

Wednesday 9 March 2011

Daniel Cavallo
Acting Director, Government Land and Social Projects
NSW Department of Planning
22-33 Bridge Street
Sydney NSW 2000

Architecture
Urban Design
Planning
Interior Architecture

Attention: Daniel Cavallo
Acting Director, Government Lands and Social Projects

RE: Potts Hill Reservoir
Section 75W application to Major Project No 08_0116

Dear Daniel,

We write to submit a Section 75W application to modify the Major Project Application No MP 08_0116 consent, granted by the NSW Department of Planning on 4 September 2010.

This report describes an application made under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Condition A2 of the Project Application Consent MP 08_0116 to amend the location of part of the 132 kV electricity overhead line.

The modification is proposed in accordance with the requirements of Section 75W of the EP&A Act. The modification provides an Overhead Mains Relocation Route Plan to amend the approved Civil Engineering Drawings, outlining the proposed amended location of the 132 kV line.

The report should be read in conjunction with the attached documentation, including:

- **Appendix A:** Conditions of Approval MP 08_0116, issued by the NSW Department of Planning.
- **Appendix B:** 132kV Feeder 240 Overhead Mains Relocation Route Plan and Construction Schedule, prepared by Energy Australia.
- **Appendix C:** Computer Modelling and Calculation of Magnetic Field Emissions from Existing and Relocated Feeders, prepared by Magshield Products (Aust.) International Pty Ltd.

An application form with landowner's consent and assessment fee of \$750 is submitted separately.

1. Site and locality

The subject site is located at the Western Precinct of Potts Hill, a Sydney Water Reservoir site within the Bankstown City local government area. The Western Precinct is bounded by the Sydney Water Reservoir Lands to the east, Brunner Road to the south, residential properties and Cooper Road to the west and a freight line to the north.

The land to which this modification relates is legally described as Lot 105 in Deposited Plan 1149790.

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The Western Precinct comprises 19.8 hectares of residential zoned land as well as 4.9 hectares zoned for Open Space. Entrances to the Western Precinct will be located off Bruncker Road (south) and Cooper Road (west).

The 132 kV electricity line proposed for relocation is located at the northwest of the Western Precinct, behind the properties at 15 to 33 Cooper Road, Birrong.

2. Development consent history

On 13 June 2007, a State Significant Site Study was lodged by Landcom and Sydney Water Corporation requesting that the Potts Hill site be listed as a State Significant Site under State Environmental Planning Policy (Major Projects) 2005 (now State Environmental Planning Policy (Major Development) 2005). On 14 July 2007, the Minister for Planning declared that the site could be considered a State Significant Site.

In March 2009, Project Application MP 08_0116 was submitted to the NSW Department of Planning for subdivision and civil works on the Western Precinct in accordance with the previously approved Potts Hill Concept Plan (MP 07_0099). The Project Application MP 08_0116 was approved by the NSW Department of Planning on 4 September 2010. The Conditions of Approval are provided at **Appendix A** of this report.

3. The proposed modification

It is proposed that an additional plan that amends the approved location of the 132 kV Electricity Main to amend the approved Civil Engineering Drawings be approved. The approved location of the 132 kV main is illustrated at **Figure 1**. The approved mains line was proposed to be located at the rear of existing residential properties to Cooper Road, and then connecting to Cooper Road via the northern edge of Cooper Road Park.

It is proposed to modify the location of the 132 kV main in accordance with the Plan provided at **Appendix B**. The relocated main is proposed at the northern portion of 15 Cooper Road, and connects to Cooper Road at the front of this lot. The main will then be located along the eastern side of the Cooper Road reserve up to the proposed Cooper Road Park where it will connect to the existing main, as illustrated at **Figure 2**.

The proposed modification will improve the amenity of proposed residential properties in the north western side of Road No 2, which no longer require an easement at the rear of the properties to accommodate the electrical main.

The main will be an overhead line and be connected via existing poles along Cooper Road and within the Potts Hill site. A new pole is proposed along Cooper Road, in front of the property, 15 Cooper Road. Some existing poles will be replaced to support the relocation of the main. These poles will be placed in the same location as the existing poles along Cooper Road.

Other works identified on the plan provided are not part of this modification application.

The proposed modification will result in changes to the environmental impact of the electrical main. These are addressed below:

Visual impact:

The proposed modification will result in additional electrical lines being located at Cooper Road, as opposed to being at the rear of residential properties. The visual impact of the proposed development is considered to be minimal given the line will connect to existing street poles and run parallel to existing services also located on the eastern side of Cooper Road. Also, the visual outlook of residents on the eastern side of Cooper Road, and the western side of proposed Road 2, will no longer have a view of power lines located at the rear of their respective properties. Accordingly, the proposed modification is considered to have an improved visual impact on the locality.

Electro/magnetic risk:

An electro/magnetic risk assessment was undertaken by Magshield Products (Aust) International Pty Ltd and is provided at **Appendix C**. The report provides calculation and modelling of magnetic field emissions from the existing and proposed relocated mains and the impacts on Birrong Girls High School and residential properties adjacent to the proposed and existing line locations.

The computer modelling and calculations of the electric field emissions resulted in the following conclusions:

1. *The proposed deviation of the power line route from the area behind the properties to the street frontage **would not change the EMF peak** and its rate of reduction with distance, but it **would change the distribution of EMF** across the residential properties along the existing and new paths.*
2. ***The most affected by the proposed change would be the two properties (No 33 and No 15 Cooper Road) located at the start and end of the section of the line proposed for relocation. However, the difference is not large and is well within the recommended limit for safe human exposure.***
3. *Relocation of the power line from behind the property line to the front of the property line in Cooper Road **will not significantly increase the EMF within the Birrong Girls High School grounds.** However, **the increase is reasonably small and well below the level at which an association between the long-term exposure to EMF and childhood leukaemia** was reported in scientific literature.*
4. *The calculations also demonstrated that the highest magnetic field produced by the 132kV power line **is well below the highest safe magnetic field exposure level for the general public** as recommended in the national and international guidelines and standards.*

Accordingly, the proposed relocation will have minimal Electro/magnetic field impact on human health and safety, in particular on Birrong Girls High School and adjacent residential properties as the modifications and increases to magnetic field exposure are well below acceptable levels for human risk.

Services impact:

The proposed modification will not have any impacts on the service provision of electricity for the Potts Hill site. The relocation of the 132 KV main route will not result in changes to the capacity or supply of electricity to existing or proposed dwellings.

Construction impact:

The proposed works are to be undertaken in accordance with the relevant provisions of the Construction Environmental Management Plan provided as part of the approved Project Application MP 08_0116 and Energy Australia's standard works practices for the erection of such electricity supply works.

All works are to be undertaken in accordance with the Energy Australia Network Standards, which outline compulsory procedures for persons working on or near Energy Australia's distribution network. The Energy Australia Network Standards provide design, construction and safety provisions which are to be complied with.

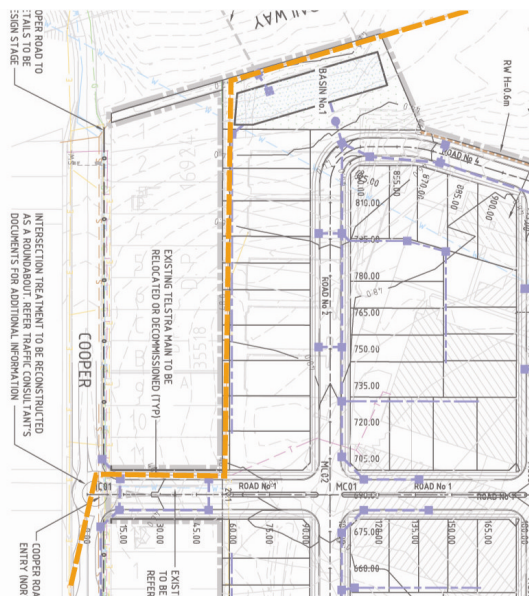


Figure 1 Approved Main location
The approved main is identified by the dashed orange line.

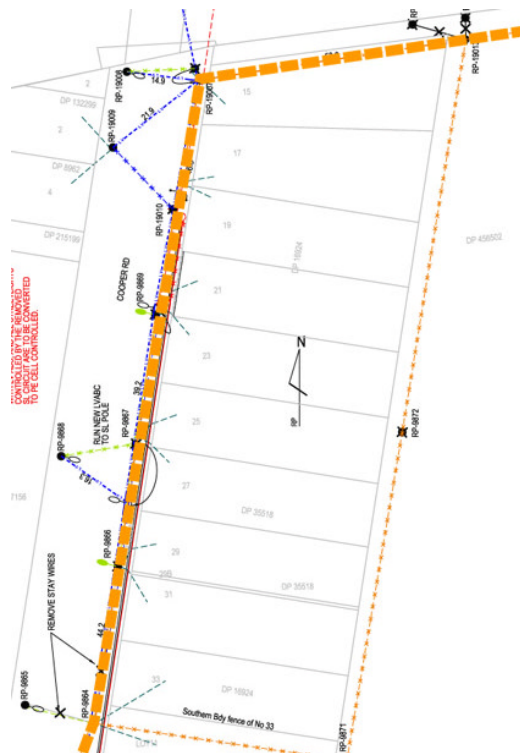


Figure 2 Proposed main line location
The proposed revised location of the 132 kV main is identified by the dashed orange line.

Accordingly, to accommodate the proposed modification, it is proposed that Condition A2 be amended. Condition A2 currently reads:

‘Condition A2 Development in Accordance with Plans and Documentation

The development shall generally be in accordance with the following plans, documentation and recommendations made therein:

A. Environmental Assessment Report for Western Residential Precinct Potts Hill, prepared by Architectus dated November 2009, including appendices and Preferred Project Report prepared by Architectus dated June 2010, including appendices			
B. Preliminary Construction Environmental Management Plan prepared by Cardno dated 11 May 2010			
C. Statement of Commitments prepared by Architectus contained in Schedule 3.			
D. Subdivision Plans prepared by Cardno and detailed as follows:			
Drawing No	Revision	Name of Plan	Date
600246 SA-101	B	Plan of proposed Stage 1 Subdivision	24 November 2009
600246 SA-202	B	Plan of proposed Stage 1 Subdivision	24 November 2009
600246 SA-201	B	Plan of proposed Stage 2 Subdivision	24 November 2009
600246 SA-202	B	Plan of proposed Stage 2 Subdivision	24 November 2009
600246 SA-203	B	Plan of proposed Stage 2 Subdivision	24 November 2009
600246 SA-301	B	Plan of proposed Stage 3 Subdivision	24 November 2009
600246 SA-302	B	Plan of proposed Stage 3 Subdivision	24 November 2009
600246-SA-303	B	Plan of proposed Stage 3 Subdivision	24 November 2009

D. Concept Civil Design plans prepared by Cardno and detailed as follows:			
600246-001	B	Cover Sheet and Drawing Schedule	2 December 2009
600246-002	A	General Notes	19 November 2009
600246-010	B	Site Plan	19 November 2009
600246-011	B	General Arrangement Plan 1 of 2	11 May 2010
600246-012	B	General Arrangement Plan 2 of 2	11 May 2010
600246-015	B	Typical Road Sections 1 of 3	11 May 2010
600246-016	B	Typical Road Sections 2 of 3	11 May 2010
600246-017	B	Typical Road Sections 3 of 3	11 May 2010
600246-020	B	Indicative Cut and Fill Plan and Existing Surface to Design Surface	11 May 2010
600246-024	A	Indicative Staging Plan	19 November 2009
600246-025	B	Indicative Lot Treatment Plan	11 May 2010
600246-026	B	Indicative Lot Treatment Details 1 of 3	11 May 2010
600246-027	B	Indicative Lot Treatment Details 2 of 3	11 May 2010
600246-028	B	Indicative Lot Treatment Details 2 of 3	11 May 2010
600246-030	B	Road Longitudinal Sections	11 May 2010
600246-031	B	Road Longitudinal Sections	11 May 2010
600246-032	B	Road Longitudinal Sections	11 May 2010
600246-033	B	Road Longitudinal Sections	11 May 2010
600246-034	B	Road Longitudinal Sections	11 May 2010
600246-035	B	Road Longitudinal Sections	11 May 2010
600246-036	B	Road Longitudinal Sections	11 May 2010
600246-037	A	Indicative Traffic Control Sections	19 November 2009
600246-040	B	Catchment Plan	11 May 2010
600246-041	A	Water Quality and Detention Basin No 1 Plan and Details	19 November 2009
600246-042	A	Water Quality and Detention Basin No 2 Arrangement Plan	19 November 2009
600246-043	A	Water Quality and Detention Basin No 2 Details	19 November 2009
600246-044	A	Water Quality and Detention Basin No 3 Plan	19 November 2009
600246-045	A	Water Quality and Detention Basin No 3 Details	19 November 2009
600246-050	A	Concept Sewer Layout Sheet 1 of 2	19 November 2009
600246-051	A	Concept Sewer Layout Sheet 2 of 2	19 November 2009
600246-052	A	Concept Potable and Recycled Water Layout	19 November 2009
600246-053	A	Concept Stormwater Layout Sheet 1 of 2	19 November 2009
600246-054	B	Concept Stormwater Layout Sheet 2 of 2	19 November 2009

600246-055	B	Erosion and Sediment Control Plan	26 June 2010
600246-056	B	Erosion and Sediment Control Details	19 November 2009"

It is proposed that Condition A2 be modified to read as follows (additional proposed text shown in red text):

'Condition A2 Development in Accordance with Plans and Documentation

The development shall generally be in accordance with the following plans, documentation and recommendations made therein:

A. Environmental Assessment Report for Western Residential Precinct Potts Hill, prepared by Architectus dated November 2009, including appendices and Preferred Project Report prepared by Architectus dated June 2010, including appendices			
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600246-015	B	Typical Road Sections 1 of 3	11 May 2010
600246-016	B	Typical Road Sections 2 of 3	11 May 2010
600246-017	B	Typical Road Sections 3 of 3	11 May 2010
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600246-026	B	Indicative Lot Treatment Details 1 of 3	11 May 2010
600246-027	B	Indicative Lot Treatment Details 2 of 3	11 May 2010

600246-028	B	Indicative Lot Treatment Details 2 of 3	11 May 2010
600246-030	B	Road Longitudinal Sections	11 May 2010
600246-031	B	Road Longitudinal Sections	11 May 2010
600246-032	B	Road Longitudinal Sections	11 May 2010
600246-033	B	Road Longitudinal Sections	11 May 2010
600246-034	B	Road Longitudinal Sections	11 May 2010
600246-035	B	Road Longitudinal Sections	11 May 2010
600246-036	B	Road Longitudinal Sections	11 May 2010
600246-037	A	Indicative Traffic Control Sections	19 November 2009
600246-040	B	Catchment Plan	11 May 2010
600246-041	A	Water Quality and Detention Basin No 1 Plan and Details	19 November 2009
600246-042	A	Water Quality and Detention Basin No 2 Arrangement Plan	19 November 2009
600246-043	A	Water Quality and Detention Basin No 2 Details	19 November 2009
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600246-045	A	Water Quality and Detention Basin No 3 Details	19 November 2009
600246-050	A	Concept Sewer Layout Sheet 1 of 2	19 November 2009
600246-051	A	Concept Sewer Layout Sheet 2 of 2	19 November 2009
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600246-053	A	Concept Stormwater Layout Sheet 1 of 2	19 November 2009
600246-054	B	Concept Stormwater Layout Sheet 2 of 2	19 November 2009
600246-055	B	Erosion and Sediment Control Plan	26 June 2010
600246-056	B	Erosion and Sediment Control Details	19 November 2009

As amended by:

Drawing No	Revision	Name of Plan	Date
221465	Draft C	132kV Feeder 240 Overhead Mains Relocation Route Plan and Construction Schedule	11 February 2011

4. Statutory requirements

This section assesses the proposed modifications against the relevant legislation, environmental planning instruments, guidelines and controls.

4.1 Section 75W modification of Minister's approval

Section 75W of the EP&A Act states the following:

'75W Modification of Minister's approval

(1) *In this section:*

"Minister's approval" means an approval to carry out a project under this Part, and includes an approval of a concept plan.

"modification of approval" means changing the terms of a Minister's approval including:

- a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*
 - b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.*
- (2) *The proponent may request the Minister to modify the Minister's approval for a project. The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part.*
- (3) *The request for the Minister's approval is to be lodged with the Director-General. The Director-General may notify the proponent of environmental assessment requirements with respect to the proposed modifications that the proponent must comply with before the matter will be considered by the Minister.*
- (4) *The Minister may modify the approval (with or without conditions) or disapprove of the modification.*
- (5) *The proponent of a project to which section 75K applies who is dissatisfied with the determination of a request under this section with respect to the project (or with the failure of the Minister to determine the request within 40 days after it is made) may, within the time prescribed by the regulations, appeal to the Court. The Court may determine any such appeal.*
- (6) *Subsection (5) does not apply to a request to modify:*
- a) *An approval granted by or as directed by the Court on appeal, or*
 - b) *A determination made by the Minister under Division 3 in connection with the approval or a concept plan.'*

The Proponent, requests that the Minister for Planning, as the consent authority, approve the proposed modifications to the Project Application MP 08_0116.

No provisions of Section 75W impose any prohibition or limitations on the proposed modifications. Therefore it is considered that the proposed modifications satisfy the provisions of this Section.

5. Relevant planning instruments

The following planning instruments and controls may be applicable to the proposal. Section 75W of the EP&A Act does not require the consideration of relevant planning instruments, however these have been considered for consistency with local planning objectives.

Statutory controls:

- **Bankstown Local Environmental Plan 2001 (BLEP 2001):** The BLEP 2001 is the principal environmental planning instrument applicable to development within the Bankstown local government area. The BLEP 2001 does not prohibit or restrict the proposed works.

No other plans or policies are applicable to the proposed development. The proposed development is considered acceptable against the relevant legislation and statutory controls.

6. Draft Statement of Commitments

The following Draft Statement of Commitments has been compiled based on the environmental assessment undertaken in preparation of this report.

The commitments are outlined in **Table 1** below:

Table 1 Draft Statement of commitments

Item	Commitment	Timing
Design and construction standards	All works are to be undertaken in accordance with the Energy Australia Network Standards available from Energy Australia.	During the undertaking of works.

7. Conclusion

The proposed modification under Section 75W of the EP&A Act will allow for the relocation of a 132 kV electrical main in accordance with the attached plan at **Appendix B**. The proposed works are to be undertaken with this Environmental Assessment and the attached plan. The proposed modification raises no adverse environmental impacts. The anticipated impacts will be mitigated by undertaking works in accordance with the Energy Australia Network Standards.

Accordingly, it is recommended that this Section 75W application be approved by the Minister for Planning, subject to the additional Draft Statement of Commitments.

If you have any queries or would like to discuss this matter further, please do not hesitate to contact me on 8252 8400 or murray.donaldson@architectus.com.au.

Yours Sincerely,

Murray Donaldson
Associate and Urban Planner
Architectus Group Pty Ltd