g) Place two (2) coat bitumen seal / asphalt on new works.
- h) Construct drainage works as necessary.
- i) Install reduce speed signage 50 metres to the east of the Meredith Road and Black Hill Road intersection (on the western approach).

## **19. Road – Fees**

The applicant shall lodge payment of fees as follows:-

- a) Road fees - engineering plan checking
- b) Road fees – PC certification of works

Final fee amounts will be levied on accurate dimensions contained within the engineering plans.

The fees shall be payable prior to the issue of a *CC / Section 138* for the Construction Works and shall be in accordance with Council's adopted fees and charges current at the time of payment.

## **20. Stormwater – Detailed Design Requirements**

A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property, and connection to the existing drainage system in accordance with Council's 'Engineering Guidelines for Design and Construction' (available at Council's offices). Such layout shall include existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development.

The plans submitted in association with the *CC* application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a *CC*.

## **21. Stormwater – Detention Requirement**

The person having the benefit of the Development Consent is to provide a stormwater detention facility within the boundaries of the site to reduce the peak stormwater discharge from the developed lot to that of the peak stormwater discharged from the undeveloped lot for all storm events from the 1 in 1 year to the 1 in 100 year Average Recurrence Interval (ARI) storm event. A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property. Details shall include onsite storage, the method of controlled release from the site, and connection to an approved drainage system in accordance with Council's 'Engineering Guidelines for Design and Construction'.

Detailed plans, specifications and copies of the calculations, including existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development, shall be prepared by an engineer suitably qualified and experienced in the field of hydrology and hydraulics. The plans submitted in association with the *CC* application are to demonstrate compliance with this requirement. The plans are to be approved by the Certifier as satisfying this requirement prior to the issue of a *CC*.



## **PRIOR TO COMMENCEMENT OF WORKS**

**The following conditions are to be complied with prior to the commencement of works on the subject site.**

### **22. Construction and Traffic Management Plan**

The applicant must prepare a Construction Management and Traffic Management Plan incorporating the following matters. The plan must be submitted to and approved by the *PC* as satisfying these matters prior to the commencement of works.

- a) A plan view of the entire site and frontage roadways indicating:
  - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
  - ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
  - iii) The locations of proposed work zones in the frontage roadways.
  - iv) Location of any proposed crane, concrete pump, truck standing areas on and off the site.
  - v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
  - vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
  - vii) An onsite parking area for employees, tradespersons and construction vehicles as far as possible.
  - viii) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
  - ix) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
  - x) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a Chartered Civil Engineer.
- b) During excavation, demolition and construction phases, noise generated from the site must be controlled.
- c) All site works must comply with the work health and safety requirements of SafeWork NSW.

- d) During excavation, demolition and construction phases, toilet facilities are to be provided on site, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.
- e) All traffic control plans must be in accordance with the TfNSW publication *Traffic Control Worksite Manual* and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of six (6) weeks prior to the proposed activity being undertaken.

### **23. Soil and Water Management Plan**

The applicant must prepare a Soil and Water Management Plan, being compatible with the Construction Management and Traffic Management Plan referred to in this Development Consent and incorporating the following matters. The plan must be submitted to and approved by the PC as satisfying these matters prior to the commencement of works.

- a) Minimise the area of soils exposed at any one time
- b) Conservation of top soil
- c) Identify and protect proposed stockpile locations
- d) Preserve existing vegetation. Identify revegetation technique and materials
- e) Prevent soil, sand, sediments leaving the site in an uncontrolled manner
- f) Control surface water flows through the site in a manner that:
  - i) Diverts clean-runoff around disturbed areas
  - ii) Minimises slope gradient and flow distance within disturbed areas
  - iii) Ensures surface run-off occurs at non erodible velocities
  - iv) Ensures disturbed areas are promptly rehabilitated.
- g) Sediment and erosion control measures in place before work commences
- h) Materials are not tracked onto the road by vehicles entering or leaving the site.
- i) Details of drainage to protect and drain the site during works.

### **24. Soil and Water Management Plan Implemented**

The requirements of the Soil and Water Management Plan shall be in place prior to the commencement of demolition works and/or construction works and shall be maintained throughout the demolition and/or construction process.

## **25. S138 Roads Act Approvals**

Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, or public road reserve be required, a S138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The S138 application is to be submitted to, and approved by, Council prior to works commencing.

## **26. Public Liability Insurance**

Any person or contractor undertaking works on public property must take out Public Risk insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within, public property. The Policy is to note, and provide protection for Cessnock City Council as an interested party, and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property. The insurance shall also note the location and the risk.

## **27. Relocation of Services**

The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

## **28. Road - Bonds**

The applicant shall pay the following:

- a) A performance and maintenance bond of a minimum of \$1000 or 5% of the contract construction costs, whichever is greater. To be held by council for a period of 12 months.

It will be necessary for the applicant to submit evidence of the contract price of all construction works in order for Council to assess accurate bond amounts.

The bond shall be payable prior to the issue of a *Section 138* approval.

The bond may be used to meet any costs referred to above, and on application being made to the Council by the person who provided the bond, any balance remaining is to be refunded to, or at the direction of, that person.

A fee in accordance with Council's current fees and charges is to be paid prior to the final inspection of works and subsequent bond return.

If no application is made to the Council for a refund of any balance remaining of the bond within six (6) years of the date of issue of a compliance certificate for the development, the Council may pay the balance to the Chief Commissioner of State Revenue under the *Unclaimed Money Act 1995*.

## **29. Vegetation Removal – Intersection Works**

Prior to commencing construction of the upgraded intersection required by condition No.18 the following must be submitted to and approved by Council's ecologist:

- a) Detailed design of the intersection including identification of all trees for removal and retention. The intersection design must retain and protect the identified hollow bearing tree in accordance with details contained in letter dated 17 May 2024, prepared by EMM Consulting, Ref E211092 – v1) and prioritise the retention of native vegetation where possible.
- b) Identification of the ecosystem and species credits generated by the clearance footprint identified through the detailed design.
- c) Evidence demonstrating the retirement of all credits identified in b) in accordance with the Biodiversity Offset Scheme of the *Biodiversity Conservation Act 2016*.

## **30. Micro-bat Management Plan**

Micro-bat exclusion measures identified in the Micro-bat Management Plan must be undertaken prior to works commencing within the proximity of any identified or assumed Micro-bat roosts. These works must be undertaken outside of bat hibernation periods (May-August).

## **DURING WORK**

**The following conditions are to be complied with during works being undertaken on the subject site.**

## **31. Construction Hours**

Excavation and building works must be restricted to the following hours;

- Monday to Friday – 7.00am to 6.00pm
- Saturday – 8.00am to 1.00pm
- Sunday and Public Holidays – No work to take place

## **32. Erosion and Sediment Controls**

The control of erosion, and the prevention of silt discharge into drainage systems and waterways, will be necessary in accordance with Council's "Engineering Requirements for Development", and Landcom's Soils and Construction Manual - April 2004. Erosion control measures are to be implemented prior to the commencement of any earthworks, and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

### **33. Implementation of Soil and Water Management Plan**

The requirements of the Soil and Water Management Plan must be maintained at all times during the works, and any measures required by the Soil and Water Management Plan shall not be removed until the site has been stabilised.

Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day, any dust/dirt or other sediment shall be swept off the road and contained on the site, and not washed down any stormwater pit or gutter.

The sediment and erosion control measures are to be inspected daily, and defects or system failures are to be repaired as soon as they are detected.

### **PRIOR TO COMMENCEMENT OF OPERATIONS AND ISSUE OF AN OCCUPATION CERTIFICATE**

**The following conditions are to be complied with prior to the commencement of operations and issue of an Occupation Certificate (OC):**

#### **34. Surrender of Development Consent for the Quarry**

Prior to issue of the OC, the Development Consent for the existing quarry (5/1994/80115/3) is to be surrendered.

#### **35. Parking**

Prior to the commencement of operations and issue of the OC, on site car parking must be completed in accordance with the approved development plans.

#### **36. Drainage Works**

All drainage works required to be undertaken in accordance with this consent shall be completed prior to issue of an OC for the development.

#### **37. Completion of all Roadworks**

Before the issue of an OC, the PC must ensure that all approved road, footpath and/or drainage works, including vehicle crossings, have been completed in the road reserve in accordance with Council's S138 Roads Act Approval.

Works-as-Executed plans of the extent of roadworks, including any component of the stormwater drainage system that is to revert to Council, certified by a registered surveyor, together with certification by a qualified practising Civil Engineer, to verify that the works have been constructed in accordance with the approved design and relevant AS, must be provided to Council before the issue of an OC.

The Works-as-Executed plan(s) must show the as-built details in comparison to those shown on the plans approved with the road works permit. All relevant levels and details indicated must be marked in red on a copy of the Council stamped plans.

### **38. Signage**

Before the issue of an OC, all signage detailed in condition no.18 of this consent is to be installed to the satisfaction of the CA and Council.

### **39. Operational Plan of Management**

Prior to the issue of an OC, an updated Operational Plan of Management is to be lodged with the CA for approval to include a "Drivers Code of Conduct" referencing truck movement restrictions (as detailed in condition no. 6 of this consent), and alerting drivers to the importance of safe driving practices to minimise traffic safety issues along Black Hill Road.

## **ONGOING REQUIREMENTS**

**The following conditions are to be complied with as part of the ongoing use of the premises.**

### **40. Cessnock City Wide Infrastructure Contributions Plan 2020 – Heavy Haulage**

A yearly contribution pursuant to the provisions of Section 7.11 of the *EP&A Act 1979* and the Cessnock City Wide Infrastructure Contributions Plan 2020 for the purposes of Traffic Generating Development must be made to Council. The applicant is responsible to providing the yearly tonnage amounts, for incoming and outgoing haulage movements, within 1 week following the end of each financial year. Council will prepare and forward an invoice to the applicant for payment. Calculations will be made with the following formula:

$$\text{Contribution} = T \times L \times R$$

T - tonnage of materials

L - length of haulage route. The length of the haulage route will be 2.167 km. This is calculated from the intersection of John Renshaw Drive to the entry of the facility on Black Hill Drive, Black Hill. The application outlines that 90% of trucks will utilise this haulage route.

R - the base contribution per tonne rate will be \$0.208.

In accordance with the provisions of the Contributions Plan, the per tonne rate will be indexed yearly in accordance with the provisions of the Cessnock City Wide Infrastructure Contributions Plan 2020.

A copy of the *Cessnock City Wide Infrastructure Contributions Plan 2020* may be inspected at Council's Customer Services Section, Administration Building, Vincent Street, Cessnock or can be accessed on Council's website at [www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au).

#### **41. Liaison Committee**

The registered proprietors of the land / operators of the site is to establish a Liaison Committee to oversee the landfill/resource recovery operation and the rehabilitation of the site in accordance with the provisions of this consent. The Liaison Committee is to include the following people and be conducted in the following manner:

- i) Two(2) representatives from the landfill/resource recovery operation;
- ii) Interested Councillor;
- iii) Council officer/s; and
- iv) Two to four (2-4) community members.

The liaison committee is to operate on a six monthly basis at an agreed venue and each meeting will be conducted by an independent convenor or chairperson at the expense of the proprietor who will also be responsible for circulation to the Committee of minutes taken at each meeting.

#### **42. Access Roads**

All access roads shall be maintained in good order for the life of the development.

#### **43. Vegetation Monitoring – Monitoring Bores**

No native vegetation is to be removed for the establishment of monitoring bores and the associated access.

#### **44. Monitoring of Truck Movements**

Records of truck movements associated with the resource recovery facility are to be provided to Council on an annual basis demonstrating compliance with the restrictions on truck movements to 108 trucks per day (54 trucks in and 54 trucks out).

### **ADVISORY NOTES**

#### **A. Responsibility for Other Consents/Agreements**

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.