

From: [ConservatorFloraFauna](#)
To: [AC, EPD Customer Services](#)
Subject: RE: REFERRAL-EACT-202139509-1210/0 TUGGERANONG-01
Date: Thursday, 2 December 2021 1:45:00 PM
Attachments: [image001.png](#)

OFFICIAL

No comments from Conservator of Flora and Fauna.

Karen Taylor

Conservator Support Officer

Conservator Support | Environment, Planning and Sustainable Development Directorate

Phone: +61 2 620 54668 | Email: Karen.Taylor@act.gov.au

Environment, Planning and Sustainable Development Directorate | ACT Government

480 Northbourne Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au |

www.planning.act.gov.au

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From: AC, EPD Customer Services <ACEPDCustomerServices@act.gov.au>

Sent: Thursday, 2 December 2021 12:05 PM

To: ConservatorFloraFauna <ConservatorFloraFauna@act.gov.au>; EPSDD Environment <EPSDDEnvironment@act.gov.au>

Subject: REFERRAL-EACT-202139509-1210/0 TUGGERANONG-01

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DEVELOPMENT APPLICATION NO: 202139509

BLOCK: 1210 **SECTION:** 0 **DIVISION:** TUGGERANONG

Description - PROPOSAL FOR COMMUNICATIONS FACILITY - construction of a new two storey commercial building for use as a communications facility, new carparking, driveways and verge crossings, generators and associated facilities, landscaping and associated works.

Pursuant to Section 148(1) of the *Planning and Development Act 2007* the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice

(23/12/2021).

In accordance with Section 150 of the *Planning and Development Act 2007* If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

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Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20140XXXX-Block XX Section XX SuburbXXXX-01

Example: COMM-TAMS-201401234-10/10 Dickson-01

Kind Regards,

Yukiko Ireland | Customer Coordination | Environment, Land and Planning shopfront

Phone: 02 6207 1923 | Email: epdcustomerservices@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

8 Darling Street, Mitchell 2911 | GPO BOX 158, Canberra City ACT 2601 | www.act.gov.au/accessCBR

From: ConservatorFloraFauna
Sent: Wednesday, 16 March 2022 10:22 AM
To: AC, EPD Customer Services
Cc: Dojcic, Rosie
Subject: FW: COMM-TREE PROTECTION-202139509-1210/0 (Hume) TUGGERANONG-01
Attachments: plans.obr; supporting docs.obr

OFFICIAL

Karen Taylor
Conservator Support Officer
Conservator Support | Environment, Planning and Sustainable Development Directorate
Phone: +61 2 620 54668 | Email: Karen.Taylor@act.gov.au
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From: TCCS_CP TPUCentral <TCCS.TPUCentral@act.gov.au>
Sent: Wednesday, 16 March 2022 10:13 AM
To: ConservatorFloraFauna <ConservatorFloraFauna@act.gov.au>
Subject: COMM-TREE PROTECTION-202139509-1210/0 (Hume) TUGGERANONG-01

OFFICIAL

DA No 202139509
Description - PROPOSAL FOR COMMUNICATIONS FACILITY - construction of a new two storey commercial building for use as a communications facility, new carparking, driveways and verge crossings, generators and associated facilities, landscaping and associated works.

BLOCK:	SECTION:	DIVISION:
1210	0	Hume - Tuggeranong

The DA has been assessed and the following Conservators Advice in accordance with Section 82 *Tree Protection Act 2005* is provided:

No regulated trees on the site	x
Supported with conditions	
Advice for the applicant	

Not Supported	
Further Information/amendments required	

Conditions/Comments/Advice:

There are no regulated trees located on the block subject to the development.

I provide this advice as delegate of the Conservator of Flora and Fauna
Terrance Raath, Technical Officer level 3 (Position Number 08065)

From: [Mulvaney, Michael](#)
To: [ConservatorFloraFauna](#)
Subject: RE: REFERRAL-EACT-201935273-1210/0 TUGGERANONG-01 [SEC=UNCLASSIFIED]
Date: Wednesday, 13 March 2019 11:20:08 AM
Attachments: [CONSOLIDATED COMMENTS - Draft Estate Development Plan - Tuggeranong Bloc...docx](#)
[image001.jpg](#)

Eliza

I have included the consolidated comments from the directorate, including the comments I sent to Helen previously. They have retained the trees that we said should be retained, but they are in an industrial block so I am pessimistic what there long term prognosis will be. I will leave comments on what is proposed re tree protection to the tree unit.

They are using Red Box, *Eucalyptus polyanthemos*, which is an appropriate local species, in their landscaping

Can't see any infrastructure being built in railway corridor so no further comment

Cheers Michael Mulvaney

From: ConservatorFloraFauna
Sent: Tuesday, 12 March 2019 10:34 AM
To: Mulvaney, Michael <Michael.Mulvaney@act.gov.au>
Subject: FW: REFERRAL-EACT-201935273-1210/0 TUGGERANONG-01 [SEC=UNCLASSIFIED]

Hi Michael,

Other than trees there doesn't seem to be any issues with this block, however it is adjacent to box gum woodland and a registered tree. Would we require that the block boundary is fenced prior to works and that no vehicles, storage etc. should be in the vicinity of the BGW?

Any other comments please let me know by 21 March.

Thanks,

Eliza Larson | Project Officer | Conservator Liaison

Phone: +61 2 6207 7009 | Email: eliza.larson@act.gov.au

From: EPD, Customer Services
Sent: Friday, 8 March 2019 3:00 PM
To: ConservatorFloraFauna <ConservatorFloraFauna@act.gov.au>
Subject: REFERRAL-EACT-201935273-1210/0 TUGGERANONG-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201935273

BLOCK: 1210 SECTION: 0 DIVISION: TUGGERANONG

Description: PROPOSAL FOR ESTATE DEVELOPMENT PLAN - Subdivision of block 1210 into 24 IZ1 General Industry blocks. Construction of associated roads, utilities, verge crossings, footpaths, landscaping and associated works. LEASE VARIATION - a variation of the Crown lease to delete clauses relating to variation for process, conservation and boundary fences, vary the carparking clause to a standard acceptable to the Territory and include the following uses: bulk landscape supplies, communications facility, craft workshop, defence installation, freight transport facility, general industry, industrial trades, light industry, warehouse, plant and equipment hire establishment, recycling facility, scientific research establishment, store, indoor recreation facility, municipal depot, public transport facility, transport depot and warehouse.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice (**01/04/2019**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services – EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Regards,
Matthew Forman
Customer Services

Phone 02 6207 1923

Access Canberra | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

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Land titles and revenue services are moving to Dame Pattie Menzies House, 16 Challis Street, Dickson and will be co-located with the Access Canberra Environment, Planning and Land Shopfront. These services will be available at this new location from 1 December 2016. For more information visit www.act.gov.au/accessCBR


cid:image009.jpg@01D31C1B.E0820B30




**CONSOLIDATED COMMENTS
TUGGERANONG BLOCK 1210 – DRAFT ESTATE DEVELOPMENT PLAN
CIRCULATION 1 – 21 May 2018**

All agency comments have been consolidated into the table of response below for the Developer's consideration, response and or action.

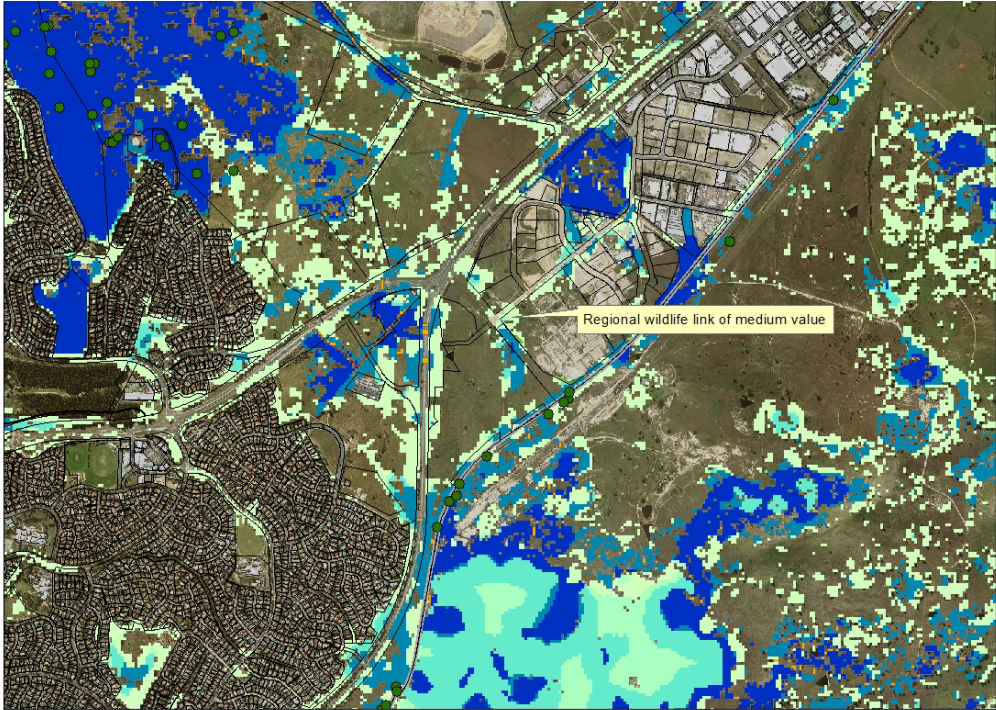
Some of the entities have raised a number of comments that are required to be addressed prior to the submission of a Development Application. These responses will form part of the assessment of the proposal.

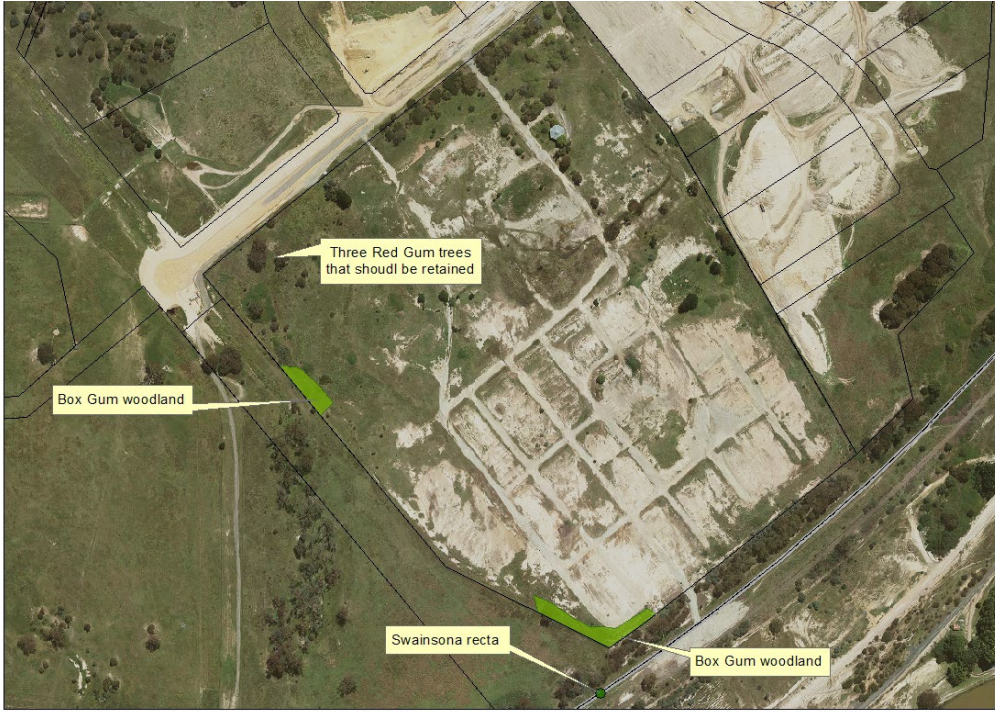

AGENCY	NO	COMMENTS	PROPONENT'S RESPONSE
Deed Management	1	<p>All comments are to be addressed. A nil, no comment or noted response will not be accepted.</p> <p>The demolition plan and combined services plan need revision to include a legend for key activities and services.</p> <p>Deed Management support the connection of Paspaley street to the proposed subdivision to provide for better connectivity and continuity with the larger adjacent estate. The Developer should liaise with the Suburban Land Agency with regard to coordinating design/construction of the stub road as this has yet to be constructed and could result in the avoidance of abortive temporary turning head construction works.</p>	
ACT Heritage Meaghan Russell	2	 <p>20180521 - Advice - Draft EDP Block 1210</p>	
ActewAGL (Evoenergy) Electrical Doug Pankhurst	3	<p>Evoenergy's comments are as follows:</p> <p>The EDP drawings do not include an electricity master plan. Attached is a marked-up drawing showing an indicative master plan.</p> <p>Conduits should be installed both sides of Road A and across Road A as shown for proposed power cables.</p> <p>Spaces should be provided for distribution substations. Easement area required for each measures 7m x 5m.</p>	

		<p>The attached marked-up drawing shows 4 such distribution substations. These will provide a dedicated low voltage cable supply to each block. Should an individual block require a large electrical load, it may require its own dedicated distribution substation. This would be arranged with the block owner/developer when required.</p> <p>As the Electricity Distribution Network Service Provider for the ACT, Evoenergy will plan, manage and operate the electricity supply network within the confines of the regulatory framework and in keeping with industry best practice. To support us in our undertakings we request timely information on the proposed development. In particular we require information on the timing and construction program for the development, the calculated maximum electricity demand by load category (residential, commercial, retail etc.) and sustainable development initiatives being considered, particularly in relation to energy conservation and reduction. For example is the installation of solar PV generation on the rooftops of all residential premises to be mandated?</p> <p>We would like the Developer to provide a services trench complete with bedding sand for any new 11 kV cables onto the site. We would also like the Developer to provide 150mm diameter conduits for all 11 kV cables.</p> <p>We will prepare a detailed electrical reticulation design when required, cable routes, conduits, and distribution substations.</p> <div data-bbox="584 991 651 1054" style="text-align: center;">  </div> <p data-bbox="533 1059 703 1107" style="text-align: center;">Electrical Master Plan 16.5.18.pdf</p>	
Active Canberra Simon Dolejsi	4	No comments received.	
Climate Change Catherine Keirnan	5	No comments received.	


<p>Conservation Planning and Research Helen McKeown/ Michael Mulvaney</p>	<p>6</p>	<p><u>received by Deedman on 25 May 2018</u></p> <p>Re: Conservator’s Advice on trees for Tuggeranong (Hume) 1210 Section 22 – Draft Estate Development Plan.</p> <p>An assessment of the plans has been undertaken and I provide the following advice in accordance with Section 82 of the <i>Tree Protection Act 2005(the Act)</i></p> <p>Supported All P listed regulated trees are supported for removal as they fulfil criteria under the Act.</p> <p>Not Supported There are no criteria under the Tree Protection Act 2005 that would allow the Conservator to agree to the removal of medium or high quality trees.</p> <p>As assessed, the following listed medium trees, we consider in fact to be of High quality status 341, 254, 191, 24, 13, 14 and 344, especially once you consider the paucity of trees and canopy cover in the area once developed.</p> <p>We understand that some of these trees would require some maintenance (and some recovery from mistletoe). The trees appear not to have had any maintenance for some years.</p> <p><u>From Michael Mulvaney (received by Deedman on 16 May 2018)</u> I undertook a site inspection of this block yesterday. Surprisingly native plants species are quite abundant over much of the site, with 26 native species (mainly grasses and sedges) observed. However the site is also heavily infested with African Love Grass, Phalaris, Cooch, Paspalum, Paterson’s Curse, Blackberry, St John’s Wort and other weeds to the extent that native species generally only make up 20 -30% of the perennial plant understorey. Native plants only occupy the majority of the understorey in small isolated patches and this together with their low diversity means that the majority of the site does not contain native vegetation or endangered ecological communities.</p> <p>The exceptions are small areas of low diversity Box-Gum woodland which are continuous parts of patches that occur to the east (along the railway easement) and to the south of the development area. These areas are shown in the attached map, and are dominated by Austrostipa species with about five native herb species</p>	
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	<p>observed within each of the two areas. One area is about .14ha in area and the other is 0.07ha. I did not observe any significant plants in the patches. The Estate Development Plan is misleading when it states that “a remnant patch of <i>Swainsona recta</i> (an endangered pea) habitat is located in the southern portion of the subject site”. This habitat is in fact in the adjoining railway reserve. Given their small size, their low diversity, lack of significant species and high level of disturbance, I don’t think that the loss of the remnant patches within the development area would be a significant impact. This is on the proviso that there are no associated works, such as infrastructure access, fire protection works (other than weed control) or drainage channels, within or draining into the railway line easement. This should be a condition of approval.</p> <p>The proposal includes the removal of all trees on the site. There are three mature hollow bearing Blakely’s Red Gum trees (EB13, EB14 & EB15) as mapped in the Estate Development Plan documents) which should be retained. These trees occur in the south-west of the proposal area and as shown in the attached map lie within, and are an important component, of a wildlife connectivity link between the woodland on the Wanniasa Hills (and beyond to Red Hill and the Murrumbidgee River) and vegetation to the South of Jerrabomberra and onto Googong in NSW. Protection should enable not only the good health of the trees to continue but the ability for some of the tree regeneration occurring near these trees to continue. Plantings around the south-west corner will also assist, in the medium to longer term, the east-west movement of wildlife across the ACT and wider Googong area.</p>	
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Education and Training Justin McEvoy	7	No comments received.	
Emergency Services Agency Rob Kilpatrick	8	Please find attached the Emergency Services Agency comments for EDP Block 1210 Tuggeranong  ESA Comments - EDP B 1210 - Tugger	
EPA Robin Brown	9	The EDP must be undertaken in accordance with the EPA endorsed Site Audit Statement (No. 219A) dated 28 August 2017 and the Site Audit Report titled "Site Audit Report, Block 1210, Tuggeranong ACT, Site Audit 219A" dated 28 August 2017 by Rod Harwood of Arcadis Australia Pacific Pty Ltd.	

		<p>All works must be carried out in accordance with <i>Environment Protection Guidelines for Construction and Land Development in the ACT, March 2011</i>, available by calling 132281.</p> <p>As the site is greater than 0.3 hectares the construction is an activity listed in Schedule 1 as a Class B activity under the Environment Protection Act 1997. The contractor/builder proposing to develop the site must hold an Environmental Authorisation or enter into an Environment Protection Agreement with the Environment Protection Authority (EPA) in respect of that activity PRIOR TO WORKS COMMENCING.</p> <p>An erosion and sediment control plan must be submitted to and be endorsed by the EPA prior to works commencing.</p> <p>Advice:</p> <p>All rain water that enters the site and pools in excavations during a rain storm event would be considered as a sediment control pond, and must meet the following conditions.</p> <ol style="list-style-type: none"> 1. No discharge from dam, all stormwater must be pumped out and disposed in at an approved location. 2. No discharge from pond unless sediment level is less than 60mg/litre. If sediment level is greater, then prior to discharge, the dam must be dosed with either Alum or Gypsum and allowed to settle until the sediment is less than 60 mg/litre. <p>For further information please contact the Environment Protection Authority Planning Liaison on 02 6207 5642.</p>	
<p>Icon Water Nabin Dahal</p>	<p>10</p>	<p>Icon Water response for the draft EDP is as follows:</p> <ol style="list-style-type: none"> 1. The proposed DN150 water main along the Estate is not sufficient to cater for the proposed development. The pressure table was provided with DN225 modelled around the estate with a connection to DN375 along Monaro Highway. 2. The existing sewer main terminated at the intersection of Tralee St and Couranga Street not as shown in the EDP (refer attachment). The developer will also need to construct a portion of DN225 along Tralee St to service the development. 	

		<p>3. The alignment of the water main should be 600mm from the back of the kerb and 1.2m clearance (centre to centre) from the proposed tree (EDP Road Typical Cross Sections)</p> <p>Icon Water is discussing all the options with the developer to finalise the water and sewer supply strategy for the estate.</p>	
<p>Infrastructure Planning Patrick Paynter</p>	11	No comments received.	
<p>Health Protection Service Rebecca Moroney</p>	12	 <p>Referral-Health-Draft Estate Developme</p>	
<p>Development Assessment Dale Billing</p>	13	<p>General Comments</p> <p>Some plans and supporting documents appear to be missing from the circulated EDP: Namely the Landscape Master Plan, WSUD Plan, WSUD Checklist and MUSIC Model. Also Justification against the relevant rules and criteria of the Industrial Zones Development Code and Crime Prevention Through Environmental Design General Code.</p> <p>Patches of boxy gum woodland identified by Conservation Planning and Research should be avoided and not be directly or indirectly impacted on by the proposed subdivision. As a remnant patches of Boxy Gum Woodland have been identified the proposal should at the least seek an Environment Significance Opinion to ensure that the proposal will not a significant impact on a matter contained within Schedule 4 of the Planning and Development ACT. If this is not supported the proposal may require an EIS or S211 exemption prior to DA lodgement.</p> <p>It is unclear why the wholesale removal of trees and regrading of the entire site is proposed. Large blocks should be able to retain some of the regulated trees on site. Especially those identified as high quality and above. Any proposal to remove trees inconsistent with the conservators advice would need to be supported by design options and any reasonable alternatives to the proposal will be considered before trees are supported for removal on development grounds.</p>	

A temporary turning head was provided at the end of Paspaley Street in the adjacent industrial estate along the north eastern boundary of proposed Block f Section A. It is understood that this would feed into and provide an additional connection through to this proposed EDP area. It is questioned why this has not been provided as this would provide more vehicular permeability for the overall area and provide another point of access/egress in the case of an emergency.

Given the close proximity of the development to the NSW border has the Queanbeyan-Palerang Regional Council been consulted on the proposal?

Estate Development Code

Criteria 1 – See comments regarding tree retention and avoidance of Boxy Gum Woodland patches.

Criteria 13 & 14 – See comments regarding road connection through to the adjacent industrial Estate.

Rule 22 – Requested changes to street tree plantings by TCCS should be reflected in a Landscape Master Plan for the Estate and approved as part of the EDP Da submission. Tis plan should also take into consideration comments from CPR regarding suitable species and additional plantings for connectivity.

Rule 30, 31 & 32 & Criteria 33 – WSUD strategies for the site should be demonstrated with a WSUD Outcomes Plan and WSUD checklist and a copy of the MUSIC model used to demonstrate compliance with these requirements.

Criteria 35 – It appears as if the whole site will be regarded and all existing vegetation removed. How is this consistent with this criteria?

Rule 37 – See general comments regarding tree removals. Response to this rule states that no protected trees will be removed however the Tree Management plan shows all trees on the site being removed.

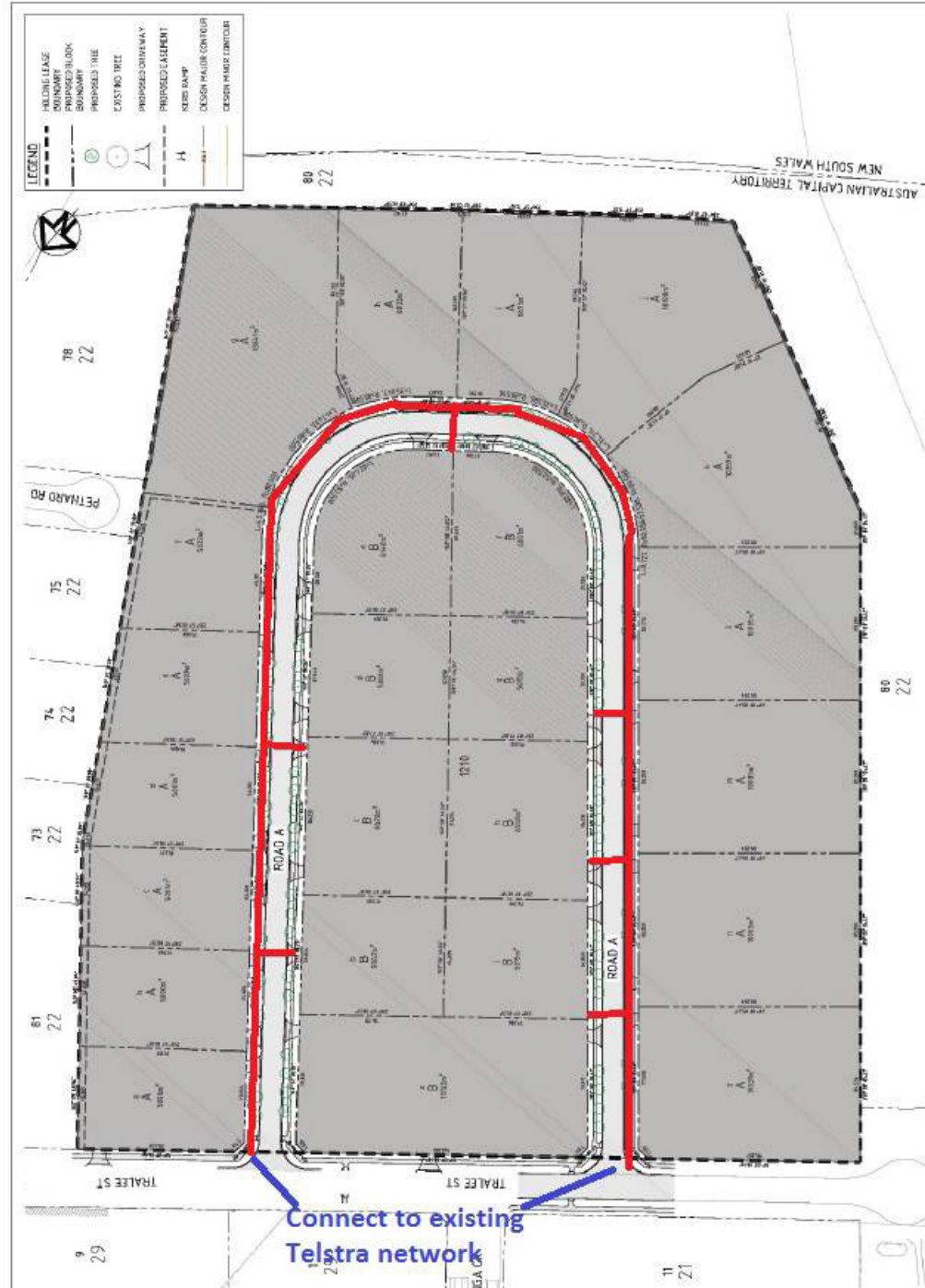
Rule 41 – Threatened ecological communities have been identified although potentially able to be considered through and ESO. Has the commonwealth requirements been considered for these patches of Boxy-gum woodland?

		Rule 72 – It is noted that one of the proposed blocks is 5000m2 Given the potential for block sizes to vary on final survey and block normalisation it is recommended that this be reviewed (and slightly enlarged) to ensure that the minimum 5000m2 is achieved.	
Jemena Steve Donnelly	14	<p>On behalf of Evoenergy Gas, Jemena have reviewed the Tuggeranong Block 1210 - Draft Estate Development Plan and have the following comments to make:</p> <p>The EDP drawings for Combined Services Plan and Road Typical Cross Section are correct, but the wording in 3.10 do not accurately describe the drawings.</p> <p>3.10 Utilities</p> <p>3.10.1 Shared Trench</p> <p>A shared trench arrangement is proposed within both verges of the internal access road, consisting of:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 3 x 50mm diameter high voltage conduits for power, including four substations within the EDP site. <input type="checkbox"/> 1 x 50mm diameter conduit for street lighting. <input type="checkbox"/> 1 x 100mm gas conduit which allows for 63mm diameter PE gas main by ZNX. – Gas will be direct laid in trench (not in conduit). <input type="checkbox"/> 1 x 63mm diameter telecommunications conduit. <p>3.10.2 Gas</p> <p>The existing 110mm diameter PE main on Tralee Street will need to be extended to supply the proposed development. - Gas mains extension will be in 50mm and 32mm nylon pipe (not 110mm PE).</p>	
Land Supply & Policy Jennifer Finlay	13	No comments received.	
Leasing Services Monica Saad	14	Leasing Services has no comments.	

NBN Co Matthew Schwabrow	15	No comments received.	
Office of the Surveyor – General Rene de Kieft	16	<p>No current Holding Lease Block for this development.</p> <p>Tuggeranong Block 1210 Registered on DP5759 – will be retired with this development and new Blocks created in Hume.</p> <p>Unit Complex’s with a Maximum number of units (from DA/lease) will only have that total numbers of units on the Unit Plan recognised as valid addresses. Separately keyed bedrooms with extra kitchenette within a ‘Unit’ will not be given a separate address.</p> <p>Corner blocks will be allocated a street address where the driveway is constructed. If alternative address is preferred please contact our office to change. Multi-Unit sites will be allocated address/s once a DA has been lodged. Ph 62071600</p>	
Strategic Planning Division Steven Gianakis	17	Strategic Planning has no comment.	
TCCS Asset Acceptance Lingam Jatheendran	18	<p>Reference your minute dated 3 May 2018 regarding the draft Estate Development Plan the following comments are provided.</p> <p><u>EDP Comments:</u> TCCS endorses the draft Estate Development Plan.</p> <p>The following additional comments will help to prepare the documentation at the design stage.</p> <ol style="list-style-type: none"> 1. The Choice of Tree species can be changed to a different type of Eucalyptus for Road A – Currently listed as E. mannifera, preferred change to E. polyanthemos 	

		<p>2. Bio Retention System (Figure 4, Page 12) requires the following:</p> <ul style="list-style-type: none"> a. details of water entry point for SW runoff to avoid scouring/washout b. evidence of sedimentation measures at the inlet and source (i.e. site measures) c. The height difference between finished verge and top of mulch in pit <p>3. Tree planting requires the following detail (Figure 5, Page 12)</p> <ul style="list-style-type: none"> i. Planting detail appears to be for In Dryland Grass rather than for tree pit. Please provide tree pit section details ii. What is the type of mulch that will be used? iii. Planting hole sides and base needs to show breakout of 100-150mm minimum iv. Trees shall meet AS 2303-2015, and be self-supporting, with a single dominant leader, stakes can be used as guides or protection. v. All small Eucalypts should have tree guards, to protect them from small vertebrate pests and help them establish <p>4 Landscape Comments</p> <ul style="list-style-type: none"> <u>I.</u> 75mm high 1m diameter ring of <u>soil</u> to be used as a watering basin not only mulch as shown; <u>II.</u> any tree pits would need special detailing and topsoil and drainage soil; <u>III.</u> topsoil testing and certifications will be required per Standard Specification 9.05.6 to .8, or alternative site topsoil amelioration per soil scientist recommendation; at design and Consolidation stages. 	
<p>Telstra Jacob Lai</p>	<p>19</p>	<p>Telstra require exclusive access to 1XP100 conduit and 1XP100 road crossing along Road A.</p> <p>Refer to attached schematic diagram for details.</p>	

Figure 3: Proposed block subdivision



Territory Plan Section Alix Kaucz	20	<p>The proposed subdivision at Rural Block 1210, Hume does not trigger a Territory Plan variation and as such the Territory Plan Section (TPS) does not have any objections to this proposal.</p> <p>In the interest of good planning, the proposal has to comply with all relevant codes. The TPS notes that the Estate Development Code has been considered in the EDP Design Response Report, Purdon 2108.</p> <p>However, it is not clear from the information provided whether this proposal is being considered as part of a DA for another assessable development, as is required in Rule 7 of the Industrial Zones Development Code:</p> <p><i>R7</i> <i>Subdivision is only permitted where:</i> <i>a) it is part of a development application for another assessable development</i></p>	
TransACT Wayne Read	21	TransACT have reviewed the documents for Tuggeranong Block 1210 (formerly Kopper's Logs) and have no objections.	

From: [ConservatorFloraFauna](#)
To: [AC, EPD Customer Services](#)
Subject: RE: REFERRAL-EACT-201935273-S197D-1210/0 TUGGERANONG-01
Date: Friday, 3 June 2022 3:50:00 PM
Attachments: [image001.png](#)

OFFICIAL

Hi Yukiko,

The subdivided block that is being amended has been completely cleared, so there are no ecological values. Nil comment.

Thanks,

Eliza Larson | A/g Conservator Liaison

Phone: +61 2 6207 7009 | Email: eliza.larson@act.gov.au

From: AC, EPD Customer Services <ACEPDCustomerServices@act.gov.au>

Sent: Friday, 3 June 2022 10:05 AM

To: ConservatorFloraFauna <ConservatorFloraFauna@act.gov.au>; EPSDD Environment <EPSDDEnvironment@act.gov.au>

Subject: REFERRAL-EACT-201935273-S197D-1210/0 TUGGERANONG-01

OFFICIAL

DEVELOPMENT APPLICATION NO: 201935273-S197D

BLOCK: 1210 **SECTION:** 0 **DIVISION:** TUGGERANONG

Description - AMENDMENT TO APPROVED 201935273-S197D . Amendment to the development application for Sub-division of block 1210 into 24 IZ1 General Industry blocks. Construction of associated roads, utilities, verge crossings, footpaths, landscaping and associated works. LEASE VARIATION - a variation of the Crown lease to delete clauses relating to variation for process, conservation and boundary fences, vary the car parking clause to a standard acceptable to the Territory and include the following uses: bulk landscape supplies, communications facility, craft workshop, defence installation, freight transport facility, general industry, industrial trades, light industry, warehouse, plant and equipment hire establishment, recycling facility, scientific research establishment, store, indoor recreation facility, municipal depot, public transport facility, transport depot and warehouse. The amendment is to remove easement from block and associated works.

Pursuant to Section 148(1) of the *Planning and Development Act 2007* the ACT Planning and Land Authority requests that you consider the abovementioned development application and provide any written advice no later than **15 working days** after the date of this notice

(27/06/2022).

In accordance with Section 150 of the *Planning and Development Act 2007* If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20140XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-TAMS-201401234-10/10 Dickson-01

Kind Regards,

Yukiko Ireland | DA Notification | Environment, Land and Planning shopfront

Phone: 02 6207 1923 | Email: epdcustomerservices@act.gov.au

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From: [Watts, Michaela](#)
To: [Cargill, James](#)
Cc: [ConservatorFloraFauna](#)
Subject: RE: OVERDUE COMMENTS - CIRCULATION - DRAFT DEED OF AGREEMENT - BLOCK 1210 TUGGERANONG (KOPPERS LOG) [SEC=UNCLASSIFIED]
Date: Friday, 11 October 2019 12:12:27 PM

UNCLASSIFIED

A few minor changes otherwise happy with this to proceed

The Developer acknowledges that the Site and surrounds may contain Swainsona recta (small purple pea), in particular along the rail corridor/NSW border, and a community of protected Box-Gum Woodland. Should the Developer propose any further Development in the area, a detailed vegetation survey that identifies the extent of Box-Gum Woodland and Swainsona recta may be required, to the satisfaction of the Conservator of Flora and Fauna.

Thanks for drafting this up and talking it all through – much appreciated!

Michaela

Michaela Watts

Conservator Liaison | Office of the Conservator of Flora and Fauna

Phone: +61 2 6207 1831 | Email: conservatorflorafauna@act.gov.au

Environment Division | Environment, Planning and Sustainable Development Directorate | ACT Government

Level 1 North, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 |

www.environment.act.gov.au

From: Cargill, James <James.Cargill@act.gov.au>

Sent: Thursday, 10 October 2019 5:33 PM

To: Watts, Michaela <Michaela.Watts@act.gov.au>

Subject: RE: OVERDUE COMMENTS - CIRCULATION - DRAFT DEED OF AGREEMENT - BLOCK 1210 TUGGERANONG (KOPPERS LOG) [SEC=UNCLASSIFIED]

UNCLASSIFIED

Michaela,

As per our discussion, I have drafted the below sentence which I believe covers off your requirements. Please let me know if this is suitable for inclusion in A2.2.2.

The Developer acknowledges that the Site and surrounds may contain Swainsona recta (small purple pea), in particular along the rail corridor/NSW border. Should the Developer propose any further Development in the area, a detailed vegetation survey that identifies the extent of Box-Gum Woodland and Swainsona recta may be required.

The Deed already requires the Developer to “to the extent possible confine its activities to the Site unless prior approval is obtained from the Estate Manager to extend beyond the Site”, hence I do not believe it worthwhile to say this again.

I have also updated A2.2.2 to include references to the Tree Protection Act and Heritage Act as suggested (and also updated our templates to match).

Regards,

James.

James Cargill

A/g Director | Deed Management

Phone 02 6205 8543 | Fax 02 6207 1856

Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.planning.act.gov.au

From: Watts, Michaela <Michaela.Watts@act.gov.au>

Sent: Wednesday, 4 September 2019 11:56 AM

To: Deedman <Deedman@act.gov.au>

Cc: ConservatorFloraFauna <ConservatorFloraFauna@act.gov.au>

Subject: RE: OVERDUE COMMENTS - CIRCULATION - DRAFT DEED OF AGREEMENT - BLOCK 1210 TUGGERANONG (KOPPERS LOG) [SEC=UNCLASSIFIED]

Hi Natalie and thanks for the opportunity to comment on this draft deed of agreement.

Has the EPA commented on this draft deed?

The draft deed is supported so long as the following considerations are included (potentially under A2.2.2):

1. The future development will need to include a vegetation survey that identifies the location of Swainsona recta (small purple pea) which is known to occur in the area, in particular along the rail corridor/NSW border.
2. Future developments will be required to avoid impacts on small purple pea and this will need to be demonstrated in future development applications to the satisfaction of the ACT Conservator of Flora and Fauna
3. The registered tree on Block 88 Section 22 Hume (west of the subject site) is required to be protected from development impacts. This tree forms part of a patch of ACT Listed Box-Gum Woodland, which is required to be avoided by future development. No development impacts are permitted to occur within the Tree protection Zone of the Registered Tree nor within the identified area of Box-Gum Woodland. It is strongly recommended that the proponent undertake a detailed vegetation survey that identifies the extent of Box-Gum Woodland that is required to be avoided during site-preparations, construction and operations post-construction.
4. The paragraph under section 2.2.2 e) should be updated to include that tree protection is required to be in accordance with the Tree Protection Act 2005 and Heritage Act 2004 (Registered trees have a protection zone = drip line + 5m, Regulated are drip line= 2m, so it's better just to reference the legislated requirements than include a description)
5. Tree Damaging Activities on Registered and Regulated trees are required to be approved by the ACT Conservator of Flora and Fauna and a reference to this should be included under A2.2.2.
6. A2.3.3 might be another good place to include reference to the protection of the Box-Gum Woodland and the Small Purple Pea that are outside Block 1210 but potentially impacted by the development. A vegetation plan that identifies the location and plans that show their protection are required to be submitted as part of any future development proposal.

Happy to discuss these comments.

Thanks again

Michaela

From: Deedman

Sent: Wednesday, 4 September 2019 10:52 AM

To: Watts, Michaela <Michaela.Watts@act.gov.au>; Billing, Dale <Dale.Billing@act.gov.au>; Perkins, Jessica (Health) <Jessica.Perkins@act.gov.au>; ACTF&R Risk & Planning <ACTF-RRisk-Planning@act.gov.au>; enworks@evoenergy.com.au; gavin.morrison@evoenergy.com.au; Steve.Donnely@jemena.com.au; Aster-Stater, Alek <Alek.Aster-Stater@act.gov.au>

Subject: OVERDUE COMMENTS - CIRCULATION - DRAFT DEED OF AGREEMENT - BLOCK 1210 TUGGERANONG (KOPPERS LOG) [SEC=UNCLASSIFIED]

Dear all,

Chasing overdue comments on the below circulation please.

I've been on annual leave, apologies we haven't chased you prior to this.

Can you please provide comments as soon as you can please.

Please contact James Cargill if you wish to verbally discuss the proposal.

Thank you for your time

Best wishes

Natalie

From: Deedman

Sent: Monday, 12 August 2019 5:22 PM

To: Watts, Michaela <Michaela.Watts@act.gov.au>; Billing, Dale <Dale.Billing@act.gov.au>; Perkins, Jessica (Health) <Jessica.Perkins@act.gov.au>; actf&rrisk&planning@act.gov.au; enworks@evoenergy.com.au; gavin.morrison@evoenergy.com.au; Nabin.Dahal@iconwater.com.au; Steve.Donnelly@jemen.com.au; Gianakis, Steven <Steven.Gianakis@act.gov.au>; Aster-Stater, Alek <Alek.Aster-Stater@act.gov.au>

Cc: Deedman <Deedman@act.gov.au>

Subject: CIRCULATION - DRAFT DEED OF AGREEMENT - BLOCK 1210 TUGGERANONG (KOPPERS LOG) [SEC=UNCLASSIFIED]

Dear all,

Hope everyone is well

Please find attached the draft Deed of Agreement for Tuggeranong Block 1210 (Koppers Log).

This Deed of Agreement has arisen out of a condition of approval for the Estate Development Plan (DA 201935273)

Your comments are due Wednesday, 28 August 2019 please.

All comments should be sent to DeedMan@act.gov.au.

Please note there is no agency meeting scheduled for this circulation.

Please don't hesitate to contact me if you have any questions.

Best wishes

Natalie

Deedman

Natalie Lacey

Deed Management | Environment, Planning and Sustainable Development | ACT Government

16 Challis Street Dickson - Dame Pattie Menzies House | GPO Box 158 Canberra ACT 2601

Phone: (02) 6205 9803 | Email: natalie.lacey@act.gov.au | web: www.planning.act.gov.au