



Temporary Transfer of Possession of Land

This form facilitates the temporary transfer of land management responsibilities from the Land Custodian to the organisation taking possession of the site for purposes of works and associated activities. The area of transfer includes the actual works site, site compounds; and stockpile areas. The responsibilities transferred include, but are not limited to:

1. Public Liability for any activities, structures or hazards associated with the area defined below;
2. Land maintenance required during the period of transfer as agreed by both parties;
3. Protection of environment and assets in accordance with approved plans as detailed below;
4. Control of access to the site;
5. Control over use of the site; and
6. Responsibility for managing impacts on the surrounding land arising from the activities on site as agreed by both parties.

Land to be transferred

The area required during construction is defined in the BWA Works Boundary Plan (BWA-M2G-SY-PLN-001) prepared August 2010. That section of the project lying within the ACT consists of:

- A combined intake and low lift pump station at Murrumbidgee River at Angle Crossing;
- A one meter diameter underground pipe from the Murrumbidgee east to the NSW border;
- A high lift pump station;
- 11kV power supply;
- Associated works including fencing, road works, landscaping, tree / shrub removal and rehabilitation; and
- Temporary areas for site office, pipe storage and pipe laydowns.

Purpose of transfer

The land to be transferred will permit the construction by ACTEW of a major utility installation transferring water from the Murrumbidgee River to Googong Dam, hereafter called the M2G project.

Name of the transferring agency

Parks and Conservation Service (PCS), Department of Territory and Municipal Services

Name of the receiving entity

ACTEW Corporation – Superintendent of Works or Delegate

Period of transfer

1 December 2010 to 30 June 2013

Conditions of transfer

1. Prior to works commencing PCS must be provided with signed off copies of the following documentation:
 - a) Final (amended) landscaping plan for the High Lift Pump
 - b) Traffic Management Plan for Angle Crossing Road
 - c) Angle Crossing Beach restoration plan
 - d) A map of heritage sites to be protected
 - e) *Nature Conservation Act* permits for any consultants involved in handling native fauna.
 - f) *Nature Conservation Act* License for clearing of native vegetation involved with these works
 - g) A schedule or timetable of the proposed works
2. ACTEW indemnifies the Territory and its employees against liability in respect of all costs and expenses and for all loss, damage, injury or death to persons or property caused by ACTEW, in connection with the works undertaken in the area of land transferred, except to the extent that the Territory caused the relevant loss, damage or injury.
3. Any clearing of native vegetation involved in these works must be licensed under the *Nature Conservation Act 1980*. ACTEW is responsible for identifying such vegetation within the area of land transferred and applying for the license.
4. ACTEW will secure the transferred land area to ensure there is no unauthorised public access. ACTEW will be held liable for any matter arising from unauthorised public access. Access to the work site will be agreed by both parties.
5. Where works extend into areas being grazed by stock, ACTEW must construct a stock proof fence around the area of works. The fencing of the paddock in which the works occur must be kept stock proof and any gate used by construction traffic to enter this paddock must be kept closed when not in use. ACTEW will be held liable for any matter arising from wandering stock escaping through such gates or fences that have been compromised by ACTEW works

6. Wildlife that falls into the trench, particularly reptiles and amphibians, must within 24 hours be removed to a safe refuge by a consultant employed by ACTEW, who must be licensed to do so under the *Nature Conservation Act 1980*.
7. ACTEW must strictly adhere to the requirements of the M2G Bushfire Management Plan (BWA-M2G-OS-PLN-002-1). In addition:
 - i. All fire incidents should be reported immediately to the District Manager, Namadgi, Parks and Conservation Service on 62072900 (after reporting to 000)
8. ACTEW must maintain all fire trails and access routes used during these works to a standard where they remain trafficable for bushfire suppression vehicles at all times.
9. All rehabilitation works must be monitored and completed to the satisfaction of PCS prior to the land being returned to PCS.



Delegate for
Parks, Conservation and Lands

Date 2/12/10



Delegate for ACTEW

Date 3/12/10

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Chris Webb
BWA Communications and
Governance Manager