

Governance.MBisson/BCameron  
Reference: DA2010/X002 & DA2018/01351  
Phone: 4974 2000

3 September 2019

The Secretary  
NSW Department of Planning, Industry and Environment  
GPO Box 39  
**SYDNEY NSW 2001**

Reply by email: [Casey.Joshua@planning.nsw.gov.au](mailto:Casey.Joshua@planning.nsw.gov.au)

Dear Casey

### **MINMI LINK ROAD CONCEPT APPROVAL (MP10\_0090 – MOD4)**

I refer to your email dated 13 August 2019 and I thank you for providing the opportunity for City of Newcastle (CN) to review and comment on the Section 75W application (MOD4) lodged on 24 July 2019 by Dentons Australia Ltd, on behalf of Winten (No. 21) Pty Ltd (Winten), to modify existing conditions 1.16, 1.31, 1.34 and 1.45 of Concept Approval (MP10\_0090 – MOD1).

#### **1. Proposed Modifications**

The CN objects to the proposed amendments to existing conditions 1.16, 1.31, 1.34 and 1.45 of Concept Approval (MP10\_0090 – MOD1) and provides the following advice regarding each condition for the Department's consideration:

#### **Condition 1.16 (Recreation Facilities)**

The purpose of the existing Condition 1.16 (as amended MOD1) is clear, and it is not, as the application for MOD4 would suggest, intended to require resolution of the location of recreation facilities required to service the demand generated by that part of the development located solely within the Newcastle LGA.

The current wording clearly requires the proponent to identify '*the arrangement for provision of recreation facilities to meet demand for development within all stages*' (our emphasis added) of the Concept Approval.

The intent of the current wording for Condition 1.16 is reinforced in the Department of Planning and Environment's (the Department) Assessment Report to the Planning Assessment Commission (PAC) in respect of MOD1. Section 7.1 of the Assessment Report makes the following statements:

*'In its assessment of the original application, the Department recommended the provision of recreation facilities should be based on the proposed development within Stages 3, 4 and 5 only. The Department also noted Lake Macquarie and Newcastle City Councils were satisfied that the active recreation facility needs for Stage 1 (located in Newcastle LGA) and Stage 2 (Lake Macquarie LGA) can be accommodated through existing and proposed facilities in nearby suburbs. The Department therefore considered it was*

*appropriate for the location of the recreation facilities to be identified prior to any development being approved within Stages 3, 4, or 5.'*

*'The Department considers that details of the recreational facilities should be finalised prior to the development of Stages 3, 4, or 5 as:*

- recreational facilities to service the needs of residents in Stage 2 has been accounted for through the Lake Macquarie City Council Development Contributions Plan, Glendale Contributions Catchment - 2015 which will be applied to all future development in the stage;*
- the need for the additional facilities arises from the development of Stages 3 to 5; and*
- the additional recreational facilities would be located in Stages 3 to 5 and the land within Stage 2 is not a suitable location for recreational facilities to service the needs of Stages 3 to 5, as it is within a different LGA and physically isolated from Stages 3, 4, and 5 by Newcastle Link Road.'*

*'The Department's assessment therefore concludes Stage 2 can proceed prior to satisfying the requirement. However, to ensure the location of the recreational facilities (or alternative arrangements) are identified as soon as possible, the Department has modified the timing of the requirement so details are provided within two years from the date of the modified approval or prior to the lodgement of a DA in Stages 3-5, whichever occurs first.'*

It should be noted that the PAC, when determining the MOD1 application, did not concur with Department's recommended wording and further amended Condition 1.16 to require this matter to be resolved *'prior to determination'* of the first development application for Stages 3, 4 or 5.

The Department's third dot point above confirms that the Newcastle Link Road represents a significant physical barrier that will isolate the Lake Macquarie City Council (LMCC) population north of the Newcastle Link Road from the existing and proposed residential areas located to the south of the Newcastle Link Road. The Department's statement is supported and, in our letter to the Department dated 16 April 2019, when commenting on Winten's first 'Request for Locations Agreement' (ADWJ Ref: 239736(3) Rev C dated 15/2/19), we stated:

*'It is also considered that the estimated 3,300 population resulting from the Link Road North (Lake Macquarie LGA) component of the development (DA2087/2018 = 1062 lots) will most likely utilise facilities within the Newcastle LGA due to the major barrier presented by the Newcastle Link Road and the distance from the nearest facilities within the Lake Macquarie LGA (5.5km to Pasterfield complex; 4.9km to Edgeworth complex).*

*We do not believe these distances constitute 'within general proximity' as required by Condition 1.16. Accordingly, this population will place additional pressure on the facilities proposed within the Newcastle LGA and any proposed recreational facilities, including neighbourhood and skate parks, within the Newcastle component of the development needs to identify and account for this additional pressure. If inadequate facilities are provided or if the facilities cannot be provided (due to unsuitability of land), it will have an adverse impact on both LGA's.'*

In a subsequent email to the Department on 8 July 2019 it was confirmed that:

*'the estimated 3,300 head of population in LMCC LGA and north of the Link Road will feel more connected to the community being created around Minmi and will, therefore, disregard the 'invisible' LGA boundary and gravitate to the new recreation facilities proposed within the CN LGA and not to those located in the suburb of Edgeworth, some 5km away. It is also of concern that it seems, according to the amended Winten report, it*

*is now proposed that there will be no local/neighbourhood parks in LMCC LGA to support this same population. Again, we assume these people will seek out their recreation opportunities in our LGA.”*

While a detailed review of the available land within the LMCC LGA, and subject to DA2087/2018, has not been undertaken it is understood that such land is topographically constrained and may not be capable of sustaining large level sites able to accommodate sporting facilities without significant ground surface reshaping and engineering.

However, a significant amount of work has been undertaken in consultation with Winten to determine the minimum infrastructure that is required to be established on lands within the bounds of the Concept Approval and having regard to the developments proposed under the Concept Approval and our Western Corridor Development Contribution Plan 2013 (WCDCP). This information has been provided to the Department and to Winten through responses and discussions during our considerations of the two ‘Requests for Locations Agreements’ submitted by Winten. The scope of such infrastructure is generally reflected in the plans and documentation submitted to CN by Winten (on a without prejudice basis) on 22 July 2019. A copy of the amended sketches received are attached.

Please note that CN has not advised concurrence with the locations or configuration of the identified recreation facilities as there are a number of design, environmental and operation aspects of the proposals that remain unsatisfactory and unresolved.

The WCDCP identifies a minimum of seven local fields to service the increase in population expected from the remaining housing release areas within the Western Corridor development catchment (Newcastle LGA only).

It is important to understand that the WCDCP does not allocate or split the requirement for recreation facilities on a per development site basis. The location of the respective facilities will be chosen having regard to suitable available lands, timing of developments, other site constraints or opportunities, accessibility, surveillance and an assessment of potential impacts on existing communities. Additionally, larger multi-use facilities are preferred due to the economies of scale that such facilities provide. Single field (single-use) options will not be supported.

On 27 August 2019 a meeting was held between relevant staff of CN and LMCC to discuss various ‘across LGA boundary’ issues arising in the vicinity of the Winten proposals. One matter discussed was the provision of recreation facilities to support the Concept Approval. LMCC staff acknowledged that the future population to the north of the Newcastle Link Rd is unlikely to utilise recreation facilities located in Edgeworth or Cameron Park and consensus was reached that the land to be identified in satisfaction of Condition 1.16 should be sufficient to cater for, as a minimum, the future population associated with Stages 3, 4 and 5 of the Concept Approval.

Consensus was also reached at that meeting that staff from both Council’s would commence preparations for a possible agreement between the Council’s for transfer of relevant developer contributions from LMCC’s Development Contributions Plan - Glendale Contributions Catchment - 2015 to CN.

This opportunity to provide further clarity to Condition 1.16 is welcomed and, having regard to the above, we would agree to amended wording for this condition that did not prevent a determination being made in respect of a development application(s) for subdivision within the LMCC LGA but only if the wording was amended to make it explicitly clear that the land that is to be identified for recreation facilities within the CN LGA is to be sufficient to accommodate recreation facilities to support the expected population increase resulting from the

development of Stages 3 to 5 inclusive of the Concept Approval (MP10\_0090) and in consideration of the WCDGP.

If the Department concurs then the suggested amended wording for Condition 1.16 is:

Prior to the determination of the **first** development application for the subdivision of **any part of** Stage 3, 4 and **or** 5 **located within the Newcastle Local Government Area** (whichever occurs first) as defined by the Indicative Staging Plan contained in the Minmi/Link Road Appendix A, Concept Plan Design Guidelines (May 2014), the arrangement for provision of **the following** recreation facilities ~~to meet demand for development within all stages 3, 4, and 5 that are located within the Newcastle Local Government Area~~ including the skate park are to be identified. Suitable land for these facilities is to be identified within the development area, unless alternative arrangements can be made to accommodate these facilities within general proximity to the development site through negotiations with the relevant council(s). The location of the recreation facilities or alternative arrangements are to be submitted to the Director-General **Secretary** for approval prior to determination.

- a) **2 x Full sized rectangular fields (rugby/league), minimum dimension 116m x 68m;**
- b) **2 x Full sized rectangular fields (football) minimum dimension 90m x 65m;**
- c) **2 x cricket ovals overlayed on the rectangular fields (minimum dimension Senior – 70m boundary from centre of the wicket, Junior - 60m boundary from centre of the wicket, and including 1 x turf wicket table (Senior) and 1 x synthetic pitch (Junior));**
- d) **1 x Full sized AFL oval. (Note: AFL Oval may be overlaid over Senior Cricket Oval.);**
- e) **All fields to have a minimum 5m to all sidelines and a minimum 5m separation between fields with a minimum 21m separation between rectangular fields for the turf wicket table (4 wickets);**
- f) **2 x synthetic and 1 x turf practice wickets;**
- g) **Minimum 6 x sealed hard courts (30.5m x 15.25m) with minimum 3.65m between courts and 3.05m to sidelines;**
- h) **Car parking (minimum of 50 spaces for each rectangular field and a minimum of 40 spaces for the six hard courts);**
- i) **Land for supporting infrastructure including amenity building/s, storage, shade structures, access and circulation, spectator areas and seating, furniture etc.; and**
- j) **A skate park.**

It is recommended the use of 'Director-General' is retained to maintain consistency with the definitions provided in Schedule 2 Part A of the Concept Approval and other existing conditions that currently refer to the position of Director-General.

Finally, as was noted in CN's letter to the Department dated 16 April 2019, Condition 1.17 of the Concept Approval requires the proponent to prepare a staging plan that "should have regard to the location of open space, recreation and community facilities for the benefit of the existing and future Minmi / Link Road residents and be within the general proximity of these residents. The plans are to identify where contributions are to be delivered as works in kind and / or dedication of land, and must outline management arrangements for land, infrastructure and facilities proposed to be dedicated to a public authority, in accordance with any requirements of that authority. Where land is not accepted by the relevant council the proponent must identify suitable future ownership and management arrangements. For local infrastructure contributions, the nature and level of provision of any facilities is to meet the requirements of the relevant council(s)."

In this regard it is our view that the Secretary should not determine the configuration or location of the recreation facilities without first obtaining the written concurrence of CN as the future land and asset owner.

### **Condition 1.31 (Traffic and Access)**

It is noted that an earlier application (MOD3) to amend Condition 1.31 was lodged by Winten pursuant s75W on 10 January 2018. MOD3 was the subject of multiple submissions made by CN, Roads and Maritime Services (RMS) and Transport for NSW (TfNSW) against the proposed modification. It is noted that the Department's website shows MOD3 remains undetermined.

It is noted that Winten have lodged development applications with CN (DA2018/01351) and LMCC (DA-2087/2018) for subdivision of all their remaining land holdings related to MP10\_0090. Such applications, proposing over 2,000 new allotments, have been lodged without the required micro-simulation traffic modelling contrary to existing Condition 1.31.

It is also noted that Winten have agreed to undertake the required micro-simulation traffic modelling and have engaged a traffic consultant to undertake such modelling with a meeting between Winten, their consultants, the RMS and CN held on 18 January 2019 to scope out the required work.

In the application for MOD4 the applicant states that *'Due to the complexity of the modelling and the significant time it takes, including necessary inputs from RMS, it is not possible to complete within a feasible timeframe with regards to determining the current development applications.'*

It is acknowledged that micro-simulation traffic modelling on the scale necessary to determine the anticipated traffic impacts of large-scale developments and any recommended mitigation measures can be a complex and time-consuming task. It is, however, noted that Condition 1.31 was imposed in the Concept Approval dated 6 August 2013, some 6 years ago, giving the applicant ample time to have undertaken and completed the work in satisfaction of Condition 1.31. The impending Class 1 (LEC) appeals instigated by Winten with respect to DA2018/01351 (CM) and DA2087/2018 (LMCC) are not considered reasonable grounds on which to support the requested amendments to Condition 1.31.

The knowledge to be gained from a comprehensive micro-simulation model that addresses the entire Minmi Link Road Estate and surrounds will be critically important and necessary for the RMS and the respective consent authorities when considering and determining the respective development applications.

It is considered appropriate and important that the micro-simulation modelling is completed and the scope of required upgrading works to the local and classified road network (both existing and proposed roads) including the timing for these works having regard to the proposed staged release of lots is fully understood before the above-mentioned development applications can be determined.

Any proposal to defer the assessment and determination of as yet unknown impacts and potential mitigation measures beyond the determination of a development application and on to the subsequent Construction Certificate, Subdivision Certificate or WAD (RMS) stages of the development is considered to be contrary to s4.15(1)(b) and (e) of the EP&A Act, 1979 which requires that a Consent Authority, when determining a development application, must take into consideration *'the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality'* and *"the public interest"*.

Further, the purpose of all conditions contained with Schedule 2 Part D of the Concept Approval is to identify further environmental assessment requirements to be considered when assessing development applications relating to the concept plan. It is our view that it is inappropriate and perhaps unlawful for any such conditions to fetter the Consent Authority's assessment and determination responsibilities of future development applications under Part 4 of the EP&A Act, 1979.

Consistent with our various submissions to the Department in respect of MOD3, CN remains of the opinion that existing Condition 1.31, imposed by the PAC on 6 August 2013, is sound in its current form and absolutely necessary to aid and properly inform the RMS and the consent authorities of the expected impacts of the development(s) on traffic and access and any necessary measures to satisfactorily mitigate such impacts.

### **Condition 1.34 (Summerhill Waste Management Centre (SWMC) Access)**

In the application for MOD4 the applicant erroneously quotes the term '*garbage removal vehicle*'. It is noted that Condition 1.34 makes no such reference but instead uses the term '*waste removal vehicles*'.

The opinion expressed by the Applicant that this road need only provide for typical weekly kerbside waste collection vehicles is not supported. The Applicant's perception of what constitutes a waste removal vehicle appears based on a very limited view on what constitutes waste and on where that waste may be 'removed' from. It is true that waste is removed from domestic and commercial properties by trucks designed to pick up and empty the mobile garbage bins typically used in those settings. However, waste is also removed from a range of other industrial settings using a range of vehicle types dependent on the types and quantities of waste. Waste is also removed from purpose-built waste transfer stations that are designed to aggregate small waste loads for economic transport to a disposal or processing facility such as the SWMC.

Under the *Protection of the Environment Operations Act 1997* (POEO Act), the term 'waste' is defined very broadly in its Dictionary (see below) and includes a range of surplus or unwanted materials, regardless of whether they can be recycled.

**'waste includes:**

- (a) *any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or*
- (b) *any discarded, rejected, unwanted, surplus or abandoned substance, or*
- (c) *any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or*
- (d) *any processed, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or*
- (e) *any substance prescribed by the regulations to be waste.*  
*A substance is not precluded from being waste for the purposes of this Act merely because it is or may be processed, recycled, re-used or recovered.'*

The *Protection of the Environment Operations (Waste) Regulation 2014* (Waste Reg) further broadens the definition in accordance with paragraph (e) above to include any materials (subject to a narrow range of exclusions) that enter a scheduled waste facility (see below).

- '(2) For the purposes of paragraph (e) of the definition of **waste** in the Dictionary to the Act, the following substances are prescribed to be waste:*

- (a) *any substance that is received by a scheduled waste facility (other than any office supplies, or any plant or vehicles, used or intended to be used at the facility) if the occupier of the facility is required to pay contributions to the EPA under section 88 of the Act and the substance is reasonably capable of being applied to land at the facility by:*
- (i) spraying, spreading or depositing on the land, or*
  - (ii) ploughing, injecting or mixing into the land, or*
  - (iii) filling, raising, reclaiming or contouring the land'*

The current approval for the SWMC does apply a limit on the amount of waste received at the facility (excluding waste generated by emergencies). That limit is 362,000 tonnes per annum. Based on recent operational data, there is scope to increase waste received at the facility by up to 145,000 tonnes per annum under the current approval. The facility's current approval applies no restrictions on waste sources.

It is evident from CN's submissions to the Department during assessment of the Major Project and the Director-General's Assessment Report that CN has consistently advised of our intention to secure an access road between the Link Road and the SWMC capable of use by all vehicles, including heavy vehicles, in support of regional waste initiatives.

The SWMC routinely receives significant amounts of waste removed from outside the LGA via small self-haul loads, domestic kerbside collection vehicles, truck and dog combinations, large articulated vehicles transporting aggregated waste loads from other facilities, heavy plant transporters and other specialised heavy vehicles.

None of these vehicle types are specific to the SWMC and all would be expected to enter and exit any similar scale waste facility. The ability of the alternative access road to provide direct connection from Summerhill to the Newcastle Link Road, and beyond to the M1 Motorway and Hunter Expressway, makes usage of that road by large vehicles a more obvious outcome.

The types of vehicles potentially using an alternative access road were not detailed in CN's submission to the Concept Approval application. This was in part because it appears self-evident, since the nature of activities conducted at any large-scale waste facility implies that a broad range of vehicle types and equipment will require access and egress. We also did not regard the submission as an appropriate forum to articulate all the possible commercial opportunities or strategic plans that might influence traffic loads entering and leaving the facility, or preferred routes for those vehicles or equipment.

Development of an alternative access route between the Newcastle Link Road and the SWMC has long been envisaged by CN and represents a significant benefit to the Newcastle and wider communities due to its positive impacts on the existing approved asset. The road would also benefit users of the facility by provision of suitably designed access and egress for heavy vehicles directly from freeway routes and would benefit residents and road-users along existing road networks, including Thomas Street, Longworth Avenue and Minmi Road (Wallsend).

CN's considerations for the alternative access have been based on the existence of an existing road reserve south of the facility that traverses through the Concept Plan. The existence of this 'paper road' was acknowledged in the Director General's Environmental Assessment Report. Previous preliminary design work undertaken on behalf of CN has indicated that the paper road represented a technically viable route for vehicles likely to access the facility.

It is agreed with the Applicant that a southern access road was discussed in the 'Traffic and access' section of the Director General's Environmental Assessment Report. In considering that matter, the Department acknowledged CN's intent to develop an access road over the existing 'paper road' but considered that there may be Aboriginal heritage or technical design elements that may hinder that route. The Department also acknowledges CN's offer to work

cooperatively with the proponent to identify an alternative road through the proposed development that *'could manage conflicts between heavy vehicles and residential traffic and residents*. It is clear that the Department considered the need for a route outside the road reserve may be triggered by unconfirmed barriers to approval, and if those barriers existed, the Applicant was required to identify how alternative key roads linking Minmi Boulevard and the SWMC have been appropriately designed to accommodate waste removal vehicles through the proposed subdivision in accordance with 'any' requirements of CN.

It is noted that the applicant did not seek any engagement with CN during preparation of the DA documentation for DA2087/2018 and, therefore, CN was unable to relay our *'requirements'* in accordance with existing Condition 1.34. However, as noted in the extracts from CN's submissions to the Concept Plan application and referenced in the application for MOD4, CN has always maintained, and continues to maintain, a willingness to engage with any developer to cooperatively identify a suitable alternative route during preparation of a development application for the Link Road North precinct.

Further, the applicant's request to replace the references to 'Council' in the Condition 1.34 to be "consent authority" is not supported. It is clear that the Department's use of 'Council' was deliberate and is obviously intended to ensure the subject road(s) meet the requirements of the SWMC as an end user. The ability for the Consent Authority to be satisfied that the resulting outcome of Condition 1.34 is generally consistent with the Concept Approval is already provide by the EP&A Act, 1979.

Finally, any failure to accommodate and secure an appropriate traffic route between the proposed Minmi Boulevard and SMFC that satisfies the requirements of CN is considered contrary to the objects of the EP&A Act, 1979 particularly section s1.3(c) and (g).

#### **Condition 1.45 (Bushfire Management)**

The current wording of Condition 1.45 appropriately requires the proponent to prepare a Bushfire Management Plan that demonstrates compliance with the document 'Planning for Bushfire Protection' (PBP) to the satisfaction of the NSW Rural Fire Service (RFS). The RFS is the eminent authority on bushfire threat assessment and planning for New South Wales.

It is considered that the assessment of DA2018/01351 presents an excellent example as to why the current wording of Condition 1.45 is appropriate and necessary.

A Bushfire Management Plan (BMP) was prepared in support of DA2018/01351 and forwarded to the RFS for review to determine if the BMP demonstrated compliance with PBP to the satisfaction of the RFS.

The RFS has, on the basis that they are not satisfied that the Bushfire Management Plan satisfies PBP, on at least two occasions requested further or amending information be provided by the applicant. Most recently the RFS has advised that;

*'As per Condition 1.45 of the concept approval issued by the Minister in 2013, the proposed development is to satisfy the requirements of Planning for Bush Fire Protection 2006. Given that the whole development is based around performance-based solutions to achieve the demonstrated <29kW/m2 radiant heat requirement on residential lots, the NSW RFS considers the Subdivision BAL Plan being approved prior to the BFSA being issued fundamental in order to demonstrate compliance with Planning for Bush Fire Protection 2006.'*

It is noted that the applicant, in their MOD4 application, disagrees with the advice given by the RFS and considers the RFS's requests for further information to be *'over and above'* what they should be required to present in order to demonstrate compliance with PBP.

On 7 August 2019 the RFS advised CN that *'The NSW RFS has been in frequent contact with the bush fire consultant for the application, who has advised that the masterplan is still in production, and will be forwarded to Council, to be issued to the NSW RFS, over the coming weeks.'*

The above advice suggest that had the applicant provided the RFS with the final masterplan layout and the associated Subdivision BAL Plan then it is likely the RFS would have advised satisfaction as required by Condition 1.45, as has recently occurred with DA2087/2018 in the LMCC LGA.

As is proposed in the application for MOD4, the deletion of the requirement that the BMP be *'to the satisfaction of the RFS'* would remove all *'checks and balances'* provided by the RFS which, in this instance, would have obviously resulted in the non-compliant BMP, as originally submitted by the applicant, being received without any avenue for review or rejection by the RFS.

It should be noted that CN does not have any staff qualified to assess compliance with PBP when considering development applications for subdivision as all such applications are required be assessed and a Bush Fire Safety Authority issued by the RFS pursuant to s100B of the *Rural Fires Act, 1997*.

## **2. Legal proceeding**

As you are aware, Winten (No. 21) Pty Ltd lodged a development application (DA2018/01351) with CN on 3 December 2018 seeking consent for *'Demolition of dwelling, 5 into 962 lot subdivision including roads, open space, stormwater, utilities and bulk earthworks'* (the development) on land described as 144 and 177 Woodford Street, Minmi.

On 18 January 2019 Winten filed a Class 1 Appeal with the Land and Environment Court (LEC) against the deemed refusal of DA2018/01351 pursuant s 8.7 of the *Environmental Planning and Assessment Act* (EP&A Act), 1979.

DA2018/01351 is scheduled for a contested hearing in the LEC commencing 30 September 2019 and all of the work undertaken by CN for the Court, including contentions raised in respect of Conditions 1.16, 1.31, 1.34 and 1.45, has been based on the existing conditions of the Concept Approval.

Further, CN has made application to the LEC to be joined as a party in the Winten v LMCC proceedings (DA2087/2018) in respect of Condition 1.34 of the Concept Approval.

It is also understood that the RMS have also sought to join both proceedings in respect of Condition 1.31 of the Concept Approval.

In this regard, we request that any considerations or determinations made by the Department or Independent Planning Commission have regard to the possible implications for these ongoing court proceedings.

If you have any questions in relation to our response to proposed conditions 1.16, 1.31, and 1.45 above please contact Brian Cameron, Senior Development Officer (Engineering) on (02) 4974 2637 or [bcameron@ncc.nsw.gov.au](mailto:bcameron@ncc.nsw.gov.au); or Steven Masia, Development Engineering Team Coordinator on (02) 4974 2054 or [smasia@ncc.nsw.gov.au](mailto:smasia@ncc.nsw.gov.au).

Should you have any questions in relation to the proposed condition 1.34 please contact Troy Uren, Manager Waste Services on 4974 6606 or [turen@ncc.nsw.gov.au](mailto:turen@ncc.nsw.gov.au) .

Yours faithfully

A handwritten signature in black ink, appearing to read 'Michelle Bisson', with a stylized flourish at the end.

**Michelle Bisson**  
**MANAGER REGULATORY, PLANNING AND ASSESSMENT**