

## **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (SUBDIVISION)**

1. **FURTHER REMEDIATION AND VALIDATION WORKS (OTHER AEC's)**  
**Prior to the issue of any Construction Certificate (Subdivision or Building) for any works covered by this application the following shall be completed:**
  - a) **Engage a suitably qualified environmental consultant to prepare a Remediation Action Plan (RAP) which details how the site contamination will be remediated and the methodology for ensuring that the site can be validated following remediation. Details of what should be included in the RAP are shown on page 67 and 68 of the Detailed Site Assessment (Ref: 3002452-01/RV01) prepared by SMEC in 2015.**
  - b) **Provide to Council an interim statement from an accredited site auditor engaged by the applicant in accordance with the "Contaminated Sites: Guidelines for the NSW Site Auditor Scheme (2nd Edition)" that provides evidence that:**
    - i. **An appropriate assessment process has been undertaken in preparing the RAP; and**
    - ii. **That if the RAP is implemented in accordance with the consultant's recommendations it is likely that the site will be remediated to the extent that the proposed land uses will be suitable on the site.**

**Nothing in this consent prevents remediation works being carried out prior to the issue of the Construction Certificate (Subdivision) subject to those works being carried out in accordance with an approved Remediation Action Plan.**

REASON: To ensure that any plan to remediate the site is approved by Council prior to works commencing. **(56.01)**

2. **COMPLETION OF REMEDIATION AND VALIDATION OF SITE**  
**Subject to Council accepting the Remediation Action Plan (RAP) required under Condition 1 nothing in this consent prevents remediation works being carried out prior to the issue of the Construction Certificate (Subdivision) subject to those works being carried out in accordance with the approved RAP.**

**Following completion of the RAP a validation report must be prepared and submitted to the site auditor to allow them to complete the Site Audit Statement.**

**Any subsequent recommendation or conditions contained within the remediation or validation report shall be carried out.**

REASON: To ensure the site is remediated prior to the construction certificate for the subdivision works being released. **(56.01)**

3. **FURTHER INVESTIGATION, REMEDIATION AND VALIDATION WORKS (AEC5)**  
**Prior to the issue of any Construction Certificate (Subdivision) for any works covered by this application the following shall be completed:**
- a) **Engage a suitably qualified environmental consultant to prepare a detailed analysis of the extent and likely source of the cadmium, copper, nickel and zinc concentrations in groundwater at the area identified as AEC5 in the Detailed Site Inspection Report prepared by SMEC and dated 20 July 2015. The concentration of these contaminants at this site exceeds the standards set in the Groundwater Investigation Levels. The results of the investigation are to be detailed in a report to be submitted to Queanbeyan-Palerang Regional Council. In the event that the concentration levels are inconsistent with background levels in ground water at other locations within the South Tralee site, the report shall recommend:**
    - i. **How the point source causing the issue can be remediated;**  
**or**
    - ii. **In the event that a point source cannot be determined, a methodology for managing the groundwater supply to prevent the contamination having impacts on the environment or human health.**
  - b) **Any recommendations resulting from the above mentioned report are to be implemented.**

REASON: To ensure all recommended investigation works are carried out so that any contamination of the site is identified and a remediation plan is in place before construction works proceed. **(56.01)**

4. **SITE AUDIT STATEMENT**  
**Prior to issue of a Construction Certificate (Subdivision) a Site Audit Statement (SAS) and Site Audit Report (SAR) must be prepared by an accredited site auditor and be submitted to Council. The SAS must state that the site has been remediated and validated to allow it to be used for its designated land use.**

**Any recommendations or conditions contained within the SAS must be implemented and evidence of their implementation must be submitted to Council prior to the issue of a Construction Certificate (Subdivision). Any ongoing management conditions will become enforceable under this consent.**

**If the applicant intends to release the subdivision in stages the Site Auditor may issue an SAS for each stage of the development prior to the release of the subdivision certificate for that stage.**

REASON: To ensure construction works only proceed after a Site Audit Statement has been received confirming that the site is capable of being remediated for a future designated land use. **(56.14)**

ADVISORY NOTE: *Although the site audit is a separate process from the investigation and remediation, it is recommended that the site auditor is engaged as soon as possible before the methodology for the next stage of the detailed investigation is developed. Communication between the applicant's environmental consultant and the site auditor from an early stage should ensure that the consultant completes sufficient work to satisfy the site auditor and therefore minimise potential risks for the applicant.*

5. **SUBMIT A CONSTRUCTION MANAGEMENT PLAN**  
**Prior to release of any Construction Certificate (Subdivision) a Construction Management Plan for the management of soil, water, sediment and erosion, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to, and endorsed by Council. The plan must:**
- (a) describe the proposed construction works and construction program and,**
  - (b) set standards and performance criteria to be met by the construction works and,**
  - (c) describe the procedures to be implemented to ensure that the works comply with the standards and performance criteria and,**
  - (d) identify procedures to receive, register, report and respond to complaints,**
  - (e) nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plan, and**
  - (f) incorporate a waste management plan, detailing types of waste generated at all stages of the development and including methods of disposal.**

**In addition, the Construction Management Plan must include an “unexpected finds protocol” to assess potential sources of contamination encountered in the filling on site in untested areas. This should include an asbestos finds protocol in the event that asbestos-based materials are discovered.**

REASON: To ensure that satisfactory measures are in place to provide for environmental management of the construction works and to ensure that in the event of unexpected contaminants being discovered a protocol is in place to deal with the unexpected event. **(56.16)**

## **PRIOR TO COMMENCEMENT**

6. **MANAGING HAZARDS**  
**Prior to the commencement of work the recommendations relating to the long term controls to be implemented to manage hazards caused by bonded asbestos cement deposits throughout the site shall be implemented. These recommendations can be found on page 67 of the South Tralee Detailed Site Investigation prepared by SMEC and dated 20 July 2015 under the subheading Asbestos Hotspots – AEC1, AEC3 and AEC 5.**

REASON: To ensure that hazards from potential contaminating materials across the site are managed prior to, and during the construction phase. **(57.01)**

7. COMPLIANCE WITH LOCAL VOLUNTARY PLANNING AGREEMENT (VPA)  
**Provision of Utility Infrastructure to be carried out in accordance with the South Tralee Essential Infrastructure Planning Agreement Deed executed on 19 June 2018.**

REASON: To ensure developer agreed obligations are met. **(57.01)**

8. PROTECT AND RETAIN HERITAGE ITEMS  
**The two heritage items, the Tralee Woolshed and the Shearer's Quarters – Cookhouse, must be protected by cyclone or chain mesh fencing.**

**The fencing must:**

- (a) Extend around the full perimeter of the heritage items;**
- (a) Be erected prior to commencement of work; and**
- (b) Remain in place until all site works have been completed.**

REASON: To ensure that heritage items are protected from damage during construction. **(57.01)**

9. DEVELOPER CONTRIBUTIONS TO BE PAID  
**At the time of the release of the Subdivision Certificate for this consent any contributions specified under the South Jerrabomberra Local Infrastructure Plan 2018 must be paid to Council in accordance with the provisions of Section 94 (now 7.11) of the *Environmental Planning and Assessment Act 1979*.**

REASON: To provide for the funding of augmentation and provision of services and community facilities. **(57.02)**

10. CONSTRUCTION CERTIFICATE (SUBDIVISION) TO BE ISSUED  
**Prior to the commencement of any stage of subdivision works approved under this development consent a Construction Certificate (Subdivision) must be issued by Council or an Accredited Certifier.**

REASON: To satisfy the requirements of the Environmental Planning and Assessment Act 1979. **(57.05)**

11. SUBMIT NOTICE OF COMMENCEMENT OF SUBDIVISION WORK  
**A Notice to Commence Subdivision Works must be submitted to Council at least two days prior to commencing any subdivision works and nominating Council as the Principal Certifying Authority for the subdivision works.**

REASON: To provide for supervision of the subdivision works. **(57.06)**

Note: A quotation for Council to perform the duties of Principal Certifying Authority for the subdivision works will be provided upon submission of the Construction Certificate (Subdivision) to Council.

12. **SUBDIVISION CONSTRUCTION CERTIFICATE**

**The Construction Certificate (Subdivision) and accompanying engineering design plans and Certification Report must be submitted to Council prior to the commencement of any works for a subdivision stage. Works associated with the subdivision stage shall subsequently be carried out in accordance with the detailed design drawings and specification the subject of the Construction Certificate (Subdivision).**

**The engineering plans must comply with the requirements of Council's South Jerrabomberra Design and Construction Specifications and include the following at subdivision stage-**

- (a) A Certification Report in accordance with Clause DQS.04;**
- (b) This general note - All work must be constructed in accordance with the requirements of Council's South Jerrabomberra Design and Construction Specifications**
- (c) A 45m road corridor over Road 1 at Section 1 and for the future Dunns Creek Road.**
- (d) Stormwater Pollutant objectives of both QPRC and the ACT must be met for Suspended Solids, Sediment, Oil & Grease, litter total Phosphorus & total Nitrogen.**
- (e) Stormwater runoff calculations and design are to be undertaken in accordance with Council's South Jerrabomberra Specification and Handbook of Drainage Design Criteria as well as AR&R 2016.**
- (f) Water Service and Sewer and Sewer Pump Station Code of Australia where applicable.**
- (g) Compliance with the recommendations of the Bushfire Protection Assessment prepared by Australian Bushfire Protection Planners Pty/Ltd issued on 5 October 2017 and Overall Site Plan prepared by Calibre Consulting, Ref: 005-10 issue B dated 28/11/2017.**
- (h) Detailed landscape plans showing a Plant Schedule, plant numbers and species types and their location within road reserves and public spaces where road construction occurs.**
- (i) Submit a geotechnical report detailing the method of treating the impact of the spring located adjacent to test pit 14 as identified in the report prepared by Douglas Partners dated July 2015. This is required as the spring appears to be located within a residential building block and the method of treatment is required to ensure that the site is suitable to contain a dwelling and infrastructure.**

**REASON: To provide design certification of the subdivision works. (57.07)**

13. ERECT A SIGN FOR ANY DEVELOPMENT WORKS

**A sign must be erected and maintained in a prominent position on any site on which work is being carried out;**

- (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.**
- (b) Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours.**
- (c) Stating that unauthorised entry to the work site is prohibited.**

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. **(57.08)**

14. WATER & SEWER COMPLIANCE CERTIFICATE - DESIGN

**Prior to the release of a Construction Certificate (Subdivision) a certificate of compliance in accordance with the *Water Management Act 2000* must be obtained from Council.**

**The application for the certificate of compliance must be accompanied by an electronic copy of the Civil Engineering plans for the design of the water reticulation and sewerage systems, drawn in accordance with Council's *South Jerrabomberra Design and Construction Specifications and the Water Service, Sewer and Sewer Pump Station Code of Australia where it is applicable.***

REASON: To ensure that the hydraulic design is in accordance with the relevant Design and Construction specifications. **(57.12)**

*Note: This water and sewer compliance certificate is only required if the development involves alterations to Council's existing water and/or sewer infrastructure and also involves subdivision.*

15. SUBMIT A TRAFFIC MANAGEMENT PLAN

**Prior to work commencing a Traffic Management Plan for the construction works must be submitted to, and approved by, Council under the provisions of Section 138 of the *Roads Act 1993*.**

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the construction works. **(57.13)**

## **SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION**

16. INSTALL EROSION AND SEDIMENT CONTROLS

**Erosion and sediment controls must be installed on the site and maintained during the construction period in accordance with the detailed erosion control plan complying with the NSW Government (Blue Book) *Managing Urban Stormwater: Soils and Construction Guidelines* prepared and submitted with the Construction Management Plan.**

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. **(58.03)**

17. HOURS OF OPERATION FOR WORKS

**All works associated with the demolition and/or construction of this development must be carried out between the following hours:**

<b>Weekdays:</b>	<b>7.00am to 6.00pm</b>
<b>Saturdays:</b>	<b>8.00am to 4.00pm</b>
<b>Sundays and Public Holidays:</b>	<b>NIL</b>

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. **(58.04)**

**GENERAL CONDITIONS**

18. EXCAVATION NEAR RAIL CORRIDOR

**The applicant shall submit geotechnical advice confirming that during construction or operation the works will have no impact on the stability of the rail corridor land.**

REASON: To ensure the rail corridor is not undermined. **(59.01)**

19. IN ACCORDANCE WITH THE APPROVED PLANS

**The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans as identified in Schedule 1 bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.**

**In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.**

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. **(59.02)**

20. PROVIDE SECURITY FENCING ALONG RAIL CORRIDOR

**The security of fencing along the rail corridor is essential to prevent unauthorised entry. John Holland Rail (JHR) requests that a 1.8m high chain wire fence or similar is required to prevent access.**

REASON: To provide security along rail corridor. **(59.06)**

21. GENERAL TERMS OF APPROVAL

**The development must be carried out in accordance with the General Terms of Approval provided by NSW Office of Environment and Heritage dated 19 March 2018 and attached in Schedule 2 of this consent.**

REASON: To comply with the Office of Environment and Heritage requirements. **(59.08)**

22. GENERAL TERMS OF APPROVAL

**The development must be carried out in accordance with the General Terms of Approval/Bush Fire Safety Authority provided by Rural Fire Service dated 8 February 2018 and attached in Schedule 2 of this consent.**

REASON: To comply with the NSW Rural Fire Service requirements. **(59.08)**

23. STREET NUMBERING

**Street numbering for each new lot must be obtained from Council's Land Information System (LIS) Officer prior to the submission of any application for a Subdivision Certificate.**

REASON: To ensure that each lot has a street number allocated ready for submission to NSW Land and Property Information. **(59.09)**

24. SUBMISSION OF STREET NAMES

**The proposed new street names within the subdivision must be submitted to Council for approval and allocation of street numbers prior to the submission of any application for a Subdivision Certificate.**

**The approved street names are to be indicated on the Survey Plan of Subdivision and provided on road name plates to be installed at the road intersections.**

REASON: To provide street addressing. **(59.10)**

*Note: Council has a list of approved names for subdivision roads which can be obtained by contacting Council's Natural and Built Character section. Any other names will require a written submission to be lodged with Council detailing the origin of the name and the reasons for selection. Proposed names must also comply with the Guidelines for Road Naming prepared by the Geographical Names Board.*

## **CONSTRUCTION OF INFRASTRUCTURE**

25. INTERSECTION DESIGN WIDTHS

**The intersection of Road 1 & Road 3 is to be of sufficient width to incorporate 2 travel lanes in each direction to allow a turning slip lane in each direction to be incorporated into the design and construction.**

**The southern intersection of Road 1/Road 4 is to be of sufficient width to incorporate 2 travel lanes in the south bound direction to allow a left turn slip lane to be incorporated into the design and construction.**

REASON: To ensure road design has ability to evolve as traffic generation from subdivision increases with time. **(67.01)**



26. LAYDOWN AREA FOR ROAD LAW ENFORCEMENT

**A laydown area on the northern side of the sealed road surface of Road 1 is to be constructed as part road construction works. The area is to be a minimum of 5m wide by 15m long and is to be sufficient in area for Police to undertake speed checks and random breath testing.**

REASON: To allow a safe area for law enforcement of road rules. **(67.01)**

27. FLOOD LEVEL FREE BOARD TO PRIVATE LOTS

**All proposed residential lots must be constructed with a 0.5m freeboard above the calculated 1 in 100 year (1%AEP) flood level.**

REASON: To ensure residential lots are not subject to a flood planning. **(67.01)**

28. SEPARATE CONNECTIONS & SERVICES

**A separate sewer connection, stormwater drainage connection, water service, electricity supply, gas and communication service must be provided to each allotment within the subdivision at the Subdivider's expense.**

REASON: To provide access to services for each allotment. **(67.02)**

*Note: The Subdivider is responsible for all public utilities and services in the area of work and as such must notify all relevant Authorities and bear all costs associated with any repairs and/or adjustments as those Authorities deem necessary.*

29. INSPECTIONS – WATER & SEWER AUTHORITY

**Inspections must be performed by the Water and Sewer Authority (Council) in accordance with the South Jerrabomberra Development Construction specifications and when works reach the following stages:**

- (a) immediately prior to connection of new sewer pipes to the existing sewerage system,**
- (b) immediately prior to connection of new water pipes to the existing water reticulation,**
- (c) immediately prior to the backfilling of sewer drainage trenches**
- (d) immediately prior to the backfilling of water supply trenches**
- (e) immediately prior to the back filling of stormwater drainage trenches, and**
- (f) immediately after installation of any on-site stormwater management system.**

**Council's Natural and Built Character section must be given 24 hours notice of the need for these inspections.**

REASON: To ensure that hydraulic services are constructed in accordance with Council requirements. **(67.03)**

*Note: Any inspections carried out by Council do not imply Council approval or acceptance of the works, and do not relieve the Developer from the requirements to provide an Engineering Construction Certificate Report in accordance with Council's Design and Construction Specifications.*

30. WORK IN ACCORDANCE WITH ENGINEERING SPECIFICATIONS  
**All construction and restoration work must be carried out strictly in accordance with the approved drawings and Council's *South Jerrabomberra Design and Construction Specifications*.**

REASON: To ensure construction and restoration work is in accordance with Council's requirements. **(67.05)**

31. PROTECTION OF WORKS ON PUBLIC ROADS  
**Lighting, fencing, traffic control advanced warning signs must be provided for the protection of works and for the safety and convenience of the public, in accordance with Council's *South Jerrabomberra Design and Construction Specifications*.**

**Traffic movement in both directions on public roads and vehicular access to private properties must be maintained at all times, during the currency of the works.**

REASON: To ensure an adequate level of public safety and convenience during construction. **(67.06)**

32. SUBMISSION OF TRAFFIC CONTROL DEVICES PLAN  
**A Traffic Control Devices Plan (TCD) must be submitted to Council for approval by the Local Traffic Committee prior to the installation of any traffic control devices. It must include line-marking and sign-posting.**

REASON: To authorise traffic control devices. **(67.08)**

33. SUBDIVISION (TORRENS) PCA INSPECTIONS  
**The applicant shall engage the services of a suitably qualified Superintendent to supervise the construction of the Subdivision in accordance with Councils CQS – Contract Quality System Requirements Specification.**

**Principal Certifying Authority (PCA) Hold Point Inspections (in accordance with the *South Jerrabomberra Construction Specifications*) shall be undertaken by Council (as the PCA) during the construction of the Subdivision Works.**

REASON: To ensure that all subdivision infrastructure is constructed in accordance with Councils Construction Specifications. **(67.09)**

## **PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE (TORRENS)**

### **34. SAFETY OF HERITAGE ITEMS**

**Before any Subdivision Certificate is issued any works required to make the Tralee Woolshed and Shearer's Quarters – Cookhouse safe be carried out and evidence is submitted to Council to that effect for endorsement.**

REASON: This will ensure that if the long term future of the structures have not been determined by that stage, they will not pose any risk to the public. **(68.01)**

### **35. SUBDIVISION ACCESS**

**Prior to issue of subdivision certificate, all works associated with the Northern Entry Road and access to Tomsitt Drive are to be completed and dedicated to Council.**

REASON: To ensure access is available to the subdivision. **(68.01)**

### **36. HANDOVER OF PUBLIC INFRASTRUCTURE**

**Prior to Issue of Subdivision Certificate Works as Executed drawings, 1% AEP flood levels & velocities for the subdivision, computer models of water, stormwater and sewer infrastructure are to be submitted for all public infrastructure to be dedicated to Council.**

REASON: To provide Council with required information on infrastructure which is being dedicated to it. **(68.01)**

### **37. HERITAGE RECORDING**

**Prior to Issue of Subdivision Certificate (Torrens) an archival oral history recording from Ann Forrest is submitted to Council.**

REASON: To preserve the history of Tralee's heritage. **(68.01)**

### **38. APPLICATION AND FINAL SURVEY**

**An application to obtain a Subdivision Certificate must be made to Council. This must be accompanied by the following documentation:**

- (a) A final survey plan of subdivision and three copies;**
- (b) A letter outlining how compliance with each condition of this development consent has been achieved; and**
- (c) Engineering Construction Certificate Report in accordance with specifications.**

REASON: To ensure works are completed in accordance with the requirements of the Council and to comply with Section 109 of the *Environmental Planning and Assessment Act 1979*. **(68.02)**

39. STATEMENT FROM SURVEYOR

**Upon the completion of subdivision works and prior to the issue of any Subdivision Certificate a statement prepared by a registered surveyor, must be submitted to the Principal Certifying Authority stating that all water, sewer and stormwater pipelines are completely located within their easements.**

REASON: To ensure works are completed in accordance with Council's requirements. **(68.03)**

40. WATER & SEWER COMPLIANCE CERTIFICATE - SERVICE

**Prior to the release of a Subdivision Certificate, a certificate of compliance in accordance with the *Water Management Act 2000* must be obtained from Council.**

REASON: To ensure compliance with Section 109 of the *Environmental Planning and Assessment Act 1979*. **(68.04)**

*Note: This certificate is required regardless of any other water and sewer compliance certificate previously obtained, and regardless of whether the development involved alterations to Council's infrastructure.*

41. SUBMISSION FROM SERVICE AUTHORITY

**Prior to the issue of any Subdivision Certificate written evidence from the relevant service authority or a suitably accredited person that satisfactory arrangements have been made for the supply of reticulated electricity, natural gas, telephone services and fibre-ready facilities to each lot must be submitted to Council.**

REASON: To satisfy relevant utility authority requirements. **(68.05)**

*Note: Under the Telecommunication Act 1997 fibre-ready facilities for a subdivision is passive infrastructure such as underground ducting or "pit and pipe" or poles that is designed and installed close enough to all individual lots and/or premises so as to enable fibre to be readily connected.*

42. SUBDIVISION WORKS DEFECTS LIABILITY PERIOD - BOND

**The completed subdivision works are subject to a six months defects liability from the date of the issue of the relevant Subdivision Certificate.**

**The Subdivider must:**

- (a) Lodge a cash bond with Council with regard to the defects liability period in an amount as calculated from fees set by Council's Management Plan and current at the time of issue of the Subdivision Certificate; and**
- (b) Submit written authorisation that in the event of any defect not being rectified to the standards specified in Council's South Jerrabomberra Design and Construction Specifications Council may enter the subject land and undertake rectification work and deduct the cost thereof from such Bond monies held by Council and to refund the balance, if any, to the Subdivider.**

**During the defects liability period the Subdivider will be liable for any part of the subdivision works which fail to perform in the manner outlined in Council's South Jerrabomberra Design and Construction Specifications (or as would reasonably be expected under the design conditions).**

REASON: To ensure works are completed in accordance with Council's requirements. **(68.06)**

43. CERTIFICATION OF LOT SERVICING

**Prior to the issue of any Subdivision Certificate certification from a person licensed by the NSW Office of Fair Trading to perform works in accordance with the requirements of the *Local Government (Water, Sewerage and Drainage) Regulations 1993*, AS 3500 National Plumbing and Drainage Code and the New South Wales Code of Practice – Plumbing and Drainage that the lots are independently serviced in respect of water, sewerage and drainage and that all prior connections across the proposed lots have been capped off must be submitted to Council.**

REASON: To achieve independent servicing to each lot. **(68.07)**

## TITLE RESTRICTIONS

### 44. EASEMENTS AND RESTRICTIONS

**Pursuant to Section 88B of the *Conveyancing Act 1919* easements and restrictions as to use shall be created to achieve the following purposes:**

- (a) All requisite sewerage easements;**
- (b) Drainage easements shall be created over all existing and proposed drainage lines including inter-allotment drainage;**
- (c) All easements specified below and contained in the subdivision must benefit Council as well as particular lots;**
  - (i) easements to drain water,**
  - (ii) easements to drain sewer,**
  - (iii) easements for water supply,**
  - (iv) 45m wide Dunns Creek Road Corridor,**
  - (v) easements which Council may require to provide or maintain other services, and**
- (d) Easements are to be created for any existing electrical infrastructure and must benefit Essential Energy;**
- (e) Where more than one service (e.g Sewer and Storm Water) are within a service easement the easement shall be not less than 3.5m wide.**

REASON: To ensure public utility services, access and restrictions are legalised over the land. **(70.02)**

### 45. DEDICATION TO COUNCIL

**All drainage reserves and roads must be dedicated to Council and shown as such on the Subdivision Survey Plan.**

REASON: To permit Council to adequately manage reserves, drainage and utility services, and to provide legal access to lots. **(70.04)**

## ENVIRONMENTAL

### 46. COMPLIANCE WITH GEOTECHNICAL INVESTIGATION REPORT

**Works associated with the development must comply with recommendations of the Geotechnical Report prepared by Douglas Partners dated 10 July 2015 and the Salinity Investigation and management Plan prepared by Douglas Partners dated 30 June 2015.**

REASON: To ensure works are undertaken in accordance with geotechnical recommendations. **(76.01)**

47. CHECKING FOR CONTAMINATED FILL LEAVING THE SITE

**All waste material, including soil, that is proposed to be removed from the site must be sampled, analysed for contaminants of concern, and subjected to formal waste classification assessment. Written evidence that the material has been disposed of to an approved landfill site must be submitted to Council prior to the issue of any Subdivision Certificate.**

REASON: To ensure excess fill removed from the site is disposed of lawfully. **(76.01)**

48. IMPORTED FILL TO BE FREE FROM CONTAMINANTS

**All fill imported on to the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site must also be compatible with the existing soil characteristic for site drainage purposes.**

**Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:**

- i. **Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material or the known past history of the site where the material is obtained; and/or**
- ii. **Sampling and analysis of the fill material should be conducted in accordance with the EPA Sampling Design Guidelines (1995) to ensure that the material is not contaminated.**

REASON: To ensure fill material is within acceptable standards. **(76.01)**

49. ASBESTOS REMOVAL AND DISPOSAL

**Asbestos material found on the site must be removed and disposed of in accordance with the *Work Health and Safety Act 2011*, and the NSW WorkCover Guidelines.**

**Asbestos material must be disposed of to a landfill site approved for that purpose by the Environmental Protection Authority of NSW or equivalent authority in the ACT. Written evidence that the material has been disposed of to the approved landfill must be submitted to the Principal Certifying Authority.**

REASON: To ensure the proper disposal of asbestos material. **(76.07)**

## **PLUMBING AND DRAINAGE**

### **50. POTABLE WATER BOOSTER PUMP STATION PROVISION**

**The supply and installation of a potable water booster pump station at the low level reservoir is to be provided within the Integrated Water Cycle works Stage A.**

**The booster pump station is to be a permanent provision with electrical generator back up provision.**

REASON: To ensure all intermediate water supply zone lots have an adequate supply during the initial stage of works and that the network has a permanent redundancy to service both low intermediate and high level lots during reservoir maintenance without compromising the continuity of the development's water supply. **(80.01)**

### **51. WATER SERVICE MAIN PROVISION ACROSS ROAD 1**

**A water supply tie, minimum of 100mm is to be provided across Road 1 into the proposed village centre precinct. The line across the road is to be installed within a conduit / sleeve in accordance with the Water Service Code of Australia and is to be terminated with a duckfoot hydrant.**

REASON: To ensure that all water service road crossings are provided at time of construction of the access road. **(80.01)**

### **52. SEWER SERVICE PROVISION ACROSS ROAD 1**

**The sewer service main crossing Road 1 that is to serve the future proposed village centre precinct is to be installed within a conduit / sleeve in accordance with the provisions of the Sewerage Code of Australia.**

REASON: To ensure all service main road crossings to sub arterial roads are constructed at time of road construction. **(80.01)**

### **53. LOT SERVICING**

**Each lot within the subdivision shall have a storm water and sewer tie serving the lowest point within the lot, each tie is to be capped and pegged.**

REASON: To ensure that 100% of the lot is able to gravitate to the tie installed to service the lot. **(80.01)**



## **NOTE**

### **ESSENTIAL ENERGY**

**Essential Energy makes the following general comments:**

- (1) As part of the subdivision, easements are to be created for any existing electrical infrastructure. The easements are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. Refer to Essential Energy's Contestable Works team for requirements;**
- (2) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;**
- (3) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;**
- (4) Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions;**
- (5) In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity to the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to infrastructure*;**
- (6) Prior to carrying out any works, a "Dial before you Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the *Electricity Supply Act 1995 (NSW)*;**
- (7) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around the powerlines to understand their safety responsibilities. SafeWork NSW ([www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assests*. (81.01)**

## Appendix A – Satisfactory Arrangements Certification



Planning &  
Environment

IRF18/1920

Mr Peter Tegart  
General Manager  
Queanbeyan-Palerang Regional Council  
PO Box 90  
QUEANBEYAN NSW 2620

RECEIVED IN Records Queanbeyan-Palerang Regional Council	
11 MAY 2018	
Document No.	IRF18/1920
File No.	
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Dear Mr <sup>Peter</sup>Tegart

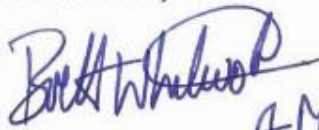
I refer to Council's request seeking satisfactory arrangements certification for developer application DA 395-2017. The subject land is located in the South Jerrabomberra Urban Release Area.

The Department has reviewed the development application with respect to clause 6.1 of the *Queanbeyan Local Environmental Plan (South Tralee) 2012*, and I hereby certify that satisfactory arrangements have been made for the developer to contribute towards the provision of designated State public infrastructure.

Please find attached a satisfactory arrangements certificate for DA 395-2017.

Should you have any further enquiries about this matter, please contact Lee Jegou, Senior Planning Officer, Infrastructure Contributions and Agreements at the Department of Planning and Environment on 8217 2024.

Yours sincerely

  
4 May 2018

**Brett Whitworth**  
Acting Deputy Secretary  
Planning + Design

Encl: Satisfactory Arrangements Certificate for DA 395-2017



## Secretary's Certificate

### Satisfactory Arrangements for designated State public infrastructure

#### Development Application DA 395-2017

In accordance with the provisions of *clause 6.1* of the *Queanbeyan Local Environmental Plan (South Tralee) 2012* I, Brett Whitworth, Acting Deputy Secretary, Planning + Design, as delegate for the Secretary of the Department of Planning and Environment, certify that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to:

Development application number:	DA 395-2017
Address:	Lot 1-6 DP1007339, Lot 181 DP754912, Lot 226 DP665411, Lot 4-6 DP130629, Lot 1 DP1140653, 360A and 360B Lanyon Drive, Tralee NSW 2620.
Development application description:	Subdivision for 318 residential lots, 10 superlots and residue land for open spaces, drainage and public roads.
Map at Attachment A:	Yes

**Brett Whitworth**  
Acting Deputy Secretary  
Planning + Design

(as delegate for the Secretary)

4 May 2018

Date:

*\*this satisfactory arrangements certificate is being issued in relation to the above development application only.*

**Secretary's Certificate**  
**Satisfactory Arrangements for designated State public  
infrastructure**  
**Development Application  
DA 395-2017**  
**Attachment A**



## Schedule 1 – List of Plans

The development is to be carried out in accordance with the following plans and documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

### Architectural Drawings

Drawing No.	Title	Prepared by	Dated
Tralee Land – Stage 1 Package	Title Sheet	Tract	26.06.18
0216-0623-00 R005 -0			
0216-0623-00 R005 -1	Stage 1 Block Details Plan (South)	Tract	26.06.18
0216-0623-00 R005 -2	Stage 1 Block Details Plan (North)	Tract	26.06.18
0216-0623-00 R005 - 3	Stage 1 Lot Mix Plan (South) – RED Amended sportsfield deleted	Tract	26.06.18
0216-0623-00 R005 - 4	Stage 1 Lot Mix Plan (North)	Tract	26.06.18
0216-0623-00 R005 - 5	Stage 1 Zone Plan (South)	Tract	26.06.18
0216-0623-00 R005 -6	Stage 1 Zone Plan (North)	Tract	26.06.18
0216-0623-00 R005 - 7	Stage 1 Orientation (South)	Tract	26.06.18
0216-0623-00 R005 -8	Stage 1 Constraints Plan (North)	Tract	26.06.18
0216-0623-00 R005 -9	Stage 1 Constraints Plan (South)	Tract	26.06.18
0216-0623-00 R005 -10	Overall Site Plan	Tract	26.06.18
0216-0623-00 R005 -11	Stage 1 – Lot Size Plan	Tract	26.06.18

### Landscaping Plan

Drawing Number	Title	Prepared by	Dated
0216-0623 01 DA 000	Sheet 1 of 1	Tract	19.02.18
0216-0623 01 DA - 101	General Arrangement plan – Sheet 1 of 3	Tract	27.06.18
0216-0623 01 DA - 102	General Arrangement plan – Sheet 2 of 3 RED Amended sportsfield deleted	Tract	27.06.18
0216-0623 01 DA - 103	General Arrangement plan – Sheet 3 of 3	Tract	27.06.18
0216-0623 01 DA	Planting Palette	Tract	19.02.18

- South Tralee Residential Area and Northern Entry Road (Cultural Heritage Archival Recordings), dwelling and woolshed, Navin Officer, October 2015
- South Tralee Residential Area and Northern Road (Cultural Heritage Archival Recordings) –Tralee Homestead, SQC Architecture, January 2016
- Report on Tralee Homestead and Woolshed, Eric Martin, 22 July 2013
- Statement of Environmental Effects – South Tralee Stage 1 Subdivision submitted on 9 November 2017

## Schedule 2 – General Terms of Approval

*All communications to be addressed to:*

Headquarters  
15 Carter Street  
Lidcombe NSW 2141

Headquarters  
Locked Bag 17  
Granville NSW 2142

Telephone: 1300 NSW RFS  
e-mail: records@rfs.nsw.gov.au

Facsimile: 8741 5433



The General Manager  
Queanbeyan-Palerang Regional Council  
PO Box 90  
QUEANBEYAN NSW 2620

Your Ref: 395-2017  
Our Ref: D17/4613  
DA17121310836 AJ

**ATTENTION:** Chelsea Newman

8 February 2018

Dear Madam

**Integrated Development for 1-6//1007339, 181//754912, 226//665411, 4-6//130629 & 1//1140653 - 360a & 360b Lanyon Drive, Tralee NSW 2620**

I refer to your letter dated 5 December 2017 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

1. The development proposal is to generally comply with the plan prepared by Calibre Consulting titled Overall Site Plan, Ref: R005-10 issue B dated 28/11/2017.

### **Asset Protection Zones**

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

2. In accordance with section 88B of the 'Conveyancing Act 1919', temporary Asset Protection Zone 50 metres wide along the south-western aspect of the lots in the Stage 1 precinct and to the south-west of the Village Centre are to be lawfully obtained. Temporary Asset Protection Zones shall remain until the commencement of the Stage 2 subdivision works. The 88B instrument shall require the APZs are created and maintained as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and NSW Rural Fire Service's document 'Standards for asset protection zones'.



3. In accordance with section 88B of the 'Conveyancing Act 1919' a restriction to the land use shall be placed on all lots located within 100 metres of the adjoining E2 - Environmental Conservation zone land to ensure the long term management of the vegetation within each lot to the standard of an Inner Protection Area as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and NSW Rural Fire Service's document 'Standards for asset protection zones'.
4. A temporary positive covenant, pursuant to the relevant section of the 'Conveyancing Act 1919' shall be placed on the land within Stage 2 requiring that this land is managed by slashing/grazing to maintain a maximum grass height of 150mm during the designated Bushfire Danger Period (1st October - 31st March or as prescribed). The positive covenant may be extinguished upon commencement of any future residential development on the land, but only if the hazard is removed as part of the proposal.

#### **Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

5. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

#### **Access**

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

6. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.
7. Temporary "T" turning heads shall be provided at the terminus of the 'dead-end' roads located along the south-western edge of the Stage 1 precinct. The turning heads shall be designed to provide 11m x 4m 'legs, measured from the centre of the approaching leg. Internal corners shall have a radius of 6 metres.

The intent of measures for fire trails is to provide suitable access for fire management purposes and maintenance of APZs. To achieve this, the following conditions shall apply:

8. Fire trails shall comply with section 4.1.3 (3) of 'Planning for Bush Fire Protection 2006'.

#### **Design and Construction**

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:



9. A restriction to the land use pursuant to section 88B of the 'Conveyancing Act 1919' shall be placed on all lots within 100m of the woodland hazard and 50m of unmanaged grassland vegetation requiring that future dwellings be constructed to the relevant Bushfire Attack Level (BAL) under table 2.4.2 of AS3959-2009 'Construction of buildings in bushfire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

#### **Landscaping**

10. Any landscaping to the site, including street tree planting and public recreation areas is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

#### **General Advice – consent authority to note**

This approval is for the subdivision of the land only. Any further development application for class 1,2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under section 79BA of the EP & A Act and address the requirements of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Anna Jones on 1300 NSW RFS.

Yours sincerely



Amanda Moylan

**Team Leader Development Assessment & Planning**

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au) and search under 'Planning for Bush Fire Protection, 2006'.



Office of  
Environment  
& Heritage

DOC17/508596-17  
IDA No. 395-2017

MJ Thompson  
Portfolio General Manager – Natural and Built Character  
Queanbeyan-Palerang Regional Council  
PO Box 90  
Queanbeyan NSW 2620  
via email: [council@gprc.nsw.gov.au](mailto:council@gprc.nsw.gov.au)

Attention: Chelsea Newman

Dear Mr Thompson,

**GENERAL TERMS OF APPROVAL**

**Integrated Development Application No 395-2017**  
**Subdivision for 318 residential lots, 10 superlots and residue land for open spaces,**  
**drainage and public roads at 360A and 360B Lanyon Drive, TRALEE NSW 2620**

I refer to the application and accompanying information provided for the above development received by the Office of Environment and Heritage (OEH) on 8 December 2017. This application was referred to OEH as integrated development under section 91 of the *Environmental Planning and Assessment Act 1979* as it will impact Aboriginal objects.

After reviewing additional information provided to us on 13 February 2018, we advise that an Aboriginal Heritage Impact Permit (AHIP), under section 90 of the *National Parks & Wildlife Act 1974*, can be issued subject to conditions.

The general terms of approval (GTAs) for this proposal are provided at Attachment A. These conditions must be incorporated into any development consent Queanbeyan-Palerang Regional Council grants for this proposal.

These general terms relate to the development and associated footprint as proposed in the documents and information currently provided to OEH. These terms may not apply if either the applicant or council alter the development and associated footprint. If this occurs prior to consent, OEH must be consulted to determine whether our general terms need to be modified to ensure that all Aboriginal Cultural Heritage values have been considered.

If you have any questions, or wish to discuss this matter further please contact Sarah Robertson on (02) 6229 7088.

Yours sincerely

ALLISON TREWEEK 12/3/18  
Senior Team Leader, Planning – South East  
Regional Operations Division

Attachment A – General Terms of Approval for IDA 395-2017

PO Box 733 Queanbeyan NSW 2620  
11 Farrer Place Queanbeyan NSW  
Tel: (02) 6229 7188 Fax: (02) 6229 7001  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## **ATTACHMENT A - GENERAL TERMS OF APPROVAL FOR IDA 395-2017**

### **Administrative conditions**

#### **Information supplied to OEH**

Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the integrated development application IDA No 395-2017 received by OEH on 8 December 2017;
- the Statement of Environmental Effects prepared by Elton Consulting, dated 9 November 2017 relating to the development.

### **Aboriginal cultural heritage conditions**

- No harm can occur to any Aboriginal objects within the South Tralee residential subdivision development area unless an Aboriginal Heritage Impact Permit (AHIP) has been issued by OEH.
- The applicant must comply with the conditions of any AHIP that is issued by OEH.
- The applicant must ensure that all persons involved in actions or works covered by an AHIP (whether employees, contractors, sub-contractors, agents and invitees) are made aware of, and comply with, the conditions of any AHIP.
- The applicant must submit a new Aboriginal Heritage Impact Permit (AHIP) application to OEH for the Stage 1 subdivision of South Tralee urban release area. The application must include;
  - a) An Aboriginal Cultural Heritage Assessment Report that is specific to the Stage 1 subdivision of South Tralee urban release area;
  - b) A description of the Aboriginal consultation undertaken in accordance with OEH requirements, specific to the Stage 1 subdivision of South Tralee urban release area;
  - c) A detailed AHIP area map showing the Stage 1 subdivision of South Tralee urban release area development footprint and how it relates to impacts on Aboriginal objects;
  - d) Detail on the management and protection for any Aboriginal objects/ sites;
  - e) The provision of a salvage methodology for those Aboriginal objects that may be recommended to be collected and relocated;
  - f) Detail on the long term management of any salvaged objects;
  - g) An outline of the process that will be followed for continuing consultation with the Aboriginal stakeholders and OEH, where required; and
  - h) An outline of how the conditions of the AHIP will be managed and adhered to during the operational life of the development activities.