

PRESCRIBED CONDITIONS FOR ASSOCIATED WORKS

GUNGAHLIN SECTION 229 BLOCK 2

APPROVED
22 Oct 2019
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1. This lease is conditional upon the lessee designing and constructing, at the lessee's cost, works associated with the lease that are to become assets of either the Transport Canberra & City Services (TCCS), Icon Water Limited, or Evoenergy. Icon Water in all matters associated with the operation of the Water and Sewerage networks. Construction materials are to be treated in accordance with the 'Development Control Code for Best Practice Waste Management in the ACT'. All works to be handed over to TCCS including roads, stormwater and landscape works shall be designed in accordance with the current version of the 'Design Standard for Urban Infrastructure' and constructed to the current version of 'Standard Specification for Urban Infrastructure'.
2. The associated works required are design and construction of:
 - a) a Heavy Duty Concrete Driveway in accordance with TCCS current version of the 'Design Standards for Urban Infrastructure Works' and constructed to TCCS current version of the 'Standard Specifications for Urban Infrastructure Works';
 - b) demolition of existing driveways and footpath
 - c) reinstatement of verge, pavement
 - d) 1,350m² of paved verge in accordance with Gungahlin Town Centre Landscape Design Guidelines;
 - e) 3 x new street trees, the trees are to match the existing street trees as required by TCCS;
 - f) 4 x new hydrants;
 - g) vergeworks as required by TCCS; and
 - h) any other works required by TCCS as a result of an audit on submitted plans for design approvalincluding all ancillary works and fittings required to complete the associated works.
3. The lessee shall engage a Chartered Engineer and/or Landscape Architect to design and supervise construction of relevant associated works. For the purposes of this lease, 'Chartered Engineer' and 'Landscape Architect' means persons prequalified with ACT Government for the value of works appropriate for this project.
4. Anthony Rolfe Avenue, Kate Crace Street, Ernest Cavanagh Street, Hinder Street and the surrounding grassed and paved areas are public assets under the control of TCCS and will be open to pedestrian and vehicular traffic throughout the construction period. No construction works or movement of construction traffic will be permitted to be carried out within the public domain without a TCCS approved 'Landscape Management and Protection Plan' prepared in

accordance with 'Reference Document 04' and a 'Temporary Traffic Management Plan'. The 'Landscape Management and Protection Plan' will address all issues related to TCCS including provisions for public safety, construction access, protection and reinstatement of existing infrastructure and trees.

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5. The lessee shall ensure that all site related vehicles, including staff and delivery vehicles and those involved in associated off-site works, are accommodated on the block or in an area approved by the Territory. Any building activities that may require the short term utilisation of unleased Territory land adjacent to the development site are to be approved by Licensing and Compliance Section of the City Services in Land Management and Planning Division (TCCS). An 'Application to Use a Public Place for construction activities' must be accompanied by the approved 'Landscape Management and Protection Plan' when it is submitted.
6. A detailed 'Parking Plan' illustrating how all construction/demolition vehicles and equipment and construction workers' vehicles will be accommodated within the site. This plan is to be submitted to and approved by the Director, Place Co-ordination, (TCCS) prior to the commencement of any works on site. Failure to obtain an 'Approved Parking Plan' or failure to adhere to an 'Approved Parking Plan' by the developer or his agents/employees will see a formal stop work order being issued by Utilities, Land & Lease Regulation Section of Construction Services Branch within Access Canberra.
7. The design submission shall be provided with a design report and design certification, together with associated supporting documentation verifying and validating the design submission to 'AS/NZS ISO 9001: 2000', the TCCS 'Requirements for Design Acceptance Submissions Document Ref-06' and quality system requirements for roadworks, concrete footpaths, paving, Traffic Control Devices, stormwater drainage and public landscaping works shall be submitted to, and a 'Certificate of Design Acceptance' obtained from, Director, Place Co-ordination, (TCCS) prior to the commencement of construction works. The designer must include proposed demolition of existing public assets including removal of trees. No trees are to be removed from the verge of any block prior to the issue of the 'Certificate of Design Acceptance'. The submission should comply with the requirements of the current version of the 'Design Standards for Urban Infrastructure' and the 'Standard Specification for Urban Infrastructure Works', good design practice and planning intent. It is the responsibility of the lessee to advise the Director, Asset Place Co-ordination, (TCCS) of any pre-existing damage to paved and unpaved verges, roads and road verge areas.
8. Landscape design drawings are to fully show all proposed landscape works, including planting species, details, and is to include grassing specification and all typical detail sections for both soft and hard treatments. The consultant is to ensure that all clearances from existing street and open space trees to structures are in accordance with the standards for clearances indicated on the 'Landscape Management and Protection Plan'.
9. The lessee remains responsible for the reinstatement of any damage caused by the lessee to existing infrastructure outside the block boundary. All reinstatement works shall comply with the requirements of the current version of 'Design Standards for Urban Infrastructure' and the 'Standard Specification for Urban Infrastructure Works', good design practice and planning intent and shall be certified by a prequalified Chartered Engineer.

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10. Any works constructed on the verge including public utility services are not to unduly impact on tree feeder root systems. All verges are to be protected in accordance with the approved 'Landscape Management and Protection Plan'. Minimum clearances to trees from excavation for these works will be in accordance with plans approved by the Director, Place Co-ordination, (TCCS) during the processing of the Development Application.
11. Any design and documentation for water supply and sewerage works shall be submitted to and approved by Icon Water prior to the commencement of construction of the associated works. The design and documentation shall be in accordance with 'Icon Waters' Water Supply and Sewerage Standards, Release 2, Amendment 5, September 2012', the TCCS 'Standard Specification for Urban Infrastructure Works' and any revision of these documents. The developer is not to commence work on water supply and sewer mains until the design has been approved by Icon Water. The developer is to provide Work As Executed drawings as required by Icon Water.
12. The relocation or removal of existing Evoenergy Distribution electrical infrastructure (not including TCCS street light assets) will be carried out by Evoenergy Distribution at the lessee's expense. The lessee will be responsible to liaise with Evoenergy Distribution in relation to the installation / extension of the electricity networks to electrically service the proposed development and may be required to fund the associated costs for these works. It may be necessary for Evoenergy Distribution to install a substation on the site to provide electricity supply. The requirement to include a substation on site will be determined by Evoenergy Distribution when the proponent submits the electrical load details of the development to Evoenergy Distribution.
13. The lessee may be required to install additional or non-standard earthing (if a substation is found to be within 100 meters of any special location e.g. child care centre, childrens play equipment, public pool, lake etc).
14. The lessee is reminded that Evoenergy Distribution may have other existing electricity assets on the site and a Location Advice should be obtained from Dial Before You Dig (telephone 1100) prior to commencement of any construction activities.
15. The lessee shall lodge a 'Deed of Unconditional Undertaking', using the prescribed proforma, in the amount of \$898,730 (eight hundred and ninety eight seven hundred and thirty dollars) including GST prior to the execution of the lease. The undertaking may be reduced (if requested) to \$54,000 (fifty four thousand dollars) including GST on Practical Completion of all the works if supported by TCCS and Icon Water. The remainder of the undertaking will be released on Final Completion of every part of the associated works.
16. The lessee will be responsible for practical completion of works within 48 months of the commencement of the lease and prior to the occupation of the premises.
17. If the associated works are not completed within the time specified for Practical Completion in Clause 16 above, or defects not rectified within the time specified for Final Completion, then EPSDD may exercise its right in accordance with the 'Deed of Unconditional Undertaking' to the extent to which money derived from the 'Deed of Unconditional Undertaking' is deemed to be necessary for the completion and rectification of the associated works. Such money shall be forfeited to EPSDD.

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18. The lessee shall prior to and during the construction of the associated works seek and arrange for the inspection and approval of the works by TCCS and Icon Water representatives, in accordance with those authorities' procedures. The lessee shall have a competent representative present on the site at all periods during which there are any activities relating to the execution of the associated works.
19. Practical Completion of the associated works shall be deemed to have occurred when the lessee lodges with the Director, Urban Renewal (EPSDD), the 'Certificates of Operational Acceptance' issued by TCCS and the 'Provisional Certificate of Operation' issued by Icon Water.
20. Final Completion of the associated works shall be deemed to have occurred when the lessee lodges with the Director, Urban Renewal (EPSDD), the 'Certificates of Final Acceptance' issued by TCCS and the 'Certificate of Operation' issued by Icon Water. The 'Certificate of Final Acceptance' will be issued by the respective agencies on satisfactory completion of defects at the end of the Defects Liability Period (DLP). The DLP for all assets to be handed over to TCCS except soft landscape works (trees, shrubs, grass) shall be 52 weeks commencing from the issue of the 'Certificate of Operational Acceptance'. The soft landscape works shall be subjected to a minimum of 13 weeks Consolidation Period before applying for the issue of the 'Certificate of Final Acceptance' for these works. Twelve (12) months DLP applies to Icon Water Limited works.
21. Work-as-Executed Quality Records for the roadworks, stormwater, driveways, street lights and landscape works are to be in accordance with TCCS 'Standard Requirements for Documentation – Reference Document 08' and lodged with the Director, Place Co-ordination, (TCCS) with the application for a 'Certificate of Operational Acceptance'.
22. Work-as-Executed Quality Records for the sewers and water supply mains are to be in accordance with Icon Water requirements. Work as Executed drawings and records asset data lists are to be submitted to Icon Water with the application for the 'Provisional Certificate of Operation'.
23. The lessee shall take out and keep current insurance policies in respect of all the normal risks involved in its construction of the associated work. These include, but are not limited to, public liability insurance, workers compensation insurance and professional indemnity insurance.
24. The insurance policies shall be taken out in the name of the lessee or its primary contractor and the interests of the Commonwealth, Icon Water and the Territory noted on the policies.
25. The site investigation report together with the results of the contaminated land search and any further advice provided by the EPA must be taken into consideration in the works specified through these prescribed conditions for associated works on unleased Territory Land.
26. Correspondence to EPSDD should be addressed to:
Director
Urban Renewal
Environment, PLanning & Sustainable Development Directorate
GPO Box 158 Canberra ACT 2601
Tel: 6205 2663

27. Correspondence to Evoenergy Distribution regarding electricity should be addressed to:
Kedar Vedanti
Technical Team Leader
Evoenergy Distribution
Postal Address: GPO Box 366 Canberra ACT 2601
Location Address: Cnr Oakden & Anketell Streets Greenway ACT 2900
Tel: 6293 5880
Fax: 6293 5851
28. Correspondence to Icon Water Limited regarding Water and Sewerage should be addressed to:
Team Leader, Developer Services
Icon Water
GPO Box 366 CANBERRA CITY ACT 2601
Tel: 6180 6013
29. Correspondence to TCCS should be addressed to:
Mr Gabriel Joseph
Director,
Place Co-ordination
Transport Canberra & City Services,
GPO Box 158 Canberra ACT 2601
Tel: 6207 6581
Fax: 6207 7484
30. Correspondence to EPA should be addressed to:
EPAPlanningLiaison@act.gov.au
Office of the Environment Protection Authority (EPA)
Access Canberra | Chief Minister Treasury and Economic Development
Directorate | ACT
Phone: 02 6207 5642 | Email: EPAPlanningLiaison@act.gov.au
470 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601
www.act.gov.au/accessCBR

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