

Annexure 'A'

Documents:

Document Title.	Version No.	Prepared By.	Dated
Stage 2 Aboriginal Cultural Heritage Report (ACHAR) v3.1	v.3.1	Navin Officer Heritage Consultants Pty Ltd	08/07/2022
Wombat Burrow Survey and Mapping report, Estate 2 South Jerrabomberra		GrassRoots Environmental	10.10.2021
Detailed Site Investigation Report	Project 46162.45 November 2022 Revision 1	Douglas Partners	21/11/2022

Plans:

Plan No. and Title	Revision No.	Drawn By.	Dated
Civil Drawings			
CA000 Coversheet	Revision D	spiire	18/10/2022
CA002 Zoning Plan	Revision C	spiire	18/10/2022
CA005 General Arrangement Plan	Revision E	spiire	3/11/2022
CA060 Staging Plan	Revision G	spiire	29/11/2022
CX713 Staging Plan Revised Stage 2a		spiire	12/12/2022
CA100 Street Hierarchy Plan	Revision E	spiire	21/10/2022
CA160 Path Network Plan	Revision D	spiire	18/10/2022

CA200 Grading Plan	Revision D	spiire	18/10/2022
CA280 Slope Analysis Plan – Existing	Revision D	spiire	18/10/2022
CA290 Slope Analysis Plan – Proposed	Revision D	spiire	18/10/2022
C320 Drainage Concept Master Plan	Revision D	spiire	18/10/2022
CA420 Sewer Concept Master Plan	Revision D	spiire	18/10/2022
CA500 Water Concept Master Plan	Revision D	spiire	18/10/2022
CA600 Utility Concept master Plan	Revision D	spiire	18/10/2022

Annexure 'B'

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA.2021.1284

Development:

- i. the concept approval for the staged subdivision of land at 360A Alderson Place, Tralee NSW 2620 for residential purposes (**residential subdivision**), and
- ii. stages 1 and 2 of the residential subdivision, being the subdivision of the part of the land identified as Lot 126 DP 1269436 to create 161 residential lots (as amended by Schedule 2, Condition 3), 1 open space lot detention basin, 3 open space lots, 2 residue lots and associated roads, infrastructure and landscaping.

Site: Lot 126 DP 1269436 and part Lot 189 DP 1272220;

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 23 December 2022

Date from which consent takes effect: Date of determination.

The conditions of consent are as follows:

Schedule 1 – Concept plan conditions;

Schedule 2 - Stage 1 and 2 conditions;

Schedule 3 – Agency GTAs

Schedule 1**Concept approval conditions****1. APPROVED DEVELOPMENT AND PLANS**

1.1. The development is to be carried out in accordance with the approved plans and documents including the following:

Concept Plans			
Title / Description	Prepared by	Issue/Revision & Date	Date received by Council
308747 CA000 Coversheet	spiire	Revision D 18/10/2022	19/10/2022
308747 CA002 Zoning Plan	spiire	Revision C 18/10/2022	19/10/2022
308747 CA005 General Arrangement Plan	spiire	Revision E 3/11/2022	4/11/2022
308747 CA060 Staging Plan	spiire	Revision G 29/11/2022	2/12/2022
308747 CX713 Staging Plan Revised Stage 2a	spiire		12/12//22
308747 CA100 Street Hierarchy Plan	spiire	Revision E 21/10/2022	27/10/2022
308747 CA120 Typical Cross Section – Sheet 1	spiire	Revision B 11/03/2022	19/10/2022
308747 CA121 Typical Cross Section – Sheet 2	spiire	Revision C 11/03/2022	19/10/2022
308747 CA 122 Typical Cross Section – Sheet 3	spiire	Revision D 18/10/2022	19/10/2022
308747 CA160 Path Network Plan	spiire	Revision D 18/10/2022	19/10/2022

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308747 CA200 Grading Plan	spiire	Revision D 18/10/2022	19/10/2022
308747 CA280 Slope Analysis Plan – Existing	spiire	Revision D 18/10/2022	19/10/2022
308747 CA290 Slope Analysis Plan – Proposed	spiire	Revision D 18/10/2022	19/10/2022
308747 C320 Drainage Concept Master Plan	spiire	Revision D 18/10/2022	19/10/2022
308747 CA420 Sewer Concept Master Plan	spiire	Revision D 18/10/2022	19/10/2022
308747 CA500 Water Concept Master Plan	spiire	Revision D 18/10/2022	19/10/2022
308747 CA600 Utility Concept master Plan	spiire	Revision D 18/10/2022	19/10/2022
Supporting Plans & Reports			
Stage 2 Aboriginal Cultural Heritage Report (ACHAR) v3.1	Navin Officer Heritage Consultants Pty Ltd	v.3.1 08072022	11/07/2022
ASIRF (Site Impact Recording Forms)	Navin Officer Heritage Consultants Pty Ltd		11/07/2022
Concept Biodiversity Development Assessment Report (BDAR)	Eco Logical	Version 3.v1 Project No. 216897 Dated 16/03/2022	26/05/2022
Concept BDAR Spatial Data	Eco Logical		28/03/2022
Concept Landscape Masterplan	spiire	April 2021	3/05/2021

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Statement of Environmental Effects- Concept DA	elton consulting	V1.5	11/11/2021
Preliminary Site Investigation Report	Douglas Partners	Project 46162.27 October 2020 Revision 1	7/07/2021
Gas Layout	Zinfra	03.06.21	7/07/2021
Wombat Burrow Survey and Mapping report, Estate 2 South Jerrabomberra	GrassRoots Environmental	10.10.2021	13./10/ 2022
Detailed Site Investigation Report	Douglas Partners	Project 46162.45 November 2022 Revision 1	21/11/2022

except as modified by any of the following conditions of consent.

- 1.2. Where there is inconsistency between the conditions of the consent and the approved documents, the conditions of the consent apply to the extent of the inconsistency.
- 1.3. Where there is inconsistency between one or more approved documents, the later document applies to the extent of the inconsistency with an earlier one.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

2. Development Not Included in this Consent

- 2.1. This consent does not include approval for proposed Lots 158 and 159. The land encompassed by these unapproved lots shall be open space with no dwelling entitlement in order to retain the high value tree located on the land.
- 2.2. This consent does not authorise the carrying out of development of any part of the site, other than that part which is the subject of stages 1 and 2 of the concept subdivision, and for which consent is granted for physical subdivision works to create 159 lots.

Reason: To prevent the undesirable removal of high value trees and clarify the scope of the consent in the context of the staged development proposal.

3. Conditions apply to all stages of the concept approval

The conditions in this Schedule 1 apply to subsequent stages except to the extent that they are expressly varied by the conditions in Schedule 2 of this consent or by express conditions in a consent for a subsequent stage of the development.

4. General Terms of Approval

The development must be carried out in accordance with the General Terms of Approval set out at Schedule 3 of this consent.

SPECIAL CONDITIONS

5. Engineering Plans

- 5.1. All Subdivision Works Certificate applications for each stage of Estate 2 shall have accompanying detailed Engineering Design Plans marked "ISSUED FOR CONSTRUCTION" (PDF, DWG and XML formats), a Certification Report and a Detailed Cost Estimate submitted to the Certifier for assessment and prior to the commencement of any works for a subdivision, or stage of subdivision. If the Subdivision Works Certificate Application is submitted to a non-Council certifier then a separate approval under s.68 of the *Local Government Act 1993* for water, sewer and stormwater from the Council is required.
- 5.2. The engineering plans must comply with the requirements of Council's Design and Construction Specifications and include the following, where applicable to a subdivision stage;
 - a. A Certification Report in accordance with Council's DQS Quality Assurance Design Specification, Clause DQS.04.
 - b. This general note - All work must be constructed in accordance with the requirements of Council's QPRC Design and Construction Specifications.
 - c. Stormwater drainage:
 - i) for all stages other than stage 1, shall be designed and constructed so as to be located directly behind the kerb line, and in accordance with Council's Stormwater Drainage Design and Construction Specifications except where there is a conflict between the stormwater lines and other services and features (such as street lights and trees) and at the intersection of roads. Stormwater lines shall not be located along the centre of road pavements.
 - d. Access and local streets shall be designed and constructed to the standard of a minimum 14mm dense graded Asphalt mix and in accordance with the Construction Specification for ASPHALTIC CONCRETE. As a minimum, a 7mm or 10mm prime seal shall be indicated on the Drawings below the asphalt surfacing.
 - e. Water reticulation shall be designed and constructed in accordance with the requirements specified in Council's Water Reticulation Design and Construction Specifications, and the relevant sections of the Water Reticulation Code of Australia WSA 03-2011.
 - f. Sewerage System Design (including Pump Stations) shall be designed and constructed in accordance with the requirements specified in Council Sewerage System Design and Construction Specification, and the relevant sections of the Sewerage Code of Australia WSA 02-2014 and WSA 04-2022.
 - g. A compliant ADAC XML file is required to be submitted as an accompaniment to the DWG Engineering Design Plans marked "ISSUED FOR CONSTRUCTION" and supporting information including a Detailed Cost Estimate. The ADAC XML data shall align with the corresponding Subdivision Works Certificate construction DWG (and PDF) drawings submitted.

Reason: To ensure design and construction work is in accordance with Council's standards and requirements for asset information data collection.

6. Biodiversity credit obligations

Future Biodiversity Credits for stages 3 - 8 are to be secured before a Subdivision Works Certificate is issued for that stage of the development.

Reason: To ensure the Applicant meets its obligations under the NSW Biodiversity Conservation Act 2016 and Biodiversity Offset Scheme.

7. Creation of Biodiversity Stewardship Site

- 7.1. The portion of the residual E2 zoned land proposed as a Biodiversity Stewardship site, and identified at page 7 in the Concept Biodiversity Development Assessment Report prepared by Ecological Australia (v3) dated 16 March 2022 must be formalised as a final lot under a detailed Stage Development Application.
- 7.2. If the Minister responsible for the *Biodiversity Conservation Act 2016* agrees then, prior to the issue of a subdivision works certificate for the final stage of Estate 2, evidence must be provided from NSW Department of Planning and Environment, Biodiversity and Conservation Division that the Stewardship agreement for the portion of the land identified at page 7 in the Concept Biodiversity Development Assessment Report prepared by Ecological Australia (v3) dated 16 March 2022 between Biodiversity and Conservation Division and the Applicant has been executed by the Applicant;
- 7.3. If the Minister responsible for the *Biodiversity Conservation Act 2016* does not agree to enter into a stewardship agreement for the portion of the land identified at page 7 in the Concept Biodiversity Development Assessment Report prepared by Ecological Australia (v3) dated 16 March then, prior to the issue of a subdivision works certificate for the final stage of Estate 2:
 - 7.3.1. A vegetation management plan for that portion of the land must be submitted to the Council for review and approval; and
 - 7.3.2. An instrument under s 88B of the Conveyancing Act 1919 creating a positive covenant and/or restriction as to user requiring compliance with the approved vegetation management plan must be registered on the title of the lot to be created in accordance with condition 6.1 The 88B instrument must nominate the Council as the only entity that has the right to release, vary or modify the 88B instrument.
- 7.4. The stewardship site or land subject to the vegetation management plan must be maintained in accordance with the stewardship agreement or the registered vegetation management plan.

Reason: To ensure the creation of a final lot for the stewardship site and the execution of the stewardship agreement for the maintenance of the site.

8. Compliance with National Parks and Wildlife Act

The development must be carried out generally in accordance with the general terms of approval issued by Heritage NSW dated 19 July 2022 for known Aboriginal sites which would require an Aboriginal Heritage Impact Permit under the *National Parks and Wildlife Act 1974* attached to Schedule 3 of this consent.

Reason: To protect Aboriginal objects and sites.

9. Compliance with Transport for NSW

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The development must be carried out generally in accordance with conditions by Transport for New South Wales outlined in their advice letter of 10 December 2021 attached to Schedule 3 of this consent.

Reason: To ensure impacts on state-controlled roads are managed.

10. Compliance with Water Management Act

The development must be carried out generally in accordance with the general terms of approval issued by the Natural Resources Access Regulator of 11 October 2022 for development requiring a Controlled Activity approval under the Water Management Act 2000 attached to Schedule 3 of this consent.

Reason: To ensure the protection of waterways.

11. Compliance with Rural Fires Act

The development must be carried out generally in accordance with the general terms of approval issued by NSW Rural Fire Service of 7 February 2022 for development requiring a Bushfire Safety Authority under the *Rural Fires Act 1997* attached to Schedule 3 of this consent.

Reason: To contribute to the provision of designated State public infrastructure.

12. Compliance with Essential Energy requirements

The development must be carried out generally in accordance with the requirements provided by Essential Energy dated 2 December 2021 and attached to Schedule 3 of this consent.

Reason: To reduce safety risks associated with the electricity supply network.

13. Compliance with State Voluntary Planning Agreement

Prior to the issue of a subdivision certificate for any stage of the development, a planning agreement with the Minister for Planning in the terms of the offer made to the Minister by letter dated 18 November 2022 (being SVPA2022-28) must have been entered into and the Developer must provide evidence that obligations under SVPA2022-28 relevant to the stage of development for which a Subdivision Certificate is sought have been fulfilled.

Reason: To ensure compliance with State Voluntary Planning Agreement SVPA2022-28.

14. Compliance with Local Voluntary Planning Agreement

Provision of Utility Infrastructure is to be carried out in accordance with the South Tralee Essential Infrastructure Planning Agreement Deed (Local VPA) executed on 19 June 2018.

Reason: to ensure developer agreed obligations are met.

GENERAL CONDITIONS

15. Maximum dwelling yield

The combined dwelling yield of Estates 1 and 2 as shown on plan 308747 CA000 Coversheet (Rev D) dated 18 October 2022 must not exceed 1,250.

Reason: required for consistency with the Jerrabomberra Neighbourhood Structure Plan, to give effect

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to the representations in the SEE and to ensure maximum lot yield of the urban release area, including the Walsh land, is limited to the maximum capacity of 1,500 dwellings as per the South Tralee Essential Infrastructure Planning Agreement 2019 to ensure suitable vehicular access.

16. Laneways prohibited in road network design

Laneways are not permitted in any stages.

Note: Roads in Stages 1 and 2 are approved for construction. The road layout for all other stages is indicative only and may be changed with the written approval of the Council..

Reason: to prevent unacceptable traffic impacts such as shortcutting and an excess of on-street parking.

17. Imported Fill

17.1. All imported fill delivered to site shall be certified Virgin Excavated Natural Material (VENM) and Excavated Natural Material (ENM) as defined in the Protection of the Environment Operations Act 1997 or the EPA excavated natural material order 2014.

17.2. VENM or ENM certificates for all imported fill are to be retained until the issue of a Subdivision Certificate for the relevant Stage and must be provided to the Council on request.

Reason: Only clean and non-contaminated fill is used on site.

18. Dust Management

Immediately undertake all measures as appropriate, and/or respond to any Council direction to provide dust suppression on roads leading to, adjacent to and within the subdivision construction site in the event that weather conditions and construction traffic are giving rise to abnormal generation of dust.

Reason: To ensure that local residents and activities are not disadvantaged by dust during construction.

19. Unauthorised Use of Public Land

No building materials are to be stored or construction activities undertaken on public or any land adjoining the site without prior written approval from Council.

Reason: To prevent unnecessary disturbance to public land.

20. Work on Adjoining Land Is Limited

The verge and other adjoining lands must not be used for storage of materials, trade/construction vehicle parking or disturbed by construction activities with the exception of;

- a. Installation of a temporary, stabilised construction access across the verge,
- b. Installation of services,
- c. Construction of an approved permanent verge crossing.

Reason: To minimise interference with the verge and its accessibility by pedestrians.

21. Plant and Equipment Noise Control

The noise levels generated at the construction site emanating from plant and equipment shall

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not exceed a level of 50dB(A) above background level when measured for a LAeq 15 minute period at any residence on privately owned land during the hours of operation.

Reason: To reduce the noise nuisance to residents and adjacent neighbours, also to comply with the Protection of the Environment Operations Act 1997 and Regulations.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF SUBDIVISION WORKS CERTIFICATES

22. Contamination

Prior to the issue of any Subdivision Works Certificate:

- 22.1. The recommended remediation actions set out in the Detailed Site Investigation Report (DSI Report) prepared by Douglas Partners (Ref: 46162.45.R.001.Rev1 November 2022) and summarised at page 21 are to be carried out; and
- 22.2. A site audit statement must be obtained from an NSW Environment Protection Authority accredited Site Auditor and submitted to the Principal Certifier. The Site Audit Statement must confirm that the site has been remediated in accordance with the DSI Report and that the site is suitable for the development.

Reason: To protect against risk posed by potential contaminants to human health and the environment.

23. Water and Sewer Certificate of Compliance – Design

Prior to the release of a Subdivision Works Certificate, a Certificate of Compliance for the design of the water and sewer system in accordance with the *Water Management Act 2000* must be obtained from Council.

Reason: To ensure that supply is available, and/or the hydraulic design is in accordance with the relevant specifications.

24. Disposal of Contaminated Material

All contaminated material removed from the site must be disposed of to a licensed disposal facility or as otherwise specified in any remedial action plan. Evidence of the location, date and quantities of material disposed of from any stage of the development must be submitted to Council prior to the issue of a Subdivision Certificate for that stage.

Reason: To ensure that contaminated material removed from the site is disposed of in an environmentally safe manner.

25. Subdivision Works Certificate

- 25.1. A Subdivision Works Certificate Application and accompanying engineering design plans and Certification Report must be submitted to the Certifier prior to the commencement of any works for a subdivision stage.
- 25.2. Except where otherwise permitted by the conditions of this consent, the engineering plans must, comply with the requirements of Council's Design and Construction Specifications and include the following where applicable to a subdivision stage;
 - a. A Certification Report in accordance with Council's DQS Quality Assurance Design Specification, Clause DQS.04,
 - b. This general note – All work must be constructed in accordance with the

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- requirements of Council's QPRC Design and Construction Specifications,
- c. Detailed Pavement design conforming to the procedures set out in Council's Design and Construction Specifications and/or relevant RMS specifications,
- d. ADAC XML data file which shall align with the corresponding Subdivision Works Certificate construction drawings.

Reason: To provide design certification of the subdivision works.

26. Submit a Construction Environmental Management Plan

26.1. Prior to release of any Subdivision Works Certificate a Construction Environmental Management Plan (**CEMP**) for the management of soil, water, vegetation, waste, noise, vibration, dust, hazards and risk for the construction works must be submitted to, and endorsed by the Certifier for that stage. 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 and,
- e. nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the plans.
- f. includes an unexpected finds protocol; and
- g. reflect the recommendations of the Wombat Burrow Survey and Mapping Report, GrassRoots Environmental dated 10 October 2021.

26.2. The CEMP must be kept at the site office from the commencement and for the duration of the proposed works, and must be available to Council officers upon request.

Reason: To ensure that satisfactory measures are in place to provide for environmental management of the construction works.

27. Submit a Soil and Water Management Plan

A Soil and Water Management Plan (**SWMP**) must be prepared as an addition to the CEMP and have a basis of design from Managing Urban Stormwater, Soils & Construction (BlueBook). The SWMP should be updated with subsequent staging of the detailed design and construction packages of work.

Reason: To ensure compliance with best practice sediment and erosion controls during all stages of works.

CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS FOR EACH STAGE

28. Site Identification

The site where building work, subdivision work, or demolition work are proposed to be carried out for each stage shall be identified by a sign sited in a visually prominent position containing the following information;

- the development application number,
- name, address and telephone number of the principal certifying authority,

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- name of the principal contractor (if any) and 24 hour contact telephone number, and
- a statement 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.

29. Traffic Management and Section 138 Consent

29.1. Prior to undertaking any works within a public road reserve or affecting the road reserve, a traffic management plan is to be submitted to and approved by Queanbeyan-Palerang Regional Council under Section 138 of the *Roads Act 1993*.

29.2. Where occupancy of the road reserve is required, a Section 138 application shall accompany the Traffic Management Plan for Local Roads or an approved Road Occupancy Licence (ROL) from Transport for NSW (TfNSW) for State Roads.

Reason: To ensure that works carried out comply with the Roads Act.

30. Sediment and Erosion Control Plan

30.1. A Sediment and Erosion Control Plan (S&ECP) for all site works for a stage, including road works and access, is to be approved by the principal certifying authority prior to work commencing. The plan is to cover all measures to control erosion and sediment transport in accordance with the NSW Landcom publication Managing Urban Stormwater -Soils and Construction (4th Edition 2004- "Blue Book").

30.2. Erosion and sediment controls are to be in place before the disturbance of any soils on the site, and are to be maintained during the works and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site.

- a. divert uncontaminated run-off around cleared or disturbed areas,
- b. erect a silt fence to prevent debris escaping into drainage systems or waterways,
- c. prevent tracking of sediment by vehicles on roads, and
- d. stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

31. Submit Notice of Commencement of Subdivision Work

A notice to Commence Subdivision Works must be submitted to Council at least two (2) 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.

32. Inspection of Hollow Bearing Trees

Hollow bearing trees must be inspected for native fauna prior to work commencing and animals removed by a suitably qualified wildlife handler, when practical and safe to do so. Any hollow sections of the tree should be removed and lowered to the ground with care to be inspected by a suitably qualified wildlife handler. Any native fauna found should be appropriately relocated under supervision of a suitably qualified wildlife handler.

Reason: To protect native fauna.

33. Submit a Tree Management Plan

33.1. A Tree Management Plan (TMP) is to be prepared in accordance with 'Australian Standard 4970-2009 Tree Protection on Development Sites', by a suitably qualified arborist (Minimum AQF Level 5) prior to the commencement of work in the stage(s) where trees are proposed to be retained.

33.2. The TMP must include:

- a. The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) dimensions for retained trees on the subject site and adjacent sites (if applicable);
- b. Tree protection measures in accordance with Australian Standard AS4970-2009;
- c. Trees proposed to be removed (if applicable); and
- d. Scaled maps depicting all of the above.

33.3. TMP protection measures must be implemented prior to the commencement of works, including demolition and tree removal, and remain in place until all site works have been completed unless otherwise specified in the TMP.

33.4. All contractors are to be made aware of the TMP as part of their induction on to site and must comply with it.

Reason: To ensure that tree(s) are protected from damage during construction.

34. Submit a Pink Tailed Worm Lizard Protection and Management Plan

34.1. Prior to any works commencing within 50m of the Potential Retained Pink Tailed Worm-Lizard Habitat as identified in figure 6 of the Concept Biodiversity Development Assessment Report (Version 3) dated 16 March 2022, the applicant must prepare and submit to Council a Conservation Management Plan for the Pink Tailed Worm Lizard – *Aprasia Parapulchella*. The plan must be prepared by a suitably qualified and accredited ecologist and include:

- a. Management measures to avoid, minimise and, where impacts cannot be reasonably avoided, mitigate construction impacts;
- b. Maps showing fences and other infrastructure; and
- c. Provision for public comment on the draft plan.

34.2. The Pink Tailed Worm-Lizard Protection and Management Plan must be implemented.

Note: If it becomes necessary to relocate a Pink Tailed Worm-Lizard, a permit may be required under section 201 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). The applicant must seek the advice of an ecologist if relocation of a Pink Tailed Worm-Lizard is required.

Reason: To address any direct impacts of the development and key threats on the vulnerable species.

35. Wombat management

Prior to works commencing, implement Recommendation 1 of the Wombat Burrow Survey and Mapping Report, GrassRoots Environmental dated 10 October 2021.

CONDITIONS TO BE SATISFIED DURING WORKS FOR EACH STAGE

36. Works to be carried out in accordance with approved plans

36.1. All works associated with the construction for this development must be carried out in accordance with the final or approved plans (as applicable), including the:

- a. Construction Environmental Management Plan
- b. Stormwater Management Plan
- c. Soil and Water Management Plan
- d. Conservation Management Plan for the Pink Tailed Worm Lizard.

37. Hours of Operation for Works

All works associated with the construction for this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing to vary these hours. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays: 7.00am to 6.00pm

Saturdays: 8.00am to 4.00pm

Sundays and Public Holidays: NIL

Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

38. Approval Documents

Keep a copy of all stamped approved plans, specifications and documents on site while work is being undertaken.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

39. Subdivision Principal Certifier (PC) Inspections

39.1. The applicant shall engage the services of a suitably qualified person to supervise the construction of the subdivision works in accordance with Council's CQS - Contract Quality System Requirements Specification.

39.2. The following inspections and/or Hold Points (in accordance with the referenced Council Construction Specification) shall be undertaken during the construction of the subdivision. Works shall not proceed beyond the inspection indicated until the Principal Certifier is satisfied that the requirements of the relevant specification have been met.

39.3. The Project Quality Plan shall include inspection and test plans detailing witness points covering at least the following aspects of the works. Witness points shall be signed off by the site foreman or other person nominated to do so in the Project Quality Plan:

- installation of sediment and erosion control devices,

- site clearing,
- site regrading,
- preservation measures installed for trees and vegetation,
- culvert location and installation including preparation of base, bedding and backfill,
- earthworks including longitudinal drainage and subgrade preparation,
- pavement materials and construction,
- sealing where applicable,
- fencing, signs, guideposts and line markings installation.

39.4. Where Queanbeyan-Palerang Regional Council is the Principal Certifier for the work include as a minimum the following hold points for inspection and release by the Principal Certifier:

- Culvert/drainage line location and bedding,
- Sewer main location and bedding,
- Water main location and bedding,
- Subgrade preparation prior to placement of pavement materials,
- Pavement prior to sealing,
- Final inspection of completed works.

39.5. Release of the above hold points prior to commencement of the next stage of the works will require that the work be acceptable on the basis of a visual inspection by the Principal Certifier and satisfactory test results supplied by the applicant.

Reason: To ensure that all subdivision infrastructure is constructed in accordance with Councils Construction Specifications.

40. Inspections - Water and Sewer Authority

40.1. Inspections must be performed by the Water and Sewer Authority (Council) 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, and
- d. immediately after installation of any on-site stormwater management system.

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

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.

Reason: To ensure that hydraulic services are constructed in accordance with Council requirements.

41. Construction Facilities

Toilet facilities are to be provided at or in the close vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.

Reason: To provide adequate facilities to the work site.

42. Unexpected Finds

The development is to proceed with caution. If any Aboriginal objects are found, work is to stop and the NSW Department of Planning and Environment (DPE) or its successors notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and DPE or its successors are to be notified.

Reason: To ensure objects discovered during construction are protected and notified in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales.

43. Maintenance of Erosion Control Measures

All measures to control erosion and sediment transport are to be maintained during the works in accordance with the NSW Landcom publication *Managing Urban Stormwater - Soils and Construction* (4th Edition 2004- "Blue Book") and for as long as necessary after the completion to prevent sediment and dirty water leaving the site and/or entering the surface water system outside of the site.

Reason: To minimise environmental impact associated with any works & to prevent soil erosion/water pollution.

44. Site Filling / Regrading

Provide a site regrading plan showing existing and finished contours and prepared by an accredited engineering designer for approval by the principal certifying authority before site work commences.

Selected fill is to be placed, under the supervision of an accredited geotechnical engineer, as controlled fill in accordance with AS 2870-1996 Residential Slabs and Footings, as amended.

Fill is to be certified and the site classified. The certifications are to be provided to Council before release of the subdivision certificate.

Reason: To ensure that land is suitable for construction of residential dwellings.

45. Works Sites to be Fenced

A fence must be erected between the development site and public places before commencement of any other work.

Reason: To ensure that an effective barrier is provided to preserve the safety of people and property in public places.

46. Temporary Vehicle Access

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as

required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

Reason: To minimise transfer of soil from the site onto the road pavement.

47. 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 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.

48. Wombat management

Recommendations 2 - 4 of the Wombat Burrow Survey and Mapping Report, GrassRoots Environmental dated 10 October 2021 are to be implemented during the carrying out of works.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE FOR THE RELEVANT STAGE

49. Developer Contributions to be made

Prior to the release of the Subdivision Certificate for any stage of this consent the Applicant must have satisfied its obligations under the South Jerrabomberra Local Infrastructure Plan 2018 to pay contributions or deliver works in kind (or both) in accordance with the provisions of Section 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.

50. Submit a Site Audit Statement

50.1. Prior to the issue of a Subdivision Certificate for any stage of the development, a Site Audit Statement (SAS) and Site Audit Report (SAR) must be prepared by an accredited site auditor and be submitted to Council in respect of that stage. The SAS must state that the site has been remediated and validated to allow it to be used for the intended land use.

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

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 residential and recreational use.

51. Street Lighting

Street Lighting throughout the subdivision and in public spaces must comply with AS/NZS 1158 - Lighting for Roads and Public Spaces.

Reason: To ensure the provision of adequate lighting within the development.

52. LED Street Lighting

Streetlights are to be fitted with LED technology.

Reason: To comply with Council's Sustainable Operations Policy.

53. Repair Damaged Public and Private Property

All damage caused to public and private property during the construction operations and associated activities must be repaired or reinstated prior to the issue of the Subdivision Certificate.

Reason: To ensure that all public and neighbouring private property in the vicinity of the development is maintained in its pre-development condition.

54. Street Numbering

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

Reason: To ensure that each lot has a street number allocated ready for submission to NSW Land Registry Services.

55. Submission of Street/Road Names

55.1. Prior to the issue of a Subdivision Certificate the proposed street names for the new/unnamed road/s must be submitted to and approved by Council and gazetted.

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

Note: Council has a list of approved names for subdivision roads which can be obtained by contacting Council's Environment, Planning and Development 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.

Reason: To ensure compliance with the Roads Act 1993 and the Conveyancing Act 1919.

56. Landscaping Works Completed by an Accredited Contractor

All landscaping must be completed by a Council accredited Category 2 landscape contractor in accordance with the Concept Landscape Masterplan prepared by spiire dated April 2021 (Rev B).

Reason: To help ensure a high standard of landscape works.

57. Statement of Completed Landscape Works

A "Statement of Completed Landscaped Works" form signed by the landscape plan designer and the landscape contractor must be submitted to the Council prior to the issue of the Subdivision Certificate.

Reason: To help ensure a high standard of landscape works.

58. Application and Final Survey

An application to obtain a Subdivision Certificate for any stage of the development must be made to the Council. This must be accompanied by the following documentation;

- a. A final survey plan of subdivision. The final plan of subdivision is to include:
 - i. for roads proposed to be public roads, a statement of intention consistent with s.9 of the *Roads Act 1993* to the effect that such land is intended to be dedicated as a public road
 - ii. for land proposed to be dedicated to the Council as public open space, the words “public reserve” to enable the transfer of that land pursuant to s.49(1) of the *Local Government Act 1993*
 - iii. for land proposed to be dedicated to the Council as a drainage reserve, the words “drainage reserve” to enable the transfer of that land pursuant to s.49(3) of the *Local Government Act 1993*
- b. Any Section 88B instruments required by these conditions of consent,
- c. A report detailing how compliance with each condition of this development consent has been achieved, and
- d. Engineering Construction Certificate Report in accordance with specifications.

Reason: To enable registration of the subdivision and to ensure compliance with conditions of consent. To provide sufficient signed copies of the subdivision plan for Council, the applicant and the NSW Land and Property Information.

59. Statement from Surveyor

Upon the completion of subdivision works for a stage of the development and prior to the issue of any Subdivision Certificate for that stage, a statement prepared by a registered surveyor, must be submitted to the Council stating that all water, sewer, stormwater pipelines and detention wetlands are completely located within their easements.

Reason: To ensure works are completed in accordance with Council's requirements.

60. Water and Sewer Certificate of Compliance - Service

Prior to the release of a Subdivision Certificate for any stage, a Certificate of Compliance in accordance with the *Water Management Act 2000* must be obtained from Council for that stage.

Reason: To ensure compliance with Section 6.14 of the Environmental Planning and Assessment Act 1979.

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.*

61. Electricity Supply

Prior to the Council issuing a Subdivision Certificate for any stage, a Notice of Arrangement (NOA) shall be obtained from the electricity authority which states that satisfactory supply arrangements have been made for the provision of electricity to the lots within that stage.

Reason: Ensures that satisfactory supply arrangements have been made and that all of the lots in the subdivision are suitably serviced.

62. Subdivision Works Defects Liability Period - Bond

- 62.1. This condition applies to any works to be dedicated as public works.

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62.2. The completed works are subject to a six (6) month defects liability period commencing from the date of the issue of the relevant Subdivision Certificate.

62.3. The Subdivider shall;

- a. Lodge a cash bond, insurance bond or bank guarantee with Council as security, 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 public works not being completed or any defect not being rectified to the standards specified in Council's Design and Construction Specifications, Council may enter the subject land and undertake rectification work and deduct the cost thereof from such security held by Council.

62.4. 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 Design and Construction Specifications (or as would reasonably be expected under the design conditions).

62.5. Within 28 days of the end of the Defects Liability Period the Council will refund or release the balance of the security, if any, to the Subdivider.

Reason: To ensure public works are completed in accordance with Council's requirements and any defects can be remedied.

63. Separate Connections and Services

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

Note: The Subdivider may, at their own expense, provide a gas connection to such allotment within the subdivision subject to its availability.

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.

Reason: To provide access to services for each allotment.

64. 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, telephone services and natural gas (if supplied) to each lot the subject of the Subdivision Certificate must be submitted to the Council.

Reason: To satisfy relevant utility authority requirements.

65. Works as Executed Plans of Dedicated Infrastructure

- 65.1. Prior to the issue of a Subdivision Certificate, a Work-as-Executed package must be provided to Council for all works to be dedicated as public works within the stage. This information and engineering data is used to confirm that the works have been constructed in accordance with the consent, indicate relative asset locations and survey alignments while also noting any other approved changes in asset types or construction details that may have occurred during the construction phase when compared to the originally approved design. The final Work-as-

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Executed drawings, reports and digital data shall accurately reflect material types, specifications and other asset-specific information.

- 65.2. The Work-as-Executed package must include:
- a. Marked up and red-lined Council stamped approved engineering plans depicting all new civil infrastructure and assets dedicated to Council,
 - b. An accompanying compliant ADAC XML digital file,
 - c. Other reports and information provided in accordance with the relevant approval(s).

Work as Executed (WAE) Drawing DWG and PDF Files

- 65.3. The presentation and content of Work-as-Executed drawing submissions shall be completed in accordance with Queanbeyan-Palerang Regional Council's Engineering Design and Construction Quality Specifications.
- 65.4. The Work-as-Executed drawings are to be provided to Council in both DWG and PDF file formats being printable to A3 size. The Work-as-Executed plans are to be clearly marked up (red-lined) showing all variations from design including changes to levels, alignments and material types. Drawings are to be clearly stamped "WORKS AS EXECUTED" and noted as the "WAE Version" in the revision title block.
- 65.5. Signed Certifications are to be completed on each and all pages of the submitted drawings by the Registered Surveyor certifying the locational accuracy with regard to physical features and assets, cadastral information, contours, levels and the applicable survey datum information.

Asset Design as Constructed (ADAC) XML Files

- 65.6. A compliant ADAC XML file is required to be submitted as an accompaniment to the Work-as-Executed drawings and package of supporting information. The ADAC XML data shall align with the corresponding Work-as-Executed drawings.
- 65.7. On acceptance of the Work-as-Executed information package, Council will undertake data format and conformance checks of the ADAC XML file to confirm validity and completeness with the accompanying Work-as-Executed drawings. Should significant anomalies, errors or missing information be identified during these checks, the files will be returned to the provider for correction and resubmission, potentially delaying the issue of the Subdivision Certificate and acceptance of assets.
- 65.8. Queanbeyan-Palerang Regional Council require ADAC XML file to be formatted to V5.0 of the ADAC XSD Schema. Refer to <https://www.ipweaq.com/adac> for additional information on preparing a ADAC compliant file submission.

Reason: To provide a record of completed works as accurate asset information.

66. Covenant on the Land

Prior to the issue of a Subdivision Certificate for a stage, the following covenants/easements under section 88B of the *Conveyancing Act 1919* shall be registered on the title of the new lots:

- a) the easements specified below:
 - i. easements to drain water,
 - ii. easements to drain sewage,

iii. easements for water supply.

Such easements must benefit Council as well as particular lots and nominate Council as the person/authority empowered to release, vary or modify restriction or positive covenant numbered in the plan.

- b) A covenant requiring any plantings on each lot to exclude species listed on the regional weed lists.

Reason: To ensure public utility services, access and restrictions are legalised over the land.

67. Dedication to Council

In accordance with clause 10.1.1 of the South Tralee Essential Infrastructure Planning Agreement executed on 19 June 2018 the applicant must dedicate to the Council at no cost any land on which the applicant constructs works for the purpose of South Tralee Essential Infrastructure Planning Agreement – 19 June 2018.

Reason: To permit Council to adequately manage reserves, drainage and utility services, and to provide legal access to lots.

68. Certification of Completed Works

At the completion of works a Certification Report for civil works is to be provided to the Principal Certifier and is to include copies of any approvals outlined in this development consent and report on the current status of environmental restoration and revegetation. All project plans, inspection test plans, and results are to be included in the report. The superintendent of works shall be a Civil Engineer or suitably experienced and accredited Registered Surveyor as set out in Council's Specification.

Reason: To ensure compliance of the works with the terms of the development consent and quality control requirements defects.

69. Battle Axe Lots - Driveway Construction

Where a battle axe allotment is proposed a reinforced concrete driveway shall be constructed between the road providing the point of access to the site and the main body of the proposed lot. The purpose is to ensure a concrete driveway is provided within the battle-axe handle, including its construction over the adjacent Council footway/verge in accordance with QPRC Development Design Specification D13.

Reason: To provide adequate vehicular access for each allotment.

70. Battleaxe Lots

Where a dwelling on a battle axe lot has two street frontages i.e. at the access point to the lot and a second street adjacent to the main body of the lot, the dwelling is to present to the second street frontage adjacent to the main body of the lot.

Reason: To ensure the dwelling presents to the street frontage of the relevant street.

71. Work in Accordance with Engineering Specifications

Except as provided at condition 2 of Schedule 2 of this Consent, all construction and restoration work must be carried out strictly in accordance with the approved drawings and Queanbeyan-Palerang Regional Council's Design and Construction Specifications current as at the date of the grant of the consent for the relevant stage.

Reason: To ensure design, construction and restoration work is in accordance with Council's standards and requirements.

72. 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.

73. Signage

All public domain signs other than signs approved under this consent, required at law or the subject of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, require development consent under separate approvals.

Reason: To ensure that an assessment is undertaken and detailed plans provided to Council.

74. Continuous Maintenance of Signs

The sign/s approved by this consent must be continuously maintained in a structurally sound and tidy manner.

Reason: To ensure that signs do not become derelict or unsightly.

75. Cat Containment Area

75.1. Prior to the issue of any Subdivision Certificate for a stage, a positive covenant in favour of Queanbeyan-Palerang Regional Council is to be registered upon each allotment identifying the lot as being located within a cat containment area and requiring that should cats be kept within the boundaries of the property, the landowner is required to take necessary measures to ensure the animals are unable to roam outside of the property boundary at any time. Queanbeyan-Palerang Regional Council is to be the party empowered to release, modify or vary this restriction. The wording of the Terms of Restriction shall be as follows:

75.2. Wording of Terms of Restriction - Should cats be kept on the land, the Owner/Occupier must take necessary measures to ensure the animals are unable to roam outside of the property boundary at any time.. The party empowered to release, modify, or vary this restriction on the use of the land is Queanbeyan-Palerang Regional Council.

Reason: To ensure that future purchasers of the land are aware of their responsibilities under Council's Cat Containment Policy.

76. Surface Water

Do not re-direct surface water onto adjoining private land. Alterations to the surface contours must not impede or divert natural surface water run-off, so as to cause a nuisance to adjoining property owners or create an erosion or sediment problem.

Reason: Stormwater disposal does not impact on neighbouring properties.

Please Note:

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

Schedule 2

Stage 1 Conditions

1. **APPROVED DEVELOPMENT AND PLANS**

1.1. The development referred to in the application is to be carried out in accordance with the approved plans and documents including the following:

Stage 1 Detail Plans			
306357 CA000 Cover Sheet	spiire	Revision A 18/06/2021	18/06/2021
306357 CA002 Drawing Schedule	spiire	Revision A 18/06/2021	18/06/2021
306357 CA005 General Arrangement Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA020 Existing Services Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA040 Construction Management Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA060 Staging Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA100 Street Hierarchy Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA121 Typical Cross Sections Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA122 Typical Cross Sections Sheet 2	spiire	Revision A 18/06/2021	18/06/2021

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306357 CA123 Typical Cross Sections Sheet 3 (Red amended to remove laneways)	spiire	Revision A 18/06/2021	18/06/2021
306357 CA150 Typical Details – Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA151 Typical Details – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA160 Road Details & Path Network Plan	Spiire	Revision A 18/06/2021	18/06/2021
306357 CA170 Bus Route Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA180 Turning Movements – Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA181 Turning Movements – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA182 Turning Movements – Sheet 3	spiire	Revision A 18/06/2021	18/06/2021
306357 CA183 Turning Movements – Sheet 4	spiire	Revision A 18/06/2021	18/06/2021
306357 CA184 Turning Movements – Sheet 5	spiire	Revision A 18/06/2021	18/06/2021
306357 CA190 Sight Distance Plan – Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA191 Sight Distance Plan – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA192 Sight Distance Plan – Sheet 3	spiire	Revision A 18/06/2021	18/06/2021

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306357 CA200 Grading Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA221 Longitudinal Sections – Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA222 Longitudinal Sections – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA223 Longitudinal Sections – Sheet 3	spiire	Revision A 18/06/2021	18/06/2021
306357 CA224 Longitudinal Sections – Sheet 4	spiire	Revision A 18/06/2021	18/06/2021
306357 CA225 Longitudinal Sections – Sheet 5	spiire	Revision A 18/06/2021	18/06/2021
306357 CA226 Longitudinal Sections – Sheet 6	spiire	Revision A 18/06/2021	18/06/2021
306357 CA227 Longitudinal Sections – Sheet 7	spiire	Revision A 18/06/2021	18/06/2021
306357 CA228 Longitudinal Sections – Sheet 8	spiire	Revision A 18/06/2021	18/06/2021
306357 CA229 Longitudinal Sections – Sheet 9	spiire	Revision A 18/06/2021	18/06/2021
306357 CA230 Longitudinal Sections – Sheet 10	spiire	Revision A 18/06/2021	18/06/2021
306357 CA280 Slope Analysis Plan Existing	spiire	Revision A 18/06/2021	18/06/2021
306357 CA290 Slope Analysis Plan Proposed	spiire	Revision A 18/06/2021	18/06/2021

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306357 CA300 Drainage Catchment Plan – Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA301 Drainage Catchment Plan – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA302 Drainage Catchment Plan – Sheet 3	spiire	Revision A 18/06/2021	18/06/2021
306357 CA310 Drainage Catchment Details	spiire	Revision A 18/06/2021	18/06/2021
306357 CA320 Drainage Concept Master Plan Layout	spiire	Revision A 18/06/2021	18/06/2021
306357 CA321 Drainage Concept Master Plan – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA322 Drainage Concept Master Plan – Sheet 3	spiire	Revision A 18/06/2021	18/06/2021
306357 CA323 Drainage Concept Master Plan – Sheet 4	spiire	Revision A 18/06/2021	18/06/2021
306357 CA400 Sewer Catchment Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA410 Sewer Catchment Details	spiire	Revision A 18/06/2021	18/06/2021
306357 CA420 Sewer Concept Master Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA500 Water Concept	spiire	Revision A 18/06/2021	18/06/2021

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Master Plan – Sheet 1			
306357 CA501 Water Concept Master Plan – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA600 Utility Concept Master Plan	spiire	Revision A 18/06/2021	18/06/2021
306357 CA700 Water Sensitive Urban Design Plan – Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA701 Water Sensitive Urban Design Plan – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
306357 CA800 Environmental Controls Concept Plan – Sheet 1	spiire	Revision A 18/06/2021	18/06/2021
306357 CA801 Environmental Controls – Sheet 2	spiire	Revision A 18/06/2021	18/06/2021
UA001 Block Details Plan	unnamed	Revision A 18/06/2021	18/06/2021
UA002 Lot Mix Plan	unnamed	Revision A 18/06/2021	18/06/2021
UA003 Zoning Plan	unnamed	Revision A 18/06/2021	18/06/2021
UA004 Minimum Lot Size Plan	unnamed	Revision A 18/06/2021	18/06/2021
UA005 Lot Orientation Plan	unnamed	Revision A 18/06/2021	18/06/2021
LA001 Landscape Masterplan (Stage 1 & 2)	spiire	Revision A 18/06/2021	18/06/2021
Supporting Plans & Reports			

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Bushfire Assessment Report	Ember Bushfire Consulting	Ref:JD.26.21.1a	21/05/2021
Concept Biodiversity Development Assessment Report Stage 1 (BDAR)	Eco Logical	V1 Project No. 16897 Dated 17/6/2021	7/7/2021
Tree Assessment Report	envirolinks design	Issue 2 10 September 2020	7/07/2021
Tree Assessment Report – supporting plans	envirolinks design	Job 2046 Plan TA01-TA07 Dated 28/05/2020	7/07/2021
Statement of Environmental Effects Addendum DA01	elton consulting	7/07/2021	7/07/2021
Preliminary Site Investigation Report	Douglas Partners	Project 46162.27 October 2020 Revision 1	7/07/2021
Gas Layout	Zinfra	03.06.21	7/07/2021
Civil Engineering Report	spiire	18.06.2021	7/7/2021
Detailed Site Investigation Report	Douglas Partners	Project 46162.45 November 2022 Revision 1	21/11/2022

except as modified by any of the following conditions of consent.

1.2. Where there is inconsistency between the conditions of the consent and the approved documents, the conditions of the consent apply to the extent of the inconsistency.

1.3. Where there is inconsistency between one or more approved documents, the later document applies to the extent of the inconsistency with an earlier one.

Reason: Development is undertaken in accordance with this consent & is used for the approved purpose only.

SPECIAL CONDITIONS

2. Stormwater drainage

The engineering plans must comply with the requirements of Council's Design and

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Construction Specifications except that portion of Stage 1 as shown as Stage 2a on Staging Plan Revised Stage 2A 306357CX713 which shall be designed and constructed as shown on the Drainage Concept Master Plan 308747 CA320 (Revision D 18.10.22).

3. Removal of lots 158 and 159

This consent does not include approval for proposed Lots 158 and 159. The land encompassed by these unapproved lots shall be open space with no dwelling entitlement in order to retain the high value tree located on the land.

4. General Terms of Approval

The development must be carried out in accordance with the General Terms of Approval set out at Schedule 3 of this consent.

5. Biodiversity Credit Obligations

5.1 The biodiversity credit obligations described in Table 20: Credit summary for impacts to native vegetation that require offsets and Table 21: Credit summary and impacts on threatened species that require offsets in the Biodiversity Development Assessment Report (BDAR) prepared by Eco Logical Australia (V1 dated 17 June 2021) for Stages 1 and 2 of the development, reproduced below, must be met.

The credit obligations described in this condition 5.1 must be secured prior to the release of the Subdivision Works Certificate for Stages 1 and 2 of the development and evidence of this must be documented by the Biodiversity Conservation Trust and provided to Council.

This condition applies only to the approval for the physical works for stages 1 and 2 of the development to create 159 lots.

Table 20: Credit summary for impacts to native vegetation that require offsets

Veg Zone	PCT ID	PCT Name	Vegetation Class	Vegetation Formation	Direct impact	Credit Required
3	1330	<i>Yellow Box - Blakely's Red Gum grassy woodland on the tablelands, South Eastern Highlands Bioregion</i>	Southern Tableland Grassy Woodlands	Grassy Woodlands	0.46 ha	11
4	1093	<i>Red Stringybark – Brittle Gum – Inland Scribbly Gum dry open forest of the tablelands, South Eastern Highlands Bioregion</i>	Southern Tableland Dry Sclerophyll Forests	Dry Sclerophyll Forests (Shrubby sub-formation)	0.07 ha	2

Table 21: Credit summary and impacts on threatened species that require offsets

Species	Common Name	Direct impact	Biodiversity Risk Weighting	Credits Required
<i>Aprasia parapulchella</i>	Pink-tailed Worm Lizard	0.13 ha	2.00	1

6. High Value Trees to be retained

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Existing high value trees identified as Trees 113 and 114 in the Tree Assessment Report (Issue 2) dated 10 September 2020 within the DA site boundary and disturbed area zone are to be clearly marked, protected in accordance with Australian Standard AS4970-2009 and retained.

Reason: To ensure unnecessary removal of high value tree does not occur.

CONDITIONS TO BE SATISFIED DURING WORKS

7. Works to be carried out in accordance with approved plans

7.1. All works associated with the construction for this development must be carried out in accordance with the final or approved plans (as applicable), including the:

- a. Construction Environmental Management Plan
- b. Stormwater Management Plan
- c. Soil and Water Management Plan
- d. Conservation Management Plan for the Pink Tailed Worm Lizard.

8. Hours of Operation for Works

All works associated with the construction for this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing to vary these hours. A written application shall be made to Queanbeyan-Palerang Regional Council if a variation of hours is required.

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public Holidays:	NIL

Reason: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality.

9. Approval Documents

Keep a copy of all stamped approved plans, specifications and documents on site while work is being undertaken.

Reason: Relevant documentation is available for perusal on site by a council officer, for compliance check.

10. Wombat management

Recommendations 2 - 4 of the Wombat Burrow Survey and Mapping Report, GrassRoots Environmental dated 10 October 2021 are to be implemented during the carrying out of works.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE FOR THE RELEVANT STAGE

11. Stormwater Disposal Requirements

- 11.1. All stormwater from the site must be captured and piped to the street gutter/stormwater pit/other via an on-site detention system to limit the discharge from the site to the pre-development rate.
- 11.2. A stormwater management plan demonstrating the maintaining of pre-development runoff flow for both 20% and 1% storm events is required in accordance with Council's D5 Stormwater Drainage Design specification, and provision for onsite stormwater detention (OSD) and water quality in accordance with Council's D7 Erosion Control and Stormwater Management Design specification and corresponding computer modelling.
- 11.3. In-ground Gross Pollutant Traps (GPT) targeting litter are to be installed in accordance with Council's D7 Erosion Control and Stormwater Management Specification.

Reason: To provide satisfactory stormwater management and water quality.

12. Statement of Completed Landscape Works

A "Statement of Completed Landscaped Works" form signed by the landscape plan designer and the landscape contractor must be submitted to the Council prior to the issue of the Subdivision Certificate.

Reason: To help ensure a high standard of landscape works.

SCHEDULE 3 – GENERAL TERMS OF APPROVAL

Conditions provided by NSW Rural Fire Service dated 7 February 2022.

General Conditions

1. The development proposal is to generally comply with the subdivision layout identified on the drawing prepared by spiire numbered 306357CA005, dated 18 June 2021

Asset Protection Zones

The intent of measure is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

2. At the issue of a subdivision certificate and in perpetuity, the entirety of residential lots, road reserves and open space Lot 75 must be managed as an inner protection area in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

When establishing and maintaining an inner protection area, the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2 m above the ground;
- tree canopies should be separated by 2 to 5 m;
- preference should be given to smooth-barked and evergreen trees;
- large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover;
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;

- grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed regularly.

3. At the issue of a subdivision certificate, an easement pursuant to section 88 of the *Conveyancing Act 1919* shall be in place over the 50 metre Temporary Asset Protection Zone depicted in Figure 9 of the Bush Fire Assessment Report by Ember Bushfire Consulting ref: JD.26.21.1a dated 21 May 2021 to ensure the ongoing management of the land to the standard of an inner protection area. The easement may be removed upon removal of the hazard with commencement of future stages.

The name of authority empowered to release, vary or modify any instrument must be Queanbeyan Palarang Regional Council.

Access – Public Roads

The intent of measure is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

4. Access roads must comply with the following requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

General

- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
- all roads are through roads;
- dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;
- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;

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- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating;
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression;
- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - *Fire hydrant installations System design, installation and commissioning*; and Perimeter Roads
- are two-way sealed roads;
- minimum 8m carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is

Non-perimeter Roads

- minimum 5.5m carriageway width kerb to kerb;

- parking is provided outside of the carriageway width;
- hydrants are located clear of parking areas;
- roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m;
- curves of roads have a minimum inner radius of 6m;
- the road crossfall does not exceed 3 degrees; and
- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.

Water and Utility Services

The intent of measure 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.

5. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground;
- where overhead, electrical transmission lines are proposed as follows:

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- lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and
- no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

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 *National Construction Code* must be subject to separate application under section 4.14 of the *Environmental Planning and Assessment Act 1979* and address the requirements of *Planning for Bush Fire Protection 2019*.

Conditions provided by Transport for NSW dated 10 December 2021.

1. Construction Impacts

Prior to commencing the works described in the development for Stage 1, the applicant must provide JHR and TfNSW with a Risk Assessment/Management Plan and detailed Safe Work Method Statements (i.e. specifically relating to impacts on the adjacent rail corridor) for its review and comment.

Reason for condition

To ensure that the proposed development does not have any adverse impact on the rail corridor which is currently subject to discussion for re-opening for rail operations.

2. Excavation in, above, below or adjacent to rail corridors

Prior to commencing the works described in the development for Stage 1, the applicant must consult with and obtain written approval from JHR and TfNSW regarding the works involving penetration of ground to a depth of at least 2m below ground level (existing) within 25m measured horizontally from the relevant rail corridor boundaries.

Reason for condition

To ensure that the proposed development does not have any adverse impact on the rail corridor which is currently subject to discussion for re-opening for rail operations.

3. Stormwater management

Prior to commencing the works described in the development for Stage 1, the applicant must provide TfNSW and JHR with written confirmation and evidence that the post-development flow rates and velocity are no more than pre-development flow rate and velocity into the rail corridor

Reason for condition

To ensure that the proposed stormwater discharge does not have any adverse impact on the rail corridor which is currently subject to discussion for re-opening for rail operations.

4. Use of Cranes and Equipment

In the event of cranes and equipment are used in airspace above the rail corridor the following shall be complied with:

- a) The applicant must submit an application to JHR for approval of TAHE prior to any use of cranes and equipment (Equipment) in the air space over the rail corridor.
- b) The use of crane and equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-1994 Cranes – Safe Use - Concrete Placing Equipment and to the relevant standard and guideline (TfNSW Standard – External Developments T HR CI 12080ST and Department of Planning – Development near Rail Corridors and Busy Roads Interim Guidelines).

Reason for condition

To ensure that the proposed development does not have any adverse impacts on the rail corridor during its construction phase. The applicant is advised to contact JHR's Third party works team via CRN.3rdpartyworks@jhgc.com.au for more information in this regard.

5. Access to the rail land

The applicant must not and must ensure its employees and all other persons do not enter any parts of the rail land during construction and operation unless otherwise permitted in writing in advance.

Reason for condition

Access to any part of the rail land is prohibited unless it is permitted to do so.

6. Fencing

Prior to commencing the works the development for Stage 1, the boundary fencing along the rail corridor must be installed and maintained by the applicant at its costs in accordance with JHR's engineering standards which are available at <http://jhrcrn.com.au/media/2071/crn-cp-511-v1-1.pdf>.

Reason for condition

To prevent unauthorised entry into the rail corridor during construction and operation. The applicant is advised to contact JHR's Third party works team via CRN.3rdpartyworks@jhgc.com.au for more information in this regard.

Conditions provided by Heritage NSW dated 19 July 2022

In accordance with Section 4.47 of the Environmental Planning and Assessment Act 1979, the following general terms of approval are granted:

APPROVED DEVELOPMENT

1. Development must be in accordance with:
 - a. South Jerrabomberra Stage 2 Aboriginal Cultural Heritage Assessment, Version 3.1, Navin Officer Heritage Consultants, 8 July 2022.
 - b. Statement of Environmental Effects Estate 2 Concept Subdivision, Elton Consulting Group, 29 April 2021.

Except as amended by the following general terms of approval:

2. A s.90 Aboriginal Heritage Impact Permit (AHIP) for the proposed works must be sought and granted prior to the commencement of works.
3. The AHIP application must be accompanied by appropriate documentation and mapping as outlined in Applying for an Aboriginal Heritage Impact Permit: Guide for applicants (2011).
4. Consultation with the Aboriginal community undertaken as part of the AHIP application must be in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (2010).
5. The AHIP application must be completed with reference to the requirements of the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011).
6. The AHIP application must include complete records satisfying the requirements of the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010).
7. Long term management of Aboriginal objects must be considered as part of the AHIP application.

Please note that any modification of the above development that will result in changes to Aboriginal cultural heritage impacts must be referred to us to determine whether modification of these general terms of approval is required.

ADVICE

- Heritage NSW notes the Statement of Environmental Effects (SoEE, p.28) does not present the current information about the potential impacts of the proposal on Aboriginal cultural heritage. We recommend this document is not relied upon by Council to provide an accurate summary of the potential Aboriginal cultural heritage

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impacts of the proposal unless it is updated to include the results of the revised ACHAR Version 3.1 (July 2022).

- Any subsequent AHIP application must address the matters detailed in our previous advice (DOC21/995633-33) dated 24 June 2022, specifically in relation to points 5 - 8. We recommend that the ACHAR is reviewed in accordance with Heritage NSW guidelines before submitting the AHIP application.
- Further information about preparing an AHIP application is available on our website: <https://www.heritage.nsw.gov.au/applications/aboriginal-objects-and-places/before-you-apply/>.

ABORIGINAL COMMUNITY CONSULTATION MUST BE MAINTAINED

Consultation with the Registered Aboriginal Parties (RAPs) must be maintained. We recommend updates on the project are provided to the RAPs every 6 months to ensure the consultation is continuous.

Conditions provided by NRAR dated 11 October 2022

TC-G001

Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment—Water, and obtained, for a controlled activity approval under the Water Management Act 2000.

TC-G004

A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA.2021.1284 provided by Council to Department of Planning and Environment—Water.

B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment—Water, must be notified in writing to determine if any variations to the GTA will be required.

TC-G005

- A. The application for a controlled activity approval must include the following plan(s):
- i. Site plans indicating the demarcation of waterfront land, designated riparian corridors, and identifying any areas of encroachments and offsets
 - ii. Detailed civil construction plans;
 - iii. Erosion and sediment control plans;
 - iv. Construction detailed drainage plans;

- v. Construction stormwater drainage outlet plan;
- vi. Construction detailed basin design plans;
- vii. Construction cut and fill cross sections and plan view details of site;
- viii. Construction detailed bulk earthworks plans;
- ix. Landscape Plan

B. The plan(s) must be prepared in accordance with Department of Planning and Environment—Water's guidelines located on the website: <https://www.nrar.nsw.gov.au/how-to-apply/controlled-activities/guidelines-for-controlled-activities>

SCHEDULE 3 – REFERRAL AGENCY ADVICE

ADVISORY NOTES –

Essential Energy

1. Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the affected properties should be complied with.
2. As part of the subdivision for each stage, easement/s are to be created for any existing electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan/s of subdivision. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.
3. 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/s, prior to Council releasing the Subdivision Certificate/s. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision/s, which may include the payment of fees and contributions. Despite Essential Energy not having any safety concerns, there may be issues with respect to the subdivision/s layout, which will require Essential Energy's approval.
4. Any proposed landscaping or tree planting must comply with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
5. In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity to the properties. Any activities within these locations must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the properties encroach on the electricity 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 powerlines to understand their safety responsibilities. SafeWork NSW (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 Assets.