

All communications to be addressed to:

Head Office  
NSW Rural Fire Service  
Locked Mail Bag 17  
Granville NSW 2142

Telephone: (02) 8741 5555

Head Office  
NSW Rural Fire Service  
15 Carter Street  
Lidcombe NSW 2141

Facsimile: (02) 8741 5550



Director  
Urban Assessments  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001

Your Ref: MP06\_0058&MP 06\_0060

Our Ref: S06/0015  
ED10/017939

**Attention: John Phillpott**

11 October 2010

Dear Sir/Madam,

**RE: Modification 9 and 10 – Vincentia Coastal Village – Major Project 06\_0058 and 06\_0060, Corner of The Wool Road and Naval College Road, Vincentia**

I refer to your correspondences dated 22 September 2010 seeking our comments on the proposed amendments for the above approved development under Part 3A of the *Environmental Planning and Assessment Act 1979*.

Based on the information provided, the RFS provides the following advice regarding the proposed amendments:

1. The proposed Asset Protection Zones for the modified lots are proposed to occur outside the residential lot boundaries. The RFS raises concern as to who will be responsible for ensuring the maintenance of Asset Protection Zones in perpetuity. As the Asset Protection Zones have been provided outside of individual lots on land that is to be dedicated to Shoalhaven Council, an agreement from Council to uphold this maintenance in perpetuity is required before the proposed lot layout can be supported.
2. The proposed lot layout in Modification 9 will result in a future dwelling on lot 101 being exposed to high levels of bush fire attack. The RFS recommends that the lot layout be amended to reduce the potential radiant heat exposure for future dwellings within this subdivision.
3. The proposed fire trail shall comply with section 4.1.3 (3) of *Planning for Bush Fire Protection 2006*.

This advice is provided in addition to our previous concerns raised in our letter dated 3 April 2006.

For any enquiries regarding this correspondence, please contact Luke Catorall.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nika Fomin', with a stylized flourish extending to the right.

Nika Fomin

**Team Leader, Development Assessment and Planning**

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**COPY**



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SYDNEY NSW 2001

Your Ref: MP06\_0058&MP 06\_0060

Our Ref: S06/0015  
ED10/019415

**Attention: John Phillipott**

21 October 2010

Dear Sir/Madam,

**RE: Modification 9 and 10 – Vincentia Coastal Village – Major Project 06\_0058 and 06\_0060, Corner of The Wool Road and Naval College Road, Vincentia**

I refer to your correspondence dated 14 October 2010 seeking our comments on proposed amendments to the access arrangements for the above approved development under Part 3A of the *Environmental Planning and Assessment Act 1979*.

The RFS identifies the proposed alteration is to limit the development to one access link from Naval College Road until 400 lots are subdivided. Basing this proposal on a numerical value of lots raises concern as demand for properties may cause lots further from Naval College Road to be sold and developed without adequate access and egress arrangements in place should a bush fire emergency occur. The RFS notes that the Village West and Village Central are linked by a main access road, which runs adjacent to forest vegetation and is at risk of being cut during times of bush fire.

The RFS advises that a more operational approach to access would be more preferable for bush fire protection. By identifying Access 'A' as the access/egress for all lots in Village West and Access 'B' as the access/egress for lots in the Village Central, it would provide a direct route for all lots to the existing public road network for use in an emergency situation.

For any enquiries regarding this correspondence, please contact Luke Catorall.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nika Fomin'.

Nika Fomin  
Team Leader, Development Assessment and Planning

**SHOALHAVEN CITY COUNCIL**

**SUBMISSION TO THE NSW DEPARTMENT OF PLANNING  
PART 3A, ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**ENVIRONMENTAL ASSESSMENT SUBMISSION**

**MAJOR PROJECT APPLICATION MP 06\_0060  
Modification No 9**

- PROPERTY:** The land within the Vincentia Coastal Village
- PROPOSAL:** Proposed Modification No 9 being
- (i) The provision of 21 lots in the western precinct on R2 zoned land adjacent to Naval College Road including associated amendments to Statement of Commitments
  - (ii) Amendment to Commitment No 53 relating to the timeframe for the provision of a works and roundabout at Access A on Naval College Road.
- APPLICANT:** Don Fox Planning for Stockland Developments Pty Ltd
- OWNER:** Stockland Developments Pty Ltd
- DEPARTMENT OF PLANNING REFERENCE:** MP06\_0058 Mod 9
- COUNCIL REFERENCE:** SF 9786-07

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### 1.0 Introduction

The proposed 21 lots have been foreshadowed in the Modification No 8 application and in Council's submission to Mod 8 it was stated:

*"Council met with Alex Maffi of Stockland in April 2010 about additional lots along the street parallel to Naval College Road. A response was provided in a letter dated 13 April 2010, and this is attached and outlines reasons why Council is not supportive of there being the additional lots and particularly issues of traffic conflicts where additional traffic will access the new road intersection close to the Naval College Road intersection; and the landscape and noise barriers issues.*

*Council has specific concern about these foreshadowed additional lots due to the importance of a vegetated buffer to Naval College Road that must be recognised, as this development is at an urban / rural interface and the Naval College Road frontage should not be urban in nature."*

Council's submission to Modification 9 contains similar concerns.

Council's Development Control Plan 100 provides the controls for subdivision development.

There are specific concerns about deferring the construction at Access A and Council requests additional information before consideration of alternative proposals, as outlined in Clause 4.0 of the council's submission.

### 2.0 The proposed 21 lots

#### 2.1 Zoning

Council has previously indicated directly to Stockland and to the Department that it does not support the location of the proposed 21 lots.

Council does not support the provision of 21 lots in the land that provides a buffer between Naval College Rd and the existing development and notes that these were not approved via Modification 8, as they were marked as a future option on the plans viewed by Council in relation to that amendment. The removal of the existing vegetation buffer will potentially impact of the amenity of the residential area due to increased road noise, given the current and future increased traffic.

The land zoning in the area of the lots is inconsistent with the zoning proposed in the draft Local Environment Plan 2010 that is currently the subject of a draft Section 65 Certificate discussion between Council and the Department of Planning.

#### 2.2 Gross lot and dwelling yield

The proponent's statements are that the recent modifications retain an overall maximum 603 residential lots. Although the propose 21 lots will support a single dwelling only, Council again requests the Department to consider the impacts of changing lot sizes in recent modification applications that support multi dwelling development in the context of constraints associated with the Concept and project

approvals.

### **2.3 Easements and Restrictions of existing Utility Services.**

There is an easement for underground electricity within a subdivision of lot 75 DP 874040 ( now registered as DP 1123782) which cuts across several of the proposed lots on both sides of the future road. It is also noted that there is an overlapping easement for overhead power lines.

High tension power lines have always been a contentious point with property owners and the effect of the electromagnetic radiation on their health. No submission from the applicant has attempted to address this subject.

**Council requests the Department review the documentation and seek clarification from the proponent as to the exact location of the electricity easement registered in DP 1123782 in relation to the proposed 21 lots and be satisfied that there are no adverse impacts to the lots.**

### **2.4 Section 88B - Restriction As To User (RATU)**

The additional lots having a frontage to the access road off intersection 'A' will require a restriction as to user prohibiting vehicular access from the eastern boundary of lot 1001 and the western boundary of lot 610. In addition to this, a RATU will be required for the southern boundary of all the lots to prohibit vehicular access. **Council requests the requirement be added as a Commitment (see 2.6, below).**

### **2.5 Acoustic Treatments and Fencing**

The proponent has submitted an Acoustic Report (Heggies -13 July 2010) and a drawing (Taylor brammer –LC01 Rev A) to demonstrate mechanisms to reduce traffic impact noise to residents of the proposed 21 lots.

It is noted to achieve an overall structure height it is proposed to construct an earth mound and locate a timber fence along the boundary of the lots. The mound on the road reserve will be provided with a combination of gravel mulch and planting. This is described by Heggies as a "noise wall" treatment.

The following issues arise:

- (a) The drawing shows a section of fencing near the western end being "proposed colorbond mini screen fence". There is no description or drawing of what this represents and Council considers there should be consistency in the height and materials of the fencing.

**Council requests that the Department seeks clarification from the proponent and advised Council.**

- (b) The fence component is shown to be supported structurally on concrete footings within the mound. The repose of the mound at a slope of 1:3 will require approx. 4.8m of the mound extending into the lots. The mound within the lots is considered undesirable as with small lots and often small areas of private open space landowners will potentially seek to alter the ground surfaces and the stability will be affected. Council recommends

the fence be erected onto an aesthetically designed structural retaining wall facing the lots and the landscaped mound slope be only facing the road. An amended plan should be required.

**Council requests the proponent be required to ensure the integrity of the fence structure and to maintain the effect of the “noise wall” treatment by imposing a Section 88B RATU to prevent a landowner affecting the stability of the fence structure. (See 2.6, below).**

- (c) Should the proposed 21 lots be approved, **Council requests the landscaped mound be provided with mid-storey plantings.**

### **2.6 Proposed Commitments 78a and 78b.**

Council does not object to the general wording of proposed Commitments 78a and 78b and request the additional Section 88B instruments stated in 2.4 and 2.5(b), above. It is noted that the lot numbers stated in 78b are different to the drawing 4219-Rev-0, submitted with the modification application and this should be clarified.

### **3.0 Statement of Commitment No 16a**

There are no objections to the amendment to Commitment 16a regarding bushfire management. Compliance is required with Councils DCP 100 and the Planning for Bushfire Protection Guidelines.

### **4.0 The works at Access A and deferral of Commitment No 53**

#### **4.1 Summary**

The proponent's application seeks to defer the works at Access A until 400 lots have been developed and have submitted a Traffic Report (Halcrow - 4 May 2010). Council does not support the submitted modification and the issues are discussed below.

The use of a 400 lot threshold instead of a staging threshold is not supported because:

- (a) the roundabout at Access A is also defining the change from driving a rural road to driving a urban road system for drivers from the north on Naval College Road ( MWT – Jan 2006 report page 44)
- (b) Without access A being constructed at an earlier stage the safety at Access B intersection is compromised.
- (c) The timing of the Vincentia District Centre (VDC) and the provision of Access C (Moona Creek Road) is indeterminate and is subject to a separate application process. Council is aware of the VDC owner's expectations and timing of the VDC is based on commercial factors and not residential lot yield however decisions on the separate application have not yet been determined.
- (d) The interacting impacts on the road related commitments if Commitment 53 is amended should be considered (see 4.4,below)
- (e) The use of a 400 lot threshold is solely based on the capacity of the subdivision road design (technical design standards) rather than a holistic

assessment of many associated factors.

#### **4.2 Traffic and Transport Concerns**

Council's Traffic and Transport Section do not support the proposed timeframe for provision of the roundabout at Access A. The traffic impact assessment does not adequately satisfy Council that the delayed provision of the roundabout is reasonable in this case. Access B was approved based on the forecast traffic volumes to use Access B. The available sight distance at Access B meets only the absolute minimum standards. Part of the approval of the Access B upgrade considered the very significant speed reduction characteristics of the subject roundabout at the northern end of the works area. Accordingly it is not accepted that Access B could accommodate additional traffic or that the roundabout be deferred. This is a matter of safety, not strictly a capacity argument as mounted by the applicant. The roundabout will provide increased capacity but importantly provide significant safety improvements along this section of Naval College Road which Council believes are necessary to allow the developments access points (A & B) to operate without adverse safety implications. All other access points have their own safety and traffic management features.

#### **4.3 Council requests more information of residential staging**

To consider the amendment and the best and more appropriate options, the Council requests the Department seek a revised Staging Plan for the overall development and including the Western Village. This will enable a practical evaluation of the likely use by future landowners of Access A and B that can be related to stages rather than a number of lots. It is likely with the overall staging detail submitted that Council can be in a better position to consider an appropriate stage threshold.

#### **4.4 Impacts of deferring Commitment No 53**

The existing Commitment No 53 has been based on the proponent's notional concepts for staging at the 2007 Concept approval stage. There have been some stages developed and a number of amendments to lot layouts and the stages over time.

The proponent seeks a deferral of the timing for the construction of Access A and this amendment, as a consequence of earlier Commitments, impacts the timing of other road upgrades along this section of Naval College Road. It is noted that in the 2007 Concept Approval and Commitments there are a number of interacting road commitments that should be read in conjunction rather than in isolation. This applies to Commitment No 53. Likewise, changing the triggers from stages to developed lots will have unintended consequences.

For example, the timing for Commitment 58b ( upgrading of the road between Access B and Access A) is related to the timing on Commitment 53, so deferral of Commitment 53 affects completion of Intersection B, as so on.

The proponent has submitted preliminary designs to Council for the works in Naval College Road required under the Concept approval and Commitments; however as preliminary plans only Council has not provided the proponent with



comments or requirements for amendment before considering final design plans. The RTA concurrence is required for roundabouts and some components of the works require Shoalhaven Traffic Committee and Council approval.

### **5.0 Water and sewer**

Shoalhaven Water has provided the following requirements:

- 5.1 Developer Contributions are applicable for each lot. Current rates are \$6,200.00 (10/11) per lot for water and \$7,860.00 (10/11) per lot for sewer.
- 5.2 Water reticulation shall be made available to each lot. Water supply designs shall be approved and works installed in accordance with Shoalhaven Water's Water Reticulation Specification and Construction Standards.
- 5.3 The developer shall provide for a 20mm metered service to each unmetered lot. The cost for a 20 mm service is \$680.00 (10/11). All meters shall be located within the lot to be serviced as approved by Shoalhaven Water.  
NOTE: The connection fee for a 20mm metered service is \$105.00 (10/11) and is paid by the person making application for installation of the metered service.
- 5.4 Sewer mains are to be extended to serve the whole development and are to be in accordance with the sewer stagey for the entire subdivision. All plans are to be submitted to Shoalhaven Water for determination after consultation with Shoalhaven Water's Planning and Development Section.
- 5.5 An 'Easement for Drainage of Sewage' shall be created over all lots, which have the gravity sewer running through them. The easement shall be located centrally over the sewer pipes. The minimum widths of the easement shall be as follows:
  - Sewer depth to invert less than 2.50m - easement 2.40m wide
  - Sewer depth to invert greater than 2.50m - easement 4.0m wide

### **General**

A Certificate of Compliance (CC) under Section 307 of Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000 must be obtained for each stage of the subdivision and for each dwelling constructed to verify that all necessary requirements for matters relating to water supply and sewerage (where applicable) for the development have been made with Shoalhaven Water. A Certificate of Compliance shall be obtained from Shoalhaven Water after satisfactory compliance with all conditions as listed on the Development Application Notice and prior to the lodgement of an application for Subdivision Certificate. A copy of the Certificate of Compliance must accompany the application for an, Subdivision Certificate.

### **6.0 Conclusion**

Council's submission does not support the proposed Modification No 9, as submitted. Council requests the Department seek additional information concerning the staging of the western village so Council may further consider the development of stages in relation to works at access A.

**Tim Fletcher**  
Director, Development and Environmental services Group



8 October 2010

**From:** "Peter Freckelton" <Peter.Freckelton@integral.com.au>  
**To:** <John.Phillpott@planning.nsw.gov.au>  
**Date:** 15/10/2010 3:02 pm  
**Subject:** ENL1385 - Vincentia Coastal Village Mod 9, Naval College Road,Vincentia  
**Attachments:** JP email 27-9-2010-FW Vincentia Coastal Village Mod 9.msg; FPJ4003.pdf; FPJ4015.pdf

John

Further to your email dated 27/9/2010 (refer attached) regarding the proposed development Vincentia Coastal Village Mod 9, Naval College Road, Vincentia, this correspondence has been registered under reference number ENL1385, please quote this number for all future correspondence.

At present Integral Energy has two existing 33kV overhead feeders which are located parallel to each other and traverse the proposed development. Each 33kV feeder has an 11kV overhead feeder located beneath it. For the proposed development to proceed, assuming the feeders are to remain in there existing configuration, the existing 33kV & 11kV feeders would have to be relocated such that they are located within a nominal easement with a minimum width of 28m. The easement would have to be located outside of the proposed development such that the easement does not overlap the proposed development.

The easement width of 28m is based on each 33kV overhead feeder (with an 11kV overhead feeder located beneath it) being separated by 10m and 9m each side of each feeder. Depending on the location of the feeders when relocated relative to the cadastral road boundaries of Naval College Road, the easement width may be reduced based on the overlap of the nominal 28m wide easement within the road boundary. Where the easement is located on private property the easement would be required to be registered on title in Integral Energy's favour. Relinquishment of the existing easement would be subject to Integral Energy's easement release policy. It should be noted that subject to investigation by a Level 3 Accredited Service Provider other options may be more suitable for the relocation of the existing feeders.

Supply for the proposed development would be made available from the Integral Energy's existing network that has been established to make supply available to the Bayswood Estate located adjacent the proposed development.

The connection to Integral Energy's network would be subject to compliance with Integral Energy's Network Connection Contestable Works General Terms and Conditions, AS/NZS3000 Wiring Rules and the Service and Installation Rules of NSW.

The customer will be responsible for the installation and funding of the "Connection Assets" in accordance with Integral Energy's Network Connection Contestable Works General Terms and Conditions and the AER (Australian Energy Regulator) determination for capital contributions. The connection assets include all works to relocate existing 33kV & 11kV feeders from the proposed development site and make supply available to the proposed development from Integral Energy's existing network adjacent the proposed development.

The detail for the works to relocate the existing 33kV feeders is required to be defined in an Integral Energy Project Definition which would be issued subject to a firm application and a written commitment from the customer that the project would proceed. Once a firm

application and a written commitment from the customer is received by Integral Energy, the customer should allow at least 3 months for the Project Definition to be issued. The customer will be required to fund the cost of the Project Definition.

A Level 3 Accredited Service Provider (refer Department of Fair Trading at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) <blocked::BLOCKED::BLOCKED::outbind://18-00000000AACAB0C112667845B59864BF81F888470700CFD6B3DB3224094F804C4DC90206D2400000002C5F9E0000542F31468AC90040841DA9F2A1EEBC7E00001CFC1C010000/www.fairtrading.nsw.gov.au> ) will need to be engaged by the customer to carry out an investigation of options and the electrical network design of connection assets. A Level 1 Accredited Service Provider (refer Department of Fair Trading at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) <blocked::BLOCKED::BLOCKED::outbind://18-00000000AACAB0C112667845B59864BF81F888470700CFD6B3DB3224094F804C4DC90206D2400000002C5F9E0000542F31468AC90040841DA9F2A1EEBC7E00001CFC1C010000/www.fairtrading.nsw.gov.au> ) will need to be engaged by the customer to carry out the electrical network construction of connection assets. In addition to Department of Fair Trading accreditation, the Level 3 and Level 1 Accredited Service Providers will also need to be pre-qualified by Integral Energy to undertake the design and relocation of the 33kV overhead feeders respectively.

To proceed with the relocation of the 33kV & 11kV feeders and provision of supply for the proposed development, please complete the attached applications and forward to Integral Energy at [CWAdmin@integral.com.au](mailto:CWAdmin@integral.com.au) <blocked::BLOCKED::mailto:CWAdmin@integral.com.au> . The customer should submit the applications to Integral Energy prior to making any financial commitments or undertaking any works on site. It should be noted that capacity is not reserved and the conditions of supply may change at the time of making an application.

The advice provided above is in response to an enquiry only and does not constitute a formal method of supply but an indication of the works required to make the connection.

Regards  
Peter Freckelton  
Contestable Projects Manager Central & Southern Region  
Network Connections  
Ph - 0403 343 228  
Ph - (02) 4252 2970  
Ph - 8 2970  
Fax - (02) 4252 2892  
Email - [peter.freckelton@integral.com.au](mailto:peter.freckelton@integral.com.au)

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### Application for Provision of an Electricity Network in a Subdivision (Excluding Strata Subdivision)

Please return completed form together with all attachments to:  
Integral Energy, network Connections, PO Box 6366, Blacktown, NSW 2148  
Fax: Network Connections - Blacktown (02) 9853 6461, Coniston (02) 4252 2892  
Address: 51 Huntingwood Drive, Huntingwood NSW 2148 Phone: (02) 9853 6234

**Note: All information requested should be provided. Where not applicable please insert N/A. Application submitted with inadequate information will not be accepted.**

#### Subdivision Details

Date supply of electricity is required to the subdivision \_\_\_\_/\_\_\_\_/\_\_\_\_

Type of subdivision    ... Urban Residential                      ... Non-Urban Residential (Rural)  
                                   ... Dual Occupancy Torrens                      ... Community Title  
                                   ... Industrial    ... Torrens  
                                   ... Integrated Housing                                      ... Commercial

Lot & DP No \_\_\_\_/\_\_\_\_    Street No \_\_\_\_    Street Name \_\_\_\_\_

Cross Street \_\_\_\_\_    Suburb / Town \_\_\_\_\_    Post Code \_\_\_\_\_

Local Council / Shire \_\_\_\_\_    UBD Map & Reference No. \_\_\_\_/\_\_\_\_

Developer \_\_\_\_\_

Developer's Representative (if applicable) \_\_\_\_\_

Developer / Developer's Representative Reference Number for correspondence \_\_\_\_\_

Address for correspondence \_\_\_\_\_    Post Code \_\_\_\_\_

Mob number \_\_\_\_\_    Telephone Number \_\_\_\_\_    Fax number \_\_\_\_\_

#### Development Details

Council land zoning \_\_\_\_\_

Lot numbers of new single dwellings \_\_\_\_\_    Total \_\_\_\_\_

Lot numbers of existing dwellings to be retained \_\_\_\_\_    Total \_\_\_\_\_

Lot numbers of multiple dwelling areas \_\_\_\_\_    No. of units \_\_\_\_\_

Lot numbers of dual occupancy lots \_\_\_\_\_    Total \_\_\_\_\_

Lot numbers of residue lots \_\_\_\_\_

Lot numbers of special use areas (include details if any) \_\_\_\_\_

Lot numbers of public reserves, road reserves, etc \_\_\_\_\_

Lots affected by    existing overhead power \_\_\_\_\_  
                                   line easements (also show on plan) \_\_\_\_\_

Community Title (where applicable) - maximum living floor area permitted by Council \_\_\_\_\_

<u>Development Details cont...</u>			
Subdivision maximum dwelling size permitted by Council	_____		
Lots subject to stormwater detention / EPA requirements	_____		
Gas reticulation to be installed in development	... Yes	... No	
Joint Use Trench is being arranged with	... AGL	... Telstra	... Optus

**Applicant's Statement:**

1. I acknowledge that I have read the *Network Connections Contestable Works General Terms and Conditions* and I am familiar with its contents.
2. I agree that at all times; this application is subject to Integral Energy's current *Network Connection Contestable Works General Terms and Conditions*.
3. I have submitted a copy of the Council's completed development requirements
4. I submit the preceding information and wish to be advised of Integral Energy's requirements.
5. Work has not yet commenced that would impact on Integral Energy's existing assets.

<b>The signatory warrants he/she is authorised to execute this application on behalf of the land owner</b>
--

<u>Applicant</u>		
Name: _____	Signature: _____	Date: ____/____/____
* Contact details may be released to other customers with similar works in progress nearby to facilitate co-operation in design and construction activities.		... Yes ... No