Development Application and Planning Proposal Review NSW Planning Portal Concurrence and Referral



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Department of	MP 06_0025		Michelle	21/10/2022	7/11/2022	28/10/2022
Planning and	MOD 9		Niles			
Environment	MP06_0060					
	MOD 17					

Address	Land Title
Corner of Wool Road and Naval College Road, Vincentia and the Vincentia	Lot 1 DP 1182358
Coastal Village Concept Plan Area	

Scope of Development Application or Planning Proposal

• MP 06_0025 MOD 9

Amendments to staging, land uses, car parking layout, plant and equipment locations, landscaping and an overall reduction in Gross Floor Area. Concept Plan: Amendments to the land uses and staging for the town centre.

• MP06_0060 MOD 17

Amendments the staging of the development of the District Town Centre to reflect the changes proposed under MP06_0025-Mod-9 including design amendments to stages 2 and 3, deletion of stage IB and changes to land uses proposed under Stage 2.

As shown in the below site plan from Endeavour Energy's G/Net master facility model:

There are:

- Easements benefitting Endeavour Energy (indicated by red hatching) for low voltage underground cables and street lighting equipment (please see the below extract of DP 1215695).
- Easements and restriction for fire rating for padmount substations no.s 33904 and 33905 and 11,000 volt / 11 kilovolt (kV) high voltage underground cables and underground earth cables (which continue in the road verge / roadway) (please see the below extract of DP 1215651).
- Low voltage and 11 kV high voltage underground cables to Moona Creek Road road verge / roadway.
- Low voltage underground cables, 11 kV (constructed at 22,000 volt / 22 kV) high voltage and 33,000 volt / 33 kV high voltage overhead power lines and overhead earth cables traversing the south western corner of the site at the intersection of Moona Creek Road and Naval College Road. Whilst there is no easement, the electricity infrastructure is regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).
- Low voltage and 11 kV high voltage underground cables to the corner of the Naval College Road and The Wool Road road verge / roadway with 11 kV high voltage overhead power lines continuing north east.
- Endeavour Energy's Huskisson Zone Substation is located opposite at Naval College Road, Worrowing Heights (Lot 1754 DP 28785).

Relevant / applicable clause numbers from Endeavour Energy's standard conditions for Development Application and Planning Proposal Review indicated by \boxtimes .

Cond- ition	Advice	Clause No.	Issue	Detail
	\boxtimes	1	Adjoining Sites	Adjoining or nearby development / use should be
				compatible with the use of Endeavour Energy's sites.
		2	Asbestos	Area identified or suspected of having asbestos or
				asbestos containing materials (ACM) present in the
	57	-		electricity network.
	\boxtimes	3	Asset Planning	Applicants should not assume adequate supply is
				immediately available to facilitate their proposed development.
		4	Asset Relocation	Application must be made for an asset relocation /
		-	Asset Relocation	removal to determine possible solutions to the
				developer's requirements.
	\boxtimes	5	Before You Dig	Before commencing any underground activity the
		_	0	applicant must obtain advice from the Before You Dig
				service.
	\boxtimes	6	Bush Fire	Risk needs to be managed to maintain the safety of
				customers and the communities served by the network.
		7	Construction	Integrity of electricity infrastructure must be
			Management	maintained and not impacted by vehicle / plant
				operation, excessive loads, vibration, dust or moisture
				penetration.
	\boxtimes	8	Contamination	Remediation may be required of soils or surfaces
[_		impacted by various forms of electricity infrastructure.
		9	Demolition	All electricity infrastructure shall be regarded as live and
				care must be taken to not interfere with any part of the
		10	Disponsation	electricity network.
		10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant
				must request a dispensation.
	\boxtimes	11	Driveways	For public / road safety and to reduce the risk of vehicle
			Direways	impact, the distance of driveways from electricity
				infrastructure should be maximised.
	\boxtimes	12	Earthing	The construction of any building or structure connected
				to or in close proximity to the electrical network must
				be properly earthed.
\boxtimes		13	Easement Management	Preference is for no activities to occur in easements and
				they must adhere to minimum safety requirements.
		14	Easement Release	No easement is redundant or obsolete until it is
				released having regard to risks to its network,
				commercial and community interests.
		15	Easement Subdivision	The incorporation of easements into to multiple /
		10	Far and a Constant	privately owned lots is generally not supported.
	\square	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety
				management plan.
		17	Excavation	The integrity of the nearby electricity infrastructure
		- /		shall not be placed at risk by the carrying out of
				excavation work.
	\boxtimes	18	Flooding	Electricity infrastructure should not be subject to flood
				inundation or stormwater runoff.
		19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard
				sources or in some situations be regarded as a
				hazardous source.

Cond- ition	Advice	Clause No.	Issue	Detail
		20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
	\boxtimes	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
		22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
\boxtimes		23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
		24	Protected Works	Electricity infrastructure without an easement is deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the <i>Electricity Supply Act 1995</i> (NSW).
		25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions form electricity infrastructure such as electric and magnetic fields (EMF) and noise.
		26	Public Safety	Public safety training resources are available to help general public / workers understand the risk and how to work safely near electricity infrastructure.
		27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
		28	Safety Clearances	Any building or structure must comply with the minimum safe distances / clearances for the applicable voltage/s of the overhead power lines.
		29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
		30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
		31	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
		32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
		33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
		34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
		35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
\boxtimes		36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Comple	eted by:			Decision
-	is Duba			Approve (with conditions)

Reason(s) for Conditions / Decision (If applicable)

- As an adjoining or nearby owners and occupiers, Endeavour Energy's Huskisson Zone Substation being a non-habitable building / site is comparatively less impacted. Whilst Endeavour Energy is not necessarily opposed to the Development Applications, it will leave the determination in regards to the environmental impact and the appropriate development controls to the Department.
- Protected works may be managed as if an easement is in place. Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Table 1 – 'Minimum easement widths' requires a minimum easement width of 18 metres for 33 kV high voltage overhead power lines ie. 9 metres to both sides of the centreline of the conductors.
- All encroachments and /or activities (works) within or affecting an easement, restriction for padmount substations or protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project and even if not part of the Development Application) need to be referred to Endeavour Energy's Easement Officer for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities within the easement.

For further information please refer to the attached copies of Endeavour Energy's:

- General Restrictions for Overhead Power Lines.
- General Restrictions for Underground Cables.
- o Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.
- Appendix J Services Advice prepared by Cardno date 28 May 2021 includes the following addressing whether the available electricity services are adequate for the proposed development.

Electrical Supply:

An assessment of the current Endeavour Energy network based on available sources indicate that the existing Vincentia Marketplace is serviced via a 11kV high voltage (HV) underground (UG) feeder (Feeder HKH2) supplied from Endeavour Energy's Huskisson Zone Substation (ZS) located off Naval College Road. The proposed development adjacent to the existing site off Moona Creek Road is likely to tie into this HV feeder.

An approximate load study found that the site (Child Care, additional tenancies 1-4 and car park) would require 738kVA of maximum load demand. This load may vary with further details provided on actual retail/space use.

Endeavour Energy's planning data was accessed and indicated that the Huskisson Zone Substation has approximately 13MVA capacity.

The proposed method of connection to the existing HKH2 feeder along Moona Creek Road will likely involve the following:

- Cutting into the UG HV feeder between existing Padmount substations 33905 off Moona Creek Road (Vincentia Marketplace) and 36087 Bayswood Avenue
- Install a 1000kVA substation on site and tie in and out of the cut HV feeder
- Trenching the frontage of the development and installing spare ducts
- Street Lighting at the frontage of the development if not installed
- Any required padmount substation/s will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.
- Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc.

- As well as the provision / capacity of distribution substations, other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed. However the extent of any works required will not be determined until the final load assessment is completed.
- Endeavour Energy's network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.
- The minimum required safety clearances and controls for building and structures (whether temporary or permanent) and working near overhead power lines must be maintained at all times. If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (ASP).

Even if there is no issue with the safety clearances to the building and structures, consideration must be given to WorkCover (now SafeWork NSW) 'Work Near Overhead Power Lines Code of Practice 2006' eg. ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kilovolt (kV).

Whilst there may be no restrictions in legislation that stop sensitive uses such as schools, pre-schools, day
/ child care centres being placed next to electricity infrastructure, prudent avoidance measures
appropriate to any electricity infrastructure on and near the site should when reasonably possible be
implemented.

As a guide, in accordance Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', with the observance of these separation distances, electric and magnetic fields (EMF) should not exceed the recommended magnetic field public exposure limits. Nonetheless the applicant may wish to commission an independent review to provide an overall assessment and the consideration and adoption of prudent avoidance principles.

• The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.

Screening vegetation around a padmount substation should be planted a minimum distance of 800mm plus half of the mature canopy width from the substation easement and have shallow / non-invasive roots. This is to avoid trees growing over the easement as falling branches may damage the cubicle and tree roots the underground cables. All vegetation is to be maintained in such a manner that it will allow unrestricted access by electrical workers to the substation easement all times.

 Not all the conditions / advice marked may be directly or immediately relevant or significant to the Development Application. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur. Yours faithfully Cornelis Duba Development Application Specialist Sustainability & Environment M: 0455 250 981 E: <u>cornelis.duba@endeavourenergy.com.au</u> 51 Huntingwood Drive, Huntingwood NSW 2148 <u>www.endeavourenergy.com.au</u>



Condition or Advice

With Endeavour Energy's Development Application and Planning Proposal Review process / system the intent of the 'Standard Conditions' being indicated as either a 'Condition' or 'Advice' essentially depends on the risk associated with the matter. If the matter is one that is likely or very likely to be an issue / needed to be addressed by the applicant and may require corrective action, then it is marked as a 'Condition'. If the matter is less likely and the consequences of the applicant not addressing it are lower or can be readily rectified, then it is marked as 'Advice'. If the matter is considered to be not applicable / relevant then it is not marked as either.

For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement. It will be generally indicated as 'Advice'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is some uncertainty over the extent or location of the underground cables on or near the site, it would then be indicated as 'Condition' and require action to be undertaken by the applicant eg. the use of an underground asset locating device or a certified locator to verify the asset location.

Decision

In the NSW Planning Portal for the 'Agency response', as Endeavour Energy is not a concurring authority under the provision of the *Environmental Planning and Assessment Act 1979* (NSW), it does not 'Approve' or 'Refuse' a Development Application in the Portal. It will 'Approve (with conditions)' (which may 'Object' in the submission and detail the matters requiring resolution), or if all the matters in the submission are marked are for 'Advice', the outcome of the assessment will also be 'Advice'.

Further Advice

The 'Standard Conditions' include additional advice and contact details and further information is also available on Endeavour Energy's website at <u>https://www.endeavourenergy.com.au/</u>.

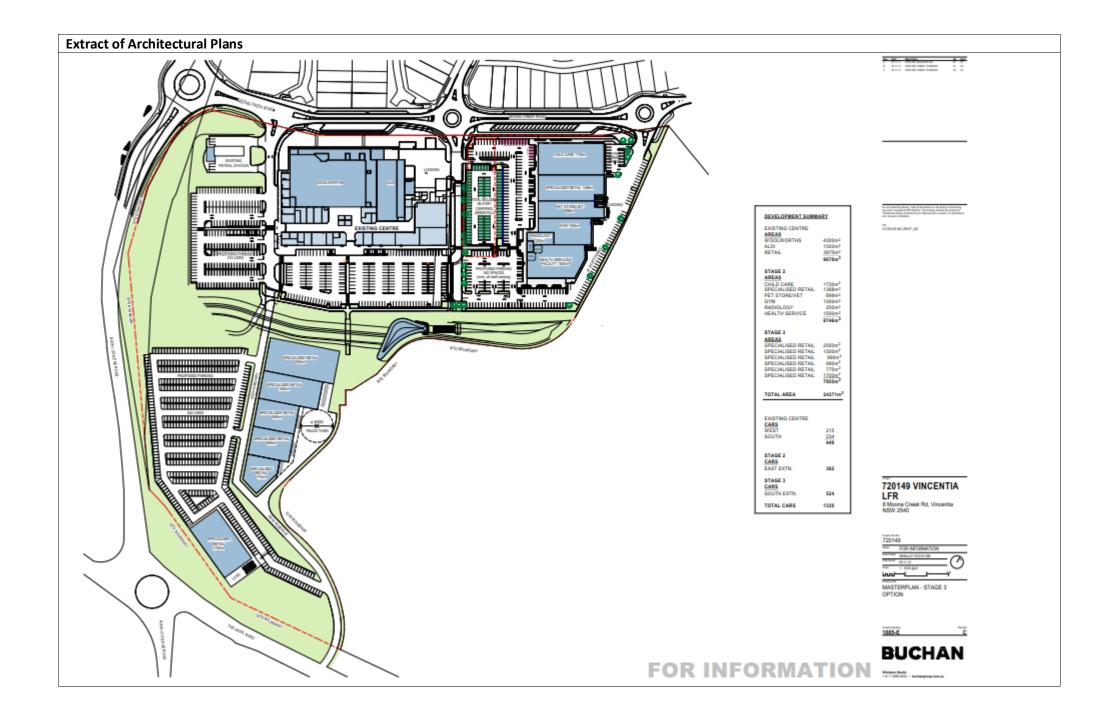
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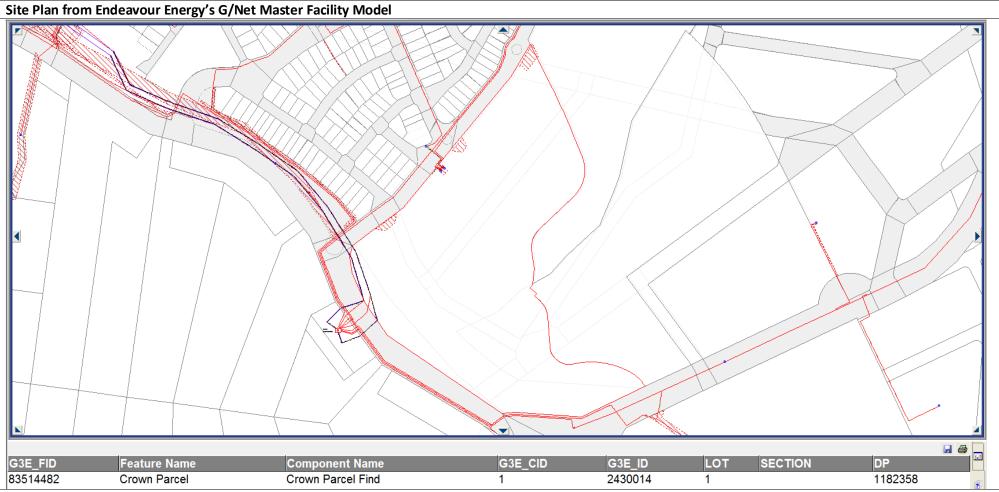
The following contacts can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666.

Branch / Section	Matters	Email
Customer Network Solutions	Electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP).	<u>cicadmin@endeavourenergy.com.au</u>
Easement Officers	Easement management or protected works / assets.	Easements@endeavourenergy.com.au
Property	Property tenure eg. the creation or release of easements.	network property@endeavourenergy.com.au
Field Operations (to the relevant Field Service Centre).	Safety advice for building or working near electrical assets in public areas (including zone and transmission substations).	Construction.Works@endeavourenergy.com.au

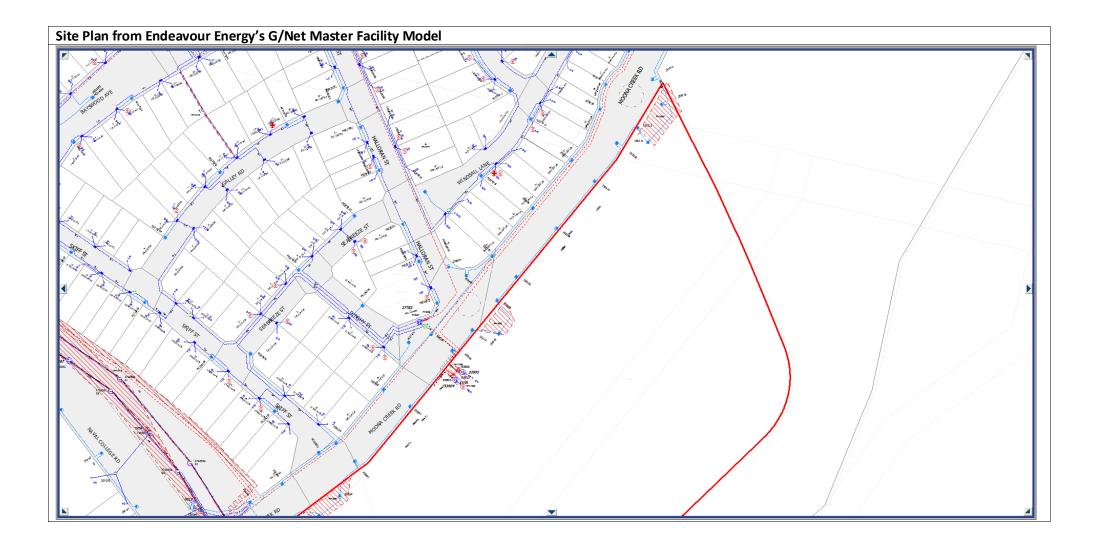
Please note Endeavour Energy's above contacts do not have access to the NSW Planning Portal. To resolve any matters direct contact should be made with the responsible contact. This will avoid double handling and possible delays in responding to the applicant / Council.

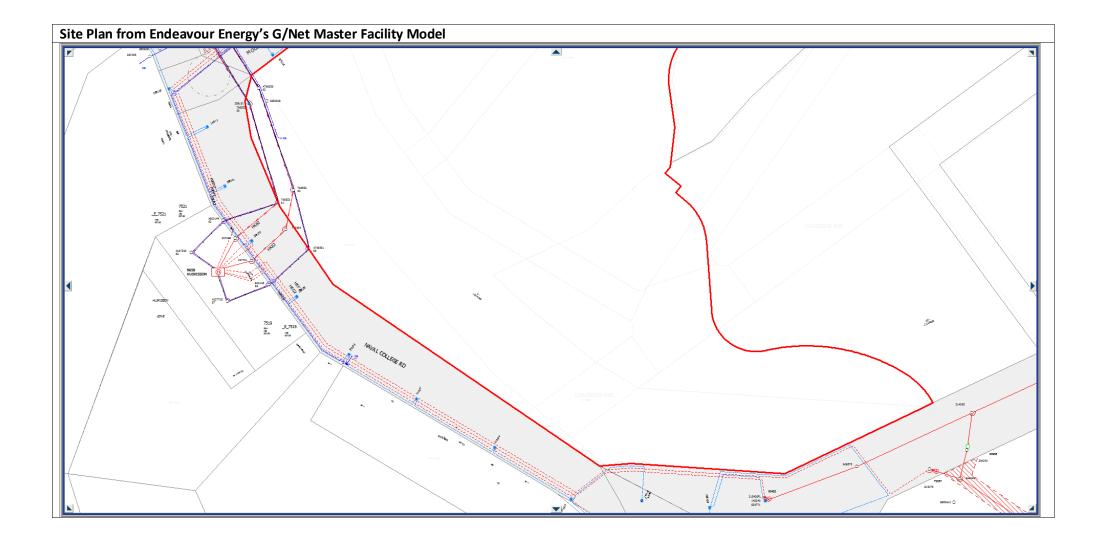
Details of the Accredited Service Provider (ASP) Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service.





Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan does not constitute the provision of information on underground electricity power lines by network operators under Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).





LEGEND	
PS	Padmount substation
$\overline{(\mathbf{l})}$	Indoor substation
G	Ground substation
ĸ	Kiosk substation
COT	Cottage substation
$\overline{\bigcirc}$	Pole mounted substation
HC	High voltage customer substation
MU	Metering unit
SS	Switch station
ISS	Indoor switch station
\Box	Customer connection point
	Low voltage pillar
	Streetlight column
	Life support customer
X	Tower
0	Pole
0	Pole with streetlight
Ô	Customer owned / private pole
	Cable pit
LB	Load break switch
AR	Recloser
	Proposed removed
	Easement
	Subject site



