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|---------------------------------|------------------------------------------------------------------------------------------------|
| <b>DATE OF DETERMINATION</b>    | 12 November 2025                                                                               |
| <b>DATE OF PANEL DECISION</b>   | 11 November 2025                                                                               |
| <b>DATE OF PANEL BRIEFING</b>   | 4 November 2025                                                                                |
| <b>PANEL MEMBERS</b>            | Chris Wilson (Chair), Juliet Grant, Grant Christmas, Morgan Broadbent                          |
| <b>APOLOGIES</b>                | John Preston                                                                                   |
| <b>DECLARATIONS OF INTEREST</b> | None ( <i>must include reason for declaration and whether the member participated or not</i> ) |

Papers circulated electronically on 24 October 2025.

#### **MATTER DETERMINED**

PPSSTH-523 – QUEANBEYAN-PALERANG – DA.2025.0303 at 2 Abelia Avenue TRALEE, 223 Alderson Place TRALEE NSW 2620 (Lot 100 DP 1316639, Lot 1 DP 1207483, Lot 2 DP 1001136) – Subdivision to create 191 Torrens title lots, open spaces, associated roads and infrastructure (as described in Schedule 1).

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the listed at item 8 in Schedule 1.

#### **Development application**

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report. Furthermore, the Panel was satisfied that:

- The development application had been considered in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulations.
- A thorough assessment in terms of section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken.
- The proposal is considered appropriate, having regard to the zoning of the site and the applicable provisions of Queanbeyan Palerang Local Environmental Plan (LEP) 2022 where relevant.
- The proposal is generally consistent with the Concept Approval issued (DA.2021.1284) on 23 February 2023 (as modified).
- The preconditions to the grant of consent have been satisfied.
- The proposal is unlikely to result in any unacceptable amenity, environmental, or land use safety impacts subject to the imposition of the conditions of consent as amended.
- Construction impacts can be managed through the imposition of standard construction-related requirements.
- Adequate responses were provided by the Council regarding the mechanism to create APZs and the consideration of the comments received from Canberra Airport which were discussed during the briefing.
- Given the above, the proposed development does not raise any matter contrary to the public interest.

## CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments

- Minor administrative amendments relating to formatting (condition 61)
- Condition 28 - amended to include reference to hollow bearing trees.
- Condition 40 - Haulage truck hours – amended to clarify the extent of haulage truck area to which the condition applies (South Jerrabomberra Precinct).

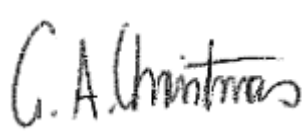
The applicant agreed to the draft conditions, with the above amendments. The final conditions approved by the Panel are contained in Schedule 2.

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- Consideration of the provisions of the EPBC Act 1999 and BDAR requirements.

The Panel considers that concerns raised by the community have been adequately addressed in the Council's Assessment Report and Conditions of Consent as imposed.

| PANEL MEMBERS                                                                                             |                                                                                                          |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| <br>Chris Wilson (Chair) | <br>Juliet Grant       |
| <br>Grant Christmas    | <br>Morgan Broadbent |

| SCHEDULE 1 |                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1          | PANEL REF – LGA – DA NO.                              | PSSTH-523 – QUEANBEYAN-PALERANG – DA.2025.0303                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2          | PROPOSED DEVELOPMENT                                  | Subdivision to create 191 Torrens title lots, open spaces, associated roads and infrastructure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 3          | STREET ADDRESS                                        | 2 Abelia Avenue TRALEE, 223 Alderson Place TRALEE NSW 2620 (Lot 100 DP 1316639, Lot 1 DP 1207483, Lot 2 DP 1001136)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 4          | APPLICANT/OWNER                                       | The Village Building Co. Limited                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5          | TYPE OF REGIONAL DEVELOPMENT                          | General development over \$30 million                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 6          | RELEVANT MANDATORY CONSIDERATIONS                     | <ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</li> <li>State Environmental Planning Policy (Biodiversity &amp; Conservation) 2021</li> <li>State Environmental Planning Policy (Transport &amp; Infrastructure) 2021</li> <li>State Environmental Planning Policy (Resilience &amp; Hazards) 2021</li> <li>Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP 2022)</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>South Jerrabomberra Development Control Plan 2015</li> <li>Queanbeyan Development Control Plan 2015 (part)</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL                      | <ul style="list-style-type: none"> <li>Council Assessment Report: 24 October 2025</li> <li>Written submissions during public exhibition: 1</li> <li>Total number of unique submissions received by way of objection: 1</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8          | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>Final briefing to discuss council's recommendation: 4 November 2025 <ul style="list-style-type: none"> <li><u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, Morgan Broadbent</li> <li><u>Council assessment staff</u>: Ranganathan Ravi, Lachlan Cross, Kylie Coe, Mary Kanung, Adiba Islam, Ben Judge</li> <li><u>Applicant representatives</u>: Will Pearson (Planning Manager, The Village Building Company), Christian Knight (Senior Development Manager, The Village Building Company), Chelsea Corcoran (Associate, Spiire)</li> <li><u>DPHI</u>: Amanda Moylan</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 9          | COUNCIL RECOMMENDATION                                | Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10         | DRAFT CONDITIONS                                      | Attached to the Council Assessment Report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**SCHEDULE 2 – Panel Approved Conditions of Consent**

## RECOMMENDED CONDITIONS OF CONSENT – DA.2025.0303

### APPROVED DEVELOPMENT AND PLANS

#### 1. Plans and documents

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

| Title / Description                                           | Drawing Number  | Prepared by               | Issue/Revision & Date    |
|---------------------------------------------------------------|-----------------|---------------------------|--------------------------|
| <i>Urban Design Plans</i>                                     |                 |                           |                          |
| Block Details Plan                                            | UA001           | Village Building Co       | Revision B, 09 July 2025 |
| Lot Mix Plan Sheet 1                                          | UA002           | Village Building Co       | Revision B, 09 July 2025 |
| Lot Mix Plan Sheet 2                                          | UA002           | Village Building Co       | Revision B, 09 July 2025 |
| Zoning Plan                                                   | UA003           | Village Building Co       | Revision B, 09 July 2025 |
| Minimum Lot Size Plan                                         | UA004           | Village Building Co       | Revision B, 09 July 2025 |
| Lot Orientation Plan                                          | UA005           | Village Building Co       | Revision B, 09 July 2025 |
| <i>Landscaping Plan</i>                                       |                 |                           |                          |
| Landscape Plan                                                | 323444-001      | Spiire                    | Revision A, 30 June 2025 |
| <i>Bushfire Management Plans</i>                              |                 |                           |                          |
| Bushfire Planning Stage NC Bushfire Vegetation Classification | 323444001-BF001 | Ember Bushfire Consulting | Revision A, Undated      |
| Bushfire Planning Stage NC Slope Analysis                     | 323444001-BF002 | Ember Bushfire Consulting | Revision A, Undated      |
| Bushfire Planning Stage NC                                    | 323444001-BF003 | Ember Bushfire Consulting | Revision A, Undated      |
| Bushfire Planning Stage NC Bushfire Attack Level              | 323444001-BF004 | Ember Bushfire Consulting | Revision B, Undated      |
| Bushfire Planning Stage NC Asset Protection Zone              | 323444001-BF005 | Ember Bushfire Consulting | Revision B, Undated      |
| <i>Civil Engineering Plans</i>                                |                 |                           |                          |
| Cover Sheet & Drawing Schedule                                | 323444-001CD001 | Spiire                    | Revision B, 09 July 2025 |
| General Arrangement Plan                                      | 323444-001CD005 | Spiire                    | Revision B, 09 July 2025 |
| Existing Services Plan                                        | 323444-001CD010 | Spiire                    | Revision B, 09 July 2025 |
| Staging Plan                                                  | 323444-001CD015 | Spiire                    | Revision B, 09 July 2025 |

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|                                          |                 |        |                               |
|------------------------------------------|-----------------|--------|-------------------------------|
| Street Hierarchy, Path & Driveway Plan   | 323444-001CD040 | Spiire | Revision B, 09 July 2025      |
| Bus Route Plan                           | 323444-001CD050 | Spiire | Revision B, 09 July 2025      |
| Typical Cross Sections Sheet 1           | 323444-001CD060 | Spiire | Revision B, 09 July 2025      |
| Typical Cross Sections Sheet 2           | 323444-001CD061 | Spiire | Revision B, 09 July 2025      |
| Typical Cross Sections Sheet 3           | 323444-001CD062 | Spiire | Revision B, 09 July 2025      |
| Sight Distance Sheet 1                   | 323444-001CD100 | Spiire | Revision C, 17 September 2025 |
| Sight Distance Sheet 2                   | 323444-001CD101 | Spiire | Revision B, 09 July 2025      |
| Sight Distance Sheet 3                   | 323444-001CD102 | Spiire | Revision B, 09 July 2025      |
| Sight Distance Sheet 4                   | 323444-001CD103 | Spiire | Revision B, 09 July 2025      |
| Sight Distance Sheet 5                   | 323444-001CD104 | Spiire | Revision B, 09 July 2025      |
| Turning Movements Sheet 1                | 323444-001CD120 | Spiire | Revision B, 09 July 2025      |
| Turning Movements Sheet 2                | 323444-001CD121 | Spiire | Revision B, 09 July 2025      |
| Turning Movements Sheet 3                | 323444-001CD122 | Spiire | Revision B, 09 July 2025      |
| Turning Movements Sheet 4                | 323444-001CD123 | Spiire | Revision B, 09 July 2025      |
| Grading Plan                             | 323444-001CD200 | Spiire | Revision B, 09 July 2025      |
| Existing Slope Analysis Plan             | 323444-001CD240 | Spiire | Revision B, 09 July 2025      |
| Proposed Slope Analysis Plan             | 323444-001CD250 | Spiire | Revision B, 09 July 2025      |
| Sewer Catchment Plan Sheet 1             | 323444-001CD410 | Spiire | Revision B, 09 July 2025      |
| Sewer Catchment Plan Sheet 2             | 323444-001CD411 | Spiire | Revision B, 09 July 2025      |
| Sewer Servicing Strategy Plan            | 323444-001CD420 | Spiire | Revision C, 17 September 2025 |
| Portable Water Master Plan Sheet 1       | 323444-001CD450 | Spiire | Revision B, 09 July 2025      |
| Portable Water Master Plan Sheet 2       | 323444-001CD451 | Spiire | Revision B, 09 July 2025      |
| Stormwater Catchment Plan                | 323444-001CD500 | Spiire | Revision B, 09 July 2025      |
| Drainage Servicing Strategy Plan Sheet 1 | 323444-001CD520 | Spiire | Revision B, 09 July 2025      |
| Drainage Servicing Strategy Plan Sheet 2 | 323444-001CD521 | Spiire | Revision B, 09 July 2025      |
| Drainage Servicing Strategy Plan Sheet 3 | 323444-001CD522 | Spiire | Revision B, 09 July 2025      |
| WSUD Asset Keyplan and Details Sheet 1   | 323444-001CD600 | Spiire | Revision B, 09 July 2025      |
| WSUD Asset Keyplan and Details Sheet 2   | 323444-001C601  | Spiire | Revision B, 09 July 2025      |

|                                                                                       |                 |                                    |                                |
|---------------------------------------------------------------------------------------|-----------------|------------------------------------|--------------------------------|
| WSUD Asset Keyplan and Details Sheet 3                                                | 323444-001CD603 | Spiire                             | Revision B, 09 July 2025       |
| Utility Master Plan                                                                   | 323444-001CD610 | Spiire                             | Revision B, 09 July 2025       |
| Shared Trench Typical Detail                                                          | 323444-001CD611 | Spiire                             | Revision B, 09 July 2025       |
| Riparian Corridor Offset Plan                                                         | 323444-001CD620 | Spiire                             | Revision B, 09 July 2025       |
| Soil, Water & Vegetation Concept Management Plan Sheet 1                              | 323444-001CD700 | Spiire                             | Revision B, 09 July 2025       |
| Soil, Water & Vegetation Concept Management Plan Sheet 2                              | 323444-001CD701 | Spiire                             | Revision B, 09 July 2025       |
| <b>Documents</b>                                                                      |                 |                                    |                                |
| South Jerrabomberra Estate 2 Northern Catchment DA Boundary - Offset Credit Liability | N/A             | EcoLogical Australia Pty Ltd.      | 05 August 2025                 |
| Aboriginal Cultural Heritage Assessment Report                                        | N/A             | Navin Officer Heritage Consultants | 08 August 2025                 |
| Bushfire Assessment Report                                                            | N/A             | Ember Bushfire Consulting          | 01 September 2025              |
| Civil Engineering Report                                                              | N/A             | Spiire                             | Revision 03, 18 September 2025 |

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

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

## **SPECIAL CONDITIONS**

### **2. Comply with conditions recommended by Transport for NSW**

Comply with the conditions recommended by Transport for NSW, issued on 27/08/2025, attached under Schedule 1 of this consent. (Insert nonstandard condition)

*Reason: To ensure the development satisfies legislative requirements.*

### **3. Aboriginal Heritage Impact Permit**

A s.90 Aboriginal Heritage Impact Permit for the proposed works must be obtained prior to the commencement of works of any works on site.

*Reason: To ensure the impact of Aboriginal objects or places is suitably managed.*

### **4. Biodiversity Credit Obligations**

- a. Prior to commencement of subdivision works, the class and number of ecosystem credits outlined in Table 1: Credit liability for Impacts in South Jerrabomberra Estate 2 Northern Catchment DA Boundary - Offset Credit Liability, prepared by Ecological Australia, dated 05 August 2025, for the **18** ecosystem credit from 1330 - Yellow Box - Blakely's Red Gum Grassy

Woodland on the tablelands, South Eastern Highlands Bioregion and, must be retired to offset the residual biodiversity impacts of the development.

- b. The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the BAM Credit calculator.
- c. Evidence of retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of the above condition (b) above must be provided to the consent authority prior to issue of a subdivision certificate for the associated development application DA.2025.0270.

*Reason: To ensure development is compliant with relevant legislations and biodiversity conservation.*

#### **5. Comply with the General Terms of Approval issued by NSW Rural Fire Service**

The approved development must be carried out in accordance with the General Terms of Approval provided by NSW Rural Fire Services dated 12 September 2025, attached under Schedule 1 of this consent.

Prior to the issue of a subdivision certificate, a statement prepared by a suitably accredited bushfire consultant, outlining how compliance with each GTA requirement has been achieved shall be submitted to Council to accompany the subdivision certificate application.

*Reason: To ensure compliance with the bushfire requirements.*

#### **6. Comply with the General Terms of Approval issued by DPE-Water**

The approved development must be carried out in accordance with the General Terms of Approval provided by DPE-Water dated 15 August 2025, attached under Schedule 1 of this consent.

Prior to the issue of a subdivision certificate, a statement prepared by a suitably accredited consultant, outlining how compliance with each GTA requirement has been achieved shall be submitted to Council to accompany the subdivision certificate application.

*Reason: To ensure compliance with the legislative requirements.*

#### **7. Canberra Airport Approvals**

Relevant agency approvals must be obtained from Canberra Airport, prior to the issue of Subdivision Works Certificate

*Reason: To mitigate any potential or actual impacts on the penetration of the Canberra Airport OLS limit and PANS-OPS, as per the Airports (Protection of Airspace) Regulations (1996).*

#### **8. Compliance with Local Infrastructure Planning Agreement (section 64)**

The South Tralee Essential Infrastructure Planning Agreement, dated 19 June 2018, must be complied with to ensure developer agreed obligations are met. Details including payment of contributions shall accompany any application for a subdivision certificate (if applicable).

*Reason: To ensure developer agreed obligations are met.*

#### **9. Compliance with Local Contribution Plan**

The South Jerrabomberra Local Contribution Plan 2018, adopted by Council on 13 November 2019, must be complied with to ensure developer agreed obligations are met. Details including payment of contributions shall accompany any application for a subdivision certificate (if applicable).

*Reason: To ensure developer agreed obligations are met.*

#### **10. Compliance with State Contribution Plan**

The South Jerrabomberra State Planning Agreement, executed on 31 March 2023, , must be complied with to ensure developer agreed obligations are met. Details including payment of contributions shall accompany any application for a subdivision certificate (if applicable).

*Reason: To ensure developer agreed obligations are met.*

#### **11. 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*

#### **12. Modification to Previous Consent**

The staging plans approved in Schedule 1 of the consent under DA.2021.1284 are to be amended and modified (pursuant to section 4.24(4) of EP&A Act), in accordance with the "Staging Plan", prepared by Spiire, numbered 323444-001CD015, Revision B, dated 09 July 2025, approved under Condition 1 of this consent.

*Reason: To ensure consistency between different consents on the land.*

### **GENERAL CONDITIONS**

#### **13. Imported Fill**

All fill delivered to site has to be certified Virgin Excavated Natural Material (VENM).

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

#### **14. Inspection of Hollow Bearing Trees**

Any hollow sections of the tree should 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: the tree may have hollows that contain native fauna, including threatened species recorded as occurring in the surrounding region.*

#### **15. Unauthorised Use of Public Land**

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

*Reason: To prevent unnecessary disturbance to public land.*

#### **16. 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.*

## **CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF SUBDIVISION WORKS CERTIFICATE**

### **17. Water & Sewer Compliance Certificate of Compliance - Design**

Prior to the release of a Subdivision Works Certificate, a Certificate of Compliance 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.*

### **18. Subdivision Works Certificate**

The Subdivision Works Certificate Application and accompanying engineering design plans and Certification Report must be submitted to Council prior to the commencement of any works for a subdivision stage.

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) 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.*

### **19. Submit a Construction and Environment Management Plan**

Prior to release of any Subdivision Works Certificate, a Construction and Environment 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, Council. The document must;

- a) Describe the proposed construction works and construction program for all stages, and
- b) Set standards and performance criteria to be met by all stages of the construction works, and
- c) Describe the procedures to be implemented to ensure that all stages of the works comply with the standards and performance criteria, and
- d) Identify procedures to receive, register, report and respond to any complaints, and
- e) Nominate and provide contact details for the persons responsible for implementing and monitoring compliance with the CEMP.

Erosion and Sediment Control Plans (ESCP) shall be provided for each stage of the construction works. The ESCP is a dynamic document that requires Council endorsement prior to the next stage

of construction works or changes to staging of the construction works they relate to.

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

## **20. Engineering Plans for Subdivision Construction**

All Subdivision Works Certificate applications for each stage 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 Council for assessment and prior to the commencement of any works for a subdivision, or stage of subdivision.

The detailed 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. All urban Collector and Local Streets shall be designed and constructed to the standard of a dense graded AC14 asphalt mix and in accordance with the Design Specification for PAVEMENT DESIGN and Construction Specification for ASPHAL TIC CONCRETE. As a minimum, a 7mm prime seal shall be indicated on the Drawings below the asphalt surfacing.
- b. Stormwater drainage shall be designed and constructed to be located generally behind the kerb line, and in accordance with Council's Stormwater Drainage Design and Construction Specifications. Stormwater lines shall not be located parallel under or traversing along the centre of road pavements.
- c. All local roads are to implement Modified Layback Kerbing (MLBK). Any other forms of kerbing will not be accepted.
- d. 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.
- e. Sewerage System Design shall be designed and constructed in accordance with the requirements specified in Council's Sewerage System Design and Construction Specification, and the relevant sections of the Sewerage Code of Australia WSA 02-2014-3.1 and WSA 04-2022.
- f. Final alignment of pedestrian path and crossing within drainage channel, noted on the concept plan.
- 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 is in accordance with Council's standards and requirements for asset information data collection.*

## **21. Contamination**

Prior to the issue of any Subdivision Works Certificate

- i) 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.
- ii) 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.*

## **22. 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*

## **CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS**

### **23. Site Identification**

The site where building work, subdivision work, or demolition work are proposed to be carried out 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,
- 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 70 of the Environmental Planning and Assessment Regulation 2021.*

### **24. Traffic Management and Section 138 Consent**

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*.

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

### **25. Sediment and Erosion Control**

A Sediment and Erosion Control Plan (S&ECP) for all site works, 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")*.

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 as follows:

- (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.*

## **26. 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*

## **27. Inspection and Test Plans**

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 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
- Bitumen sealing where applicable
- Fencing, signs, guideposts and markings installation

**Advice: If Queanbeyan-Palerang Regional Council is nominated Principal Certifying Authority for the work Include as a minimum the following hold points for inspection and release by the Principal Certifying Authority:**

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

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 visual inspection by the Principal Certifying Authority and satisfactory test results supplied by the applicant's Project Superintendent.

*Reason: To ensure that the works are carried in accordance with quality assurance principles.*

## **28. Submit a Tree Management Plan**

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 works.

The TMP must include:

- 1) The Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) dimensions for retained trees on the subject site and adjacent sites (if applicable);
- 2) Tree protection measures;
- 3) Trees proposed to be removed (if applicable); and
- 4) Scaled maps depicting all of the above.
- 5) Any hollow bearing trees identified within the development area are to be inspected and moved to land within the site zoned C2 – Environmental Conservation under the supervision of a qualified arborist (minimum AQF Level 5) prior to commencement of any work. The TMP must include details in relation to the timing and relocation of hollow bearing trees prior to the issue of a Subdivision Works Certificate.

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. All contractors are to be made aware of the TMP as part of their induction on to site.

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

### **29. 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.*

## **CONDITIONS TO BE SATISFIED DURING SUBDIVISION WORKS**

### **30. Hours of Operation for Works**

All works associated with the construction and/or demolition of this development must be carried out between the following hours unless Queanbeyan-Palerang Regional Council agrees in writing. 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.*

### **31. Construction Facilities**

Toilet facilities are to be provided at 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.*

### **32. Unexpected Finds**

The development is to proceed with caution. If any Aboriginal objects are found, works should stop and DECCW notified. If human remains are found work is to stop, the site is to be secured and the NSW Police and NSW Office of Environment and Heritage 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.*

### **33. All Works to be Confined to the Site**

All demolition, excavation, backfilling, construction and other activities associated with the development must:-

- a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
- b) Comply with the requirements of AS 2601-2001 - The demolition of structures.
- c) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.
- d) Be kept clear of stormwater, sewer manholes and service easements on the site.
- e) Any gates must be installed so they do not open onto any footpath or adjoining land.

*Reason: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired.*

### **34. Construction Waste Management**

All waste materials generated on-site during construction are to be stored in enclosed containers and deposited in an approved landfill at regular periods.

*Reason: To ensure adequate waste management practices are in place during the construction phase.*

### **35. 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.*

### **36. 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 Queanbeyan-Palerang Regional Council before release of the subdivision certificate.

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

### **37. 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.*

### **38. 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.*

### **39. 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 Queanbeyan 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.*

### **40. Haulage Trucks Hours of Operation**

Haulage truck operations on all public roads within South Jerrabomberra development/precinct shall cease during the period when school busses may be encountered on public roads, between the hours of 7.00 am - 9.00 am and 3.00 pm - 5.00 pm on school days.

*Reason: To avoid potential conflict with existing local traffic.*

### **41. 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, construction activities and associated traffic to and from the site are giving rise to abnormal generation of dust.

*Reason: To ensure that local residents and activities are not disadvantaged by dust during hours of operation.*

### **42. 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.

*Reason: To ensure compliance with concept approval on the land.*

## **CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**

### **43. Lighting In Car Parks and Public Spaces**

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.*

### **44. Stormwater Disposal and Water Quality Requirements**

All stormwater from the site must be trapped and piped to the existing stormwater system via an on-site detention system to limit the discharge from the site to the pre-development rate in accordance

with Council's D5 Development Design Specification.

An in-ground Gross Pollutant Trap (GPT) targeting litter is to be installed in accordance with Council's D7 Erosion Control and Stormwater Management Specification.

*Reason: To provide satisfactory stormwater disposal and water quality.*

#### **45. Works as Executed - On-Site Detention System**

Prior to Subdivision Certificate, Work as Executed drawings of the constructed on-site detention system and WSUD assets certified by the designer are to be submitted to Council accompanied by evidence of restriction of land use of the land and positive covenant over the lot in favour of Council.

*Reason: To ensure on site detention is constructed in accordance with the designed system and that its ongoing maintenance is enforceable by law.*

#### **46. 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 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.*

#### **47. Landscaping Works Completed in Accordance with Approved Plans**

All landscaping must be completed by a suitably qualified landscape contractor in accordance with approved landscape plan bearing the Council approval stamp.

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

#### **48. 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 Council prior to the issue of the Subdivision Certificate.

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

#### **49. Tree Removal**

The felling and removal of trees shall be carried out by a person who is appropriately qualified and who holds appropriate and current insurance.

*Reason: To ensure a professional result and to provide protection to residents against liability for damage or harm to person(s) or property.*

#### **50. Subdivision Certificate 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,
- b) Any s88B instruments required by these conditions of consent,
- c) A letter outlining 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.*

#### **51. 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.*

#### **52. Water and 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.

**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.*

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

#### **53. Electricity Supply**

Prior to Council issuing a subdivision certificate, a Notice of Arrangement (NOA) shall be requested from the electricity authority which states that satisfactory supply arrangements have been made for the provision of electricity to the proposed development.

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

#### **54. Subdivision Works Defects Liability Period - Bond**

The completed subdivision works are subject to a six (6) 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 Design and Construction, 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 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.*

#### **55. Separate Connections & 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.*

## **56. Inspections - Water & Sewer Authority**

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.

Council's Development Engineering section must be given 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.*

## **57. 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 and telecommunication services to each lot must be submitted to Council.

*Reason: To satisfy relevant utility authority requirements.*

## **58. Works as Executed Plans of Dedicated Infrastructure**

Prior to the issue of a Subdivision Certificate, a Work-as-Executed package must be provided to Council. This information and engineering data is used to confirm the quality of works, 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-Executed drawings, reports and digital data shall accurately reflect material types, specifications and other asset-specific information. 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**

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.

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.

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**

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.

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.

Queanbeyan-Palerang Regional Council require the ADAC XML file to be formatted to the current software version at the date of submission of the Work-as-Executed drawings.

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

### **59. Submission of Street/Road Names**

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.

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.*

### **60. Street Numbering**

In accordance with *Clause 60(c)* of the *Surveying and Spatial Information Regulation* a schedule of recorded street addresses on Plan Form 6A shall be submitted to Council prior to the release of the Subdivision Certificate.

**Advice:** Convey with Queanbeyan-Palerang Regional Council to determine the street numbering for newly created allotments in accordance with Council's requirements.

*Reason: To ensure compliance with the Surveying and Spatial Information Regulation.*

### **61. Covenant on the Land**

Apply covenants under section 88B of the Conveyancing Act 1919 to the new lots incorporating the restrictions listed below. Queanbeyan-Palerang Regional Council shall be nominated as the sole party with the power to vary or remove the required covenants.

- 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. easements which Council may require to provide or maintain other services, and
- d) Nominating Council as the name of the person/authority empowered to release, vary or modify restriction or positive covenant numbered in the plan.
- e) Plantings on the entire site, including within the building envelopes, are to exclude species listed on the regional weeds lists.

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

## **62. Dedication to Council**

All drainage reserves, WSUD assets, roads, reservoir sites, reserves 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.*

## **63. Dedicate Public Road**

The proposed roads are to be dedicated to Queanbeyan-Palerang Regional Council as public roads.

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

## **64. Subdivision 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.

The inspections and/or Hold Points (in accordance with the referenced Council's Construction Specification) shall be undertaken and released by Council (as the Principal Certifying Authority) during the construction of the Subdivision. Works shall not proceed beyond the inspection indicated until Council is satisfied that the requirements of the relevant specification have been met.

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

## **65. Certification of Completed Works**

At the completion of works the superintendent of works shall present to Queanbeyan-Palerang Regional Council a Certification Report for civil works 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.*

## **66. Work In Accordance with Engineering Specifications**

All construction and restoration work must be carried out strictly in accordance with the approved drawings and Queanbeyan-Palerang Regional Council's current Design and Construction Specifications.

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

## **67. Cat Containment Area**

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:

- 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.*

## **CONDITIONS TO BE SATISFIED DURING THE ONGOING USE OF THE LAND**

### **68. 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 the building or neighbouring properties.*

### **69. Plant and Equipment Noise**

The noise level emanating from plant and equipment on the land must not exceed a level of 5dB(A) above background level when measured for a LAeq 15 minute period during the day, evening or night.

*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.*

### **General advisory notes**

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

### **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](http://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.

### **Dictionary**

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means Queanbeyan-Palerang Regional Council

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Local planning panel** Nil for Queanbeyan-Palerang Regional Council

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:  
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision works certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means Southern Regional Planning Panel (SRRP)

## **ESSENTIAL ENERGY – ADVICE**

Thank you for seeking comment from Essential Energy in relation to the proposed development at the above property.

Strictly based on the updated documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

- As part of the subdivision, an easement is created for any existing electrical infrastructure. The easement is to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- All Torrens lots must have access and frontage to a public road as per Service and Installation rules this is to allow for the provision of power/services to the new development, a right of carriageway can not be used for the provision of power/services to any part of the new development.
- 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;
- In addition, Essential Energy's records indicate there is electricity infrastructure located within 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*;
- 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);
- 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](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 Assets*.

## SCHEDULE 1

### NSW Rural Fire Services – General Terms of Approval



Queanbeyan-Palerang Regional Council  
PO Box 90  
QUEANBEYAN NSW 2620

Your reference: (CNR-85110) DA.2025.0303  
Our reference: DA20250907003610-Original-1

ATTENTION: Ranganathan Ravi

Date: Friday 12 September 2025

Dear Sir/Madam,

**Integrated Development Application**  
**s100B – Subdivision – Torrens Title Subdivision**  
**2 ABELIA AV TRALEE NSW 2620, 100//DP1316639**

I refer to your correspondence dated 04/09/2025 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

#### **General Conditions**

1. The development proposal is to generally comply with following plans/documents except where amended by the conditions of this Bush Fire Safety Authority.
  - The plan titled "General Arrangement Plan, by Spiire, numbered 323444-001CD005, revision B, dated 9/07/2025"; and,
  - The bush fire assessment prepared by Ember Bushfire Consulting, reference JD.219.25b.

#### **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. Prior to the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, asset protection zones must be provided as shown on the plan titled "Asset Protection Zone" prepared by Spiire, reference 323444001-BF005, revision B, dated 28/08/2025.

When establishing and maintaining an inner protection area the following requirements apply in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*:

- 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;

1

#### **Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### **Street address**

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555  
F (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)



# RFS



- 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.

### Access Requirements

*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.*

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

- subdivisions of three or more allotments have more than one access in and out of the development;
- 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;
- 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
- there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.

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

- 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 provided.

5. Non-perimeter roads must comply with the general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- 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.*

6. 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 where available;
- 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:
  - 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.

#### **Landscaping Assessment**

*The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.*





7. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

**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*.

For any queries regarding this correspondence, please contact Laura Richards on 1300 NSW RFS.

Yours sincerely,

Michael Gray  
Manager Planning & Environment Srv (Sth)  
Built & Natural Environment





# RFS

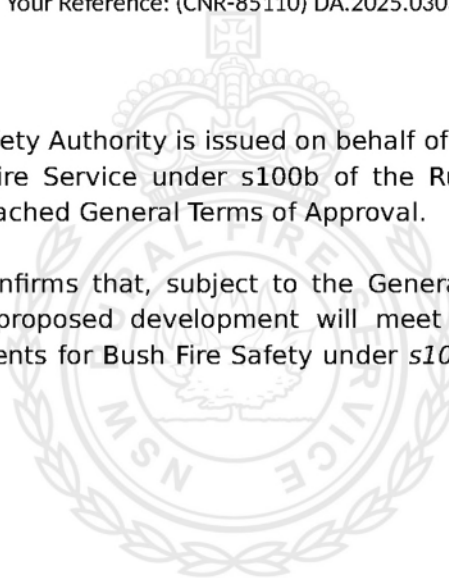


## BUSH FIRE SAFETY AUTHORITY

Subdivision – Torrens Title Subdivision  
2 ABELIA AV TRALEE NSW 2620, 100//DP1316639  
RFS Reference: DA20250907003610-Original-1  
Your Reference: (CNR-85110) DA.2025.0303

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.



**Michael Gray**

Manager Planning & Environment Srv (Sth)  
Built & Natural Environment

Friday 12 September 2025



## **Department of Planning & Environment – Water – General Terms of Approval**

### **Department of Planning and Environment**



Contact: Department of Planning and Environment-Water  
Phone: 1300081047  
Email: [waterlicensing.servicedesk@dpie.nsw.gov.au](mailto:waterlicensing.servicedesk@dpie.nsw.gov.au)

Our ref: IDAS-2025-10492  
Your ref: DA.2025.0303

15 August 2025

The General Manager  
QUEANBEYAN-PALERANG REGIONAL COUNCIL  
256 Crawford St, Queanbeyan NSW 2620

Attention: Ranganathan Ravi

Uploaded to the ePlanning Portal

Dear Sir/Madam

**Re:** IDAS-2025-10492 - Integrated Development Referral – General Terms of Approval  
**Dev Ref:** DA.2025.0303  
**Description:** Residential subdivision to create 191 single dwelling lots, 2 open space lots, 2 residue lots, and associated roadworks, infrastructure and landscaping.  
**Location:** Lot 217, DP1315891, 2 ABELIA AVENUE TRALEE 2620  
Lot 2, DP1001136, ALDERSON PLACE TRALEE 2620  
Lot 1, DP1207483, ALDERSON PLACE TRALEE 2620

I refer to your recent referral regarding an integrated Development Application (DA) proposed for the above location. Attached, please find Department of Planning and Environment-Water's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 4.46 of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the department requests these GTA be included (in their entirety) in Council's development consent. Please also note the department requests notification:

- if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works or activities (i) in the bed of any river, lake or estuary; (ii) on the banks of any river lake or estuary, (iii) on land within 40 metres of the highest bank of a river lake or estuary; or (iv) any excavation which interferes with an aquifer.

The Department of Planning and Environment-Water will ascertain from the notification if the amended plans require review of or variation/s to the GTA. This requirement applies even if the amendment is part of Council's proposed consent conditions and do not appear in the original documentation.

- if Council receives an application under s4.46 of the EPA Act to modify the development consent and the modifications change the proposed work or activities described in the original DA.
- of any legal challenge to the consent.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, the department recommends the following condition be included in the development consent:

**The attached GTA issued by the Department of Planning and Environment-Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to the department for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.**

A completed application must be submitted to the department together with any required plans, documents, application fee and proof of

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150  
LOCKED BAG 5022, Parramatta, NSW 2124

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Applications for controlled activity approval should be made to the department, by lodgement of a Controlled Activity Approval – New approval application on the NSW Planning Portal at:  
<https://www.planningportal.nsw.gov.au/>

The Department of Planning and Environment-Water requests that Council provide a copy of this letter to the development consent holder.

The Department of Planning and Environment-Water also requests a copy of the determination for this development application be provided by Council as required under section 4.47(6) the EPA Act.

Yours Sincerely



**For**  
**Patrick Pahlow**  
**Team Leader**  
**Licensing and Approvals**  
**Department of Planning and Environment-Water**



## General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

|                            |                                                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference Number:          | IDAS-2025-10492                                                                                                                                 |
| Issue date of GTA:         | 15 August 2025                                                                                                                                  |
| Type of Approval:          | Controlled Activity                                                                                                                             |
| Location of work/activity: | Lot 217, DP1315891, 2 ABELIA AVENUE TRALEE 2620<br>Lot 2, DP1001136, ALDERSON PLACE TRALEE 2620<br>Lot 1, DP1207483, ALDERSON PLACE TRALEE 2620 |
| Waterfront Land:           | Unnamed Tributary of Dog Trap Creek                                                                                                             |
| DA Number:                 | DA.2025.0303                                                                                                                                    |
| LGA:                       | QUEANBEYAN-PALERANG REGIONAL                                                                                                                    |

The GTA issued by Department of Planning and Environment-Water do not constitute an approval under the **Water Management Act 2000**. The development consent holder must apply to the Department of Planning and Environment-Water for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

| Condition Number | Details |
|------------------|---------|
|------------------|---------|

|         |                                                                                                                                                                                                                                                |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.2025.0303 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): <ul style="list-style-type: none"><li>• Site plans - indicating the demarcation of waterfront land, designated riparian corridors and identifying any areas of encroachments and offsets.</li><li>• Detailed civil construction plans - for all works within waterfront lands.</li><li>• Construction streamworks plans - for all the structures in the channel.</li><li>• Erosion and sediment control plans - for all works on waterfront land.</li><li>• Construction detailed drainage plans</li><li>• Construction stormwater drainage outlet plan</li><li>• Vegetation management plan - for the rehabilitation of the eroded watercourses in the biodiversity site.</li><li>• Landscape plan - for the landscaping of the channel and the dry detention basin.</li><li>• Construction detailed basin design plans - for the dry basin.</li><li>• Construction detailed bulk earthworks plans - for all works on waterfront land.</li></ul> |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

B. The plan(s) must be prepared in accordance with Department of Planning and Environment-Water's guidelines located on the website

<https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlled-activity-approvals/what/guidelines>

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4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150  
LOCKED BAG 5022, Parramatta, NSW 2124

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

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## General Terms of Approval

for proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000

### SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by Department of Planning and Environment-Water for integrated development associated with IDAS-2025-10492 as provided by Council:

- Statement of Environmental Effects. South Jerrabomberra Northern Catchment subdivision. Prepared by The Village Building Co. Dated 30.06.2025
- Set of civil drawings. SOUTH JERRABOMBERRA. NORTHERN CATCHMENT. DEVELOPMENT APPLICATION. PROJECT NUMBER: 323444-001. CIVIL ENGINEERING DRAWINGS for VILLAGE BUILDING COMPANY. Prepared by Spiire. Rev B. Dated 09-07-25
- SOUTH JERRABOMBERRA ESTATE 2. NORTHERN CATCHMENT LANDSCAPE PLAN. DEVELOPMENT APPLICATION. Prepared by Spiire. Rev A. Dated 30/06/2025

## Transport for NSW - Recommended Conditions of Consent

Transport for NSW



TfNSW Ref: CD25/03373  
Planning Portal Ref: CNR-85110  
Council Ref: DA.2025.0303

Ranganathan Ravi  
Queanbeyan-Palerang Regional Council  
PO Box 90  
QUEANBEYAN NSW 2620

### **State Environmental Planning Policy (Transport and Infrastructure) 2021 - Development Application DA.2025.0303 – Subdivision and associate work at 2 Abelia Avenue Tralee - Concurrence Letter**

Transport for NSW (TfNSW) refers to Development Application Number DA2025-0084 (DA) submitted by The Village Building Co. Limited (Applicant). The DA referral has been accepted by TfNSW via the NSW Planning Portal on 05 August 2025 in accordance with clauses s2.98(2) and s2.99, of the State Environmental Planning Policy (Transport and Infrastructure) 2021 (TISEPP).

TfNSW is empowered to assess and determine whether to provide concurrence to the DA under the TISEPP as it is the rail authority for the Country Regional Network (CRN) rail corridor for the purpose of the TISEPP.

TfNSW is the rail authority of the CRN across NSW. As of 29 January 2022, UGLRL has been appointed by TfNSW to operate and manage the CRN to ensure any potential impacts to rail corridors are considered and addressed.

This DA is seeking approval for a subdivision including the following work:

- Creation of 191 residential lots,
- Creation of 13 new public roads,
- Creation of 2 open space lots, including a local park, and
- Associated infrastructure, servicing and landscaping.

The proposed development site is located at 2 Abelia Avenue Tralee (Parts of Lot 2 DP 1001136, Lot 217 DP 1315891 and Lot 1 DP 1207483 delineated in red in **TAB A**)

The land is located adjacent to non-operational rail corridor from Queanbeyan to Tuggeranong (marked in green in **TAB A**).

This part of the rail corridor is currently non-operational. Nevertheless, TfNSW objective is to ensure that the rail corridor is able to become operational with no significant additional safety

---

OFFICIAL

Transport for NSW  
20-44 Ennis Road, Milson Point NSW 2061 | PO Box K659, Haymarket NSW 1240  
T 02 8202 2200 | F 02 8202 2209 | W transport.nsw.gov.au | ABN 18 804 239 602

risks or costs as a result of the development.

### **Protection of Country Regional Network**

TfNSW has assessed the development proposed by the DA in accordance with the requirements of clauses s2.98 and 2.99 of the TISEPP.

In this regard, TfNSW has taken into account:

- (a) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on—
  - (i) the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and
  - (ii) the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and
- (b) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.

### **Concurrence granted without conditions**

TfNSW has reviewed the application and decided to grant its concurrence to the proposed development (**DA.2025.0303**) without conditions relating to matters under clause 2.99 of the TISEPP.

### **Advisory comments and conditions**

In consideration of the potential impact of proposed development on the CRN, suggested conditions for non-concurrence issues are provided in **TAB B** and advisory comments are provided in **TAB C** for Council's consideration.

### **Next Steps**

If, at any point, the DA is amended prior to the consent authority's determination, please ensure that the amended DA and any new or amended supporting documents are provided to TfNSW for further assessment. Any amendments to the DA may alter the impacts of the proposed development on the rail corridor assessed by TfNSW, and TfNSW may need to amend (or refuse) its concurrence.

TfNSW would be grateful if a copy of the Notice of Determination and any conditions of consent for the DA be forwarded to TfNSW should the consent authority determine to grant consent to the DA.

In the event that the proposed development is the subject of a Land and Environment Court appeal, the consent authority's attention is also drawn to Section 8.12 of the Environmental Planning and Assessment Act 1979 which requires the consent authority to give notice of that appeal to a concurrence authority.

TfNSW thanks Council for its assistance.

Should you require further clarification regarding this matter, please don't hesitate to contact Kumar Kuruppu, Senior Transport Planner via email at [kumar.kuruppu2@transport.nsw.gov.au](mailto:kumar.kuruppu2@transport.nsw.gov.au).

Yours sincerely

*R Cumming* 27/8/2025

**Rachel Cumming**

Director Technical Advice and Development Services

Planning, Integration and Passenger

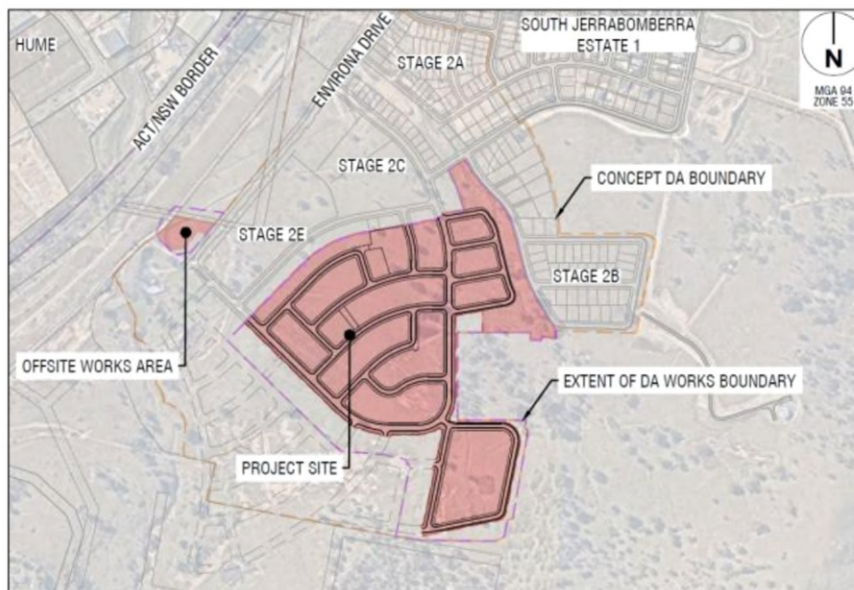
Transport for NSW

CD25/03373

## TAB A - Identification of the Land and Rail Corridor



**Figure 1 Location of proposed development (in red), and rail corridor (in green)**  
(Source: UGLRL)



**Figure 2 - Northern Catchment extent of works** (Source: Statement of Environmental Effects (SEE)– Page no. 09 of 28)

## **TAB B – DA Number DA.2025.0303 – TfNSW Advisory Conditions**

### **General**

#### **Guidelines**

The applicant must comply with the requirements of T HR CI 12090 ST Airspace and External Developments (Link: <https://www.transport.nsw.gov.au/industry/asset-standards-authority/find-a-standard/airspace-and-external-developments-1> ) and Development Near Rail Corridors and Busy Roads- Interim Guidelines (Link [Development Near Rail Corridors and Busy Roads – Interim Guideline](#)).

Please note that *State Environmental Planning Policy (Infrastructure) 2007* referred in the above documents has been superseded by *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

#### **Access to the rail corridor**

The applicant must not and must ensure its employees and all other persons do not enter any parts of the rail land unless otherwise permitted in writing by **UGLRL** and **TfNSW** in advance.

##### *Reason for condition*

Part of Lot 2 DP 1001136 is adjacent to the rail corridor. As such, it is essential that access to the rail land must be permitted in advance.

### **Prior to issue of construction certificate, or prior to the commencement of any works**

#### **Survey**

Prior to the issue of the Construction Certificate or commencement of any works, whichever is earlier, the applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor to the satisfaction of **UGLRL** and **TfNSW**.

##### *Reason for condition*

It is essential for the applicant to prepare a survey to the satisfaction of **UGLRL** and **TfNSW** to confirm the distance between the proposed development works and the rail corridor and ensure that the development does not encroach onto the operational rail corridor/rail land.

#### **Fencing**

Prior to the issue of the Construction Certificate or commencement of any works, whichever is earlier, appropriate fencing is to be installed or maintained between the boundary of part of Lot 2 DP 1001136 and the rail corridor in accordance with the relevant CRN civil standards relating to Boundary Fences including CRN CS 510 (standard) ([BOUNDARY FENCES](#))

([sitecorecloud.io](https://sitecorecloud.io))), CRN CM 511 Boundary Fences (manual) ([BOUNDARY FENCES \(sitecorecloud.io\)](https://sitecorecloud.io)), and CRN CP 511 Boundary Fences (specification) ([Boundary Fences \(sitecorecloud.io\)](https://sitecorecloud.io)) to prevent unauthorised access.

Before commencing any fencing work (either new installation, upgrade, or renewal), the applicant must provide fencing design/site plans to **UGLRL** and **TfNSW** for approval. The applicant is advised to contact **UGLRL's** third-party works via [thirdpartyworks@uglregionallinx.com.au](mailto:thirdpartyworks@uglregionallinx.com.au) for more information.

#### *Reason for condition*

The fencing along the CRN rail corridor is essential to prevent unauthorised entry and ensure safety. **UGLRL CRN** Boundary Fences Civil Standards (CRN CS 510, CRN CM 511, and CRN CP 511) provide detailed specifications about material as well as reference drawings. If there is existing fencing that meets CRN CS 510 (standard), CRN CM 511 Boundary Fences (manual), and CRN CP 511 Boundary Fences (specification), the applicant is advised to contact UGLRL property via [propertyenquiries@uglregionallinx.com.au](mailto:propertyenquiries@uglregionallinx.com.au) for confirmation.

#### **During construction**

##### **Cranes and Equipment**

1. If required, the applicant must submit an application to UGLRL on behalf of TfNSW prior to any use of cranes and equipment (Equipment) in the air space over the rail corridor.
2. The applicant is required to provide a safety assessment of the works necessary for the development assessing any potential impact or intrusion on the Danger Zone (as defined in the [UGLRL Network Rules and Procedures](#) and that any works are undertaken by a qualified Protection Officer.
3. The use of 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.

#### *Reason for condition*

If such equipment is required to be used in the air space over the rail corridor or adjacent rail land, the applicant must submit an application to **UGLRL** for its endorsement and **TfNSW's** approval in advance. The applicant is advised to contact **UGLRL's** Third-party works team via [thirdpartyworks@uglregionallinx.com.au](mailto:thirdpartyworks@uglregionallinx.com.au) for more information in this regard.

**TAB C -- DA Number DA Number DA.2025.0303 - Advisory Comments**

**TfNSW** is currently conducting an environmental assessment to identify contamination on the CRN. All railway corridors are generally deemed to be contaminated unless proven otherwise by sample testing. Contamination risk arises from both the construction (e.g., unknown fill used in rail construction) and operations (e.g., transportation of contaminated material, spills) of the railway. Potential contaminants could include but are not limited to, heavy metals, PAHs, phenolics (boiler ash), Organochlorine Pesticides (**OCPs**) and Organophosphorus Pesticides (**OPPs**). **TfNSW** is committed to ensure the health and well-being of the community. **TfNSW** is not aware of whether there are contaminants found in the rail corridor or on the common boundaries with the development site.

Furthermore, in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021-Section 4.6 'Contamination and remediation to be considered in determining development application' (Previously State Environmental Planning Policy No. 55 – Remediation of Land) the consent authority must consider whether the land is contaminated.