

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
Penrith City Council	PP-2022-1052	Ref-1903	Glen Weekley	14/12/2022	11/01/2023	4/01/2023

Address	Land Title
221-235 Luddenham Road, Orchard Hills	Various lots

Scope of Development Application or Planning Proposal

Luddenham Road Planning Proposal. Rezone part of the site from RU2 Rural Landscape to part IN1 General Industrial and part IN2 Light Industrial.

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

Due to the large area covered by the Planning Proposal, the scale required to show the entire area makes it difficult to see the detail in the plans. The first Site Plan only shows high voltage electricity infrastructure [11,000 volt / 11 kilovolt (kV) or higher]. The plans thereafter also show the low voltage electricity infrastructure. However if Council require more detailed plans of any specific area they can be provided upon request. The main features of the electricity distribution network in the area are:

- Low voltage and 11 kV high voltage overhead power lines to the Luddenham Road road verge / roadway which in sections encroach the adjoining properties.
- 11 kV high voltage overhead power lines to the Patons Lane road verge / roadway.
- Extended low voltage overhead service conductors coming from poles on the road verge going to the customer connection points for the existing premises.
- Endeavour Energy's proposed Orchard Hills Switching Station is located at Patons Lane (Lot 99 DP 1282927).

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

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Adjoining Sites	Adjoining or nearby development / use should be compatible with the use of Endeavour Energy's sites.
<input type="checkbox"/>	<input type="checkbox"/>	2	Asbestos	Area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	Asset Planning	Applicants should not assume adequate supply is immediately available to facilitate their proposed development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4	Asset Relocation	Application must be made for an asset relocation / removal to determine possible solutions to the developer's requirements.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	8	Contamination	Remediation may be required of soils or surfaces impacted by various forms of electricity infrastructure.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9	Demolition	All electricity infrastructure shall be regarded as live and care must be taken to not interfere with any part of the electricity network.
<input type="checkbox"/>	<input type="checkbox"/>	10	Dispensation	If a proposal is not compliant with Endeavour Energy's engineering documents or standards, the applicant must request a dispensation.
<input type="checkbox"/>	<input type="checkbox"/>	11	Driveways	For public / road safety and to reduce the risk of vehicle impact, the distance of driveways from electricity infrastructure should be maximised.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12	Earthing	The construction of any building or structure connected to or in close proximity to the electrical network must be properly earthed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13	Easement Management	Preference is for no activities to occur in easements and they must adhere to minimum safety requirements.
<input type="checkbox"/>	<input type="checkbox"/>	14	Easement Release	No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests.
<input type="checkbox"/>	<input type="checkbox"/>	15	Easement Subdivision	The incorporation of easements into to multiple / privately owned lots is generally not supported.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16	Emergency Contact	Endeavour Energy's emergency contact number 131 003 should be included in any relevant risk and safety management plan.
<input type="checkbox"/>	<input type="checkbox"/>	17	Excavation	The integrity of the nearby electricity infrastructure shall not be placed at risk by the carrying out of excavation work.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input type="checkbox"/>	<input type="checkbox"/>	20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	21	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.

Condition	Advice	Clause No.	Issue	Detail
<input checked="" type="checkbox"/>	<input type="checkbox"/>	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).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25	Prudent Avoidance	Development should avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27	Removal of Electricity	Permission is required to remove service / metering and must be performed by an Accredited Service Provider.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	29	Security / Climb Points	Minimum buffers appropriate to the electricity infrastructure being protected need to be provided to avoid the creation of climb points.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input type="checkbox"/>	31	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	36	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Completed by:			Decision	
Cornelis Duba			Approve (with conditions)	

Cornelis Duba | Development Application Specialist

M 0455250981

E comelis.duba@endeavourenergy.com.au

51 Huntingwood Drive, Huntingwood NSW 2148. Dharug Country

endeavourenergy.com.au |    



Endeavour Energy respectfully acknowledges the Traditional Custodians on whose lands we live, work, and operate and their Elders past, present and emerging.

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

- Endeavour Energy's Property Branch has provided the following advice.

With reference to DP 1282927 there is:

- *Public Positive Covenant over Lot 100 to ensure Lot 99 being the Orchard Hills Switching Station is connected to permanent services by the Vendor when the parent lot / Lot 100 is developed in the future.*
- *Easement for Batter until the surrounding land is benched to the same level required for the construction of the Orchard Hills Switching Station, at which point the easement is to be relinquished to the Vendor without compensation.*

- Endeavour Energy's Asset Planning & Performance Branch have provided the following advice.

Endeavour Energy has engaged with the client for electricity supply for the proposed Alspec Business Park at Luddenham Road Orchard Hills under applications for connection of load for urban industrial subdivisions, Endeavour Energy's references UIS0913 & UIS0914.

The client will establish two new 11 kV feeders from Endeavour Energy's Mamre Zone Substation located at 8 John Morphett Place Erskine Park (Lot 9 DP 1097134) and extend another existing feeder all via Mamre Road and Luddenham Road. The feeder routes are dependent on Transport for NSW completing Stage 1 of Mamre Road upgrade.

Endeavour Energy's Orchard Hills Switching Station which will supply the Sydney Metro West (Aerotropolis) is currently under construction at Patons Lane, Orchard Hills (Lot 99 DP 1282927).

- Any existing electricity infrastructure on private property over which there is no easement may be regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW) and managed as if an easement is in place as detailed in Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Where protected works are to be retained as part of the future development, appropriate easements may need to be created over the electricity infrastructure.
- All encroachments and /or activities (works including subdivision) within or affecting an easement 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.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.
- 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).
- To ensure an adequate connection, the applicant for the development facilitated by the Planning Proposal will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- If the electricity infrastructure required for the future development facilitated by the Planning Proposal such as padmount substations and associated feeders / cabling is not located within future public roads / reserves, it must be provided with appropriate easements and restrictions in accordance with the requirements of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

- Endeavour Energy's network asset design policy is to progressively underground all new urban / residential developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present in proximity of the site, it will require undergrounding as the development proceeds.
- The planting of large / deep rooted trees to 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.
- Not all the conditions / advice marked may be directly or immediately relevant or significant to the Planning Proposal. 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.

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.

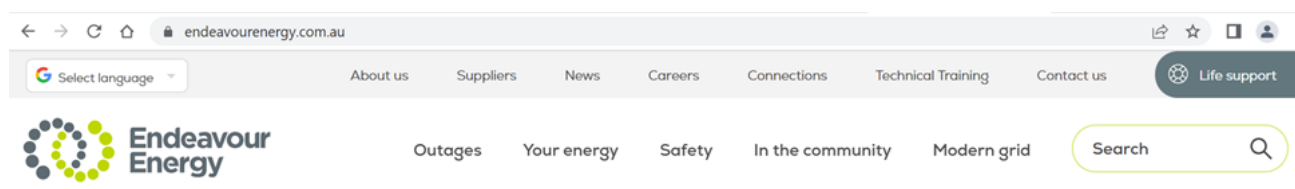
For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement. It will be generally indicated as 'Advice'. If the Site Plan from Endeavour Energy's G/Net 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 as 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 <https://www.endeavourenergy.com.au/>.



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).	cicadmin@endeavourenergy.com.au
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.

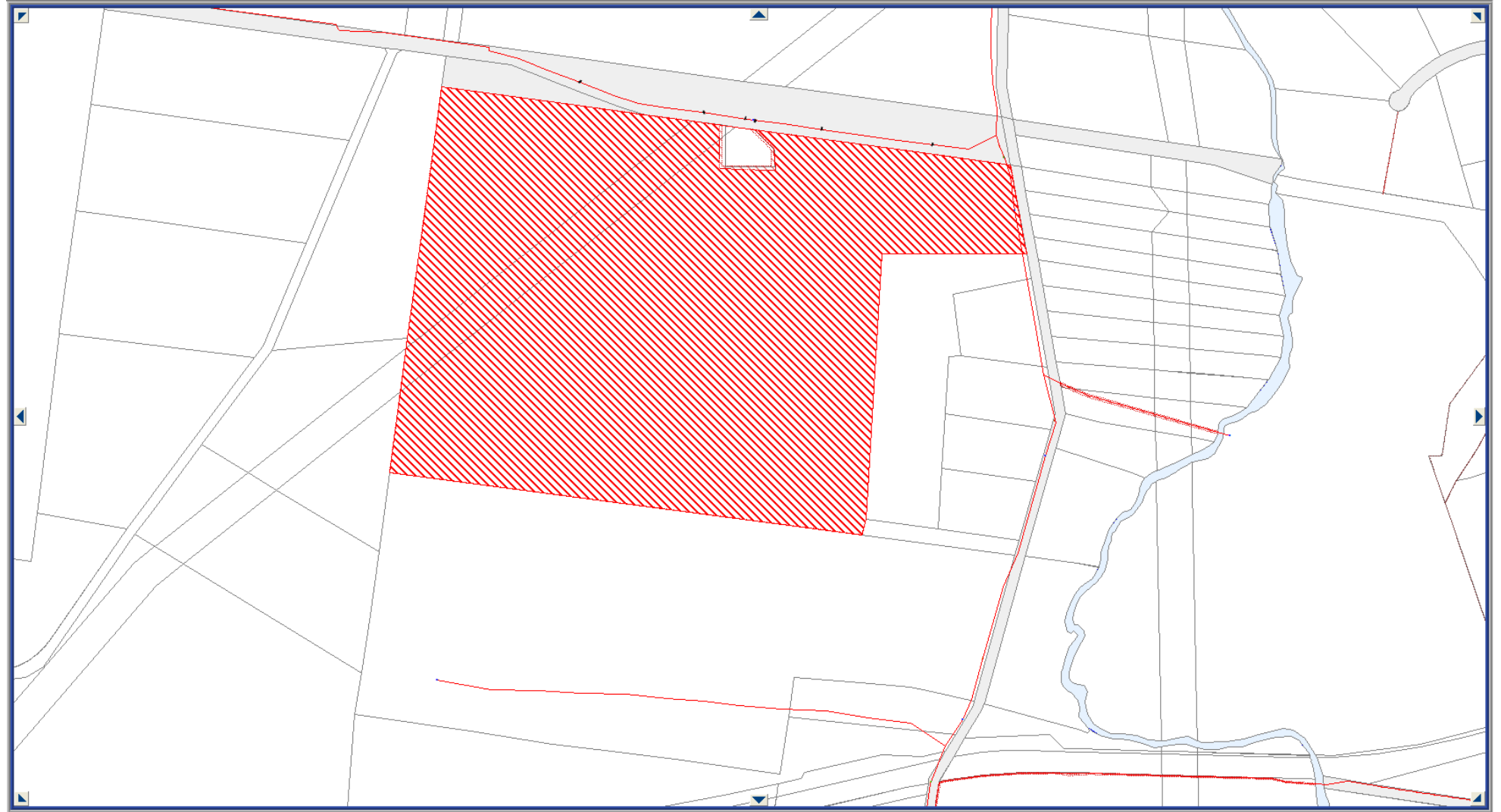
Details of the Accredited Service Provider (ASP) Scheme which accredits organisations to perform contestable work on the NSW electricity distribution network are available via the following link to the Energy NSW website at <https://www.energysaver.nsw.gov.au/get-energy-smart/dealing-energy-providers/installing-or-altering-your-electricity-service>.

Concept Master Plan

Figure 1 Concept Master Plan

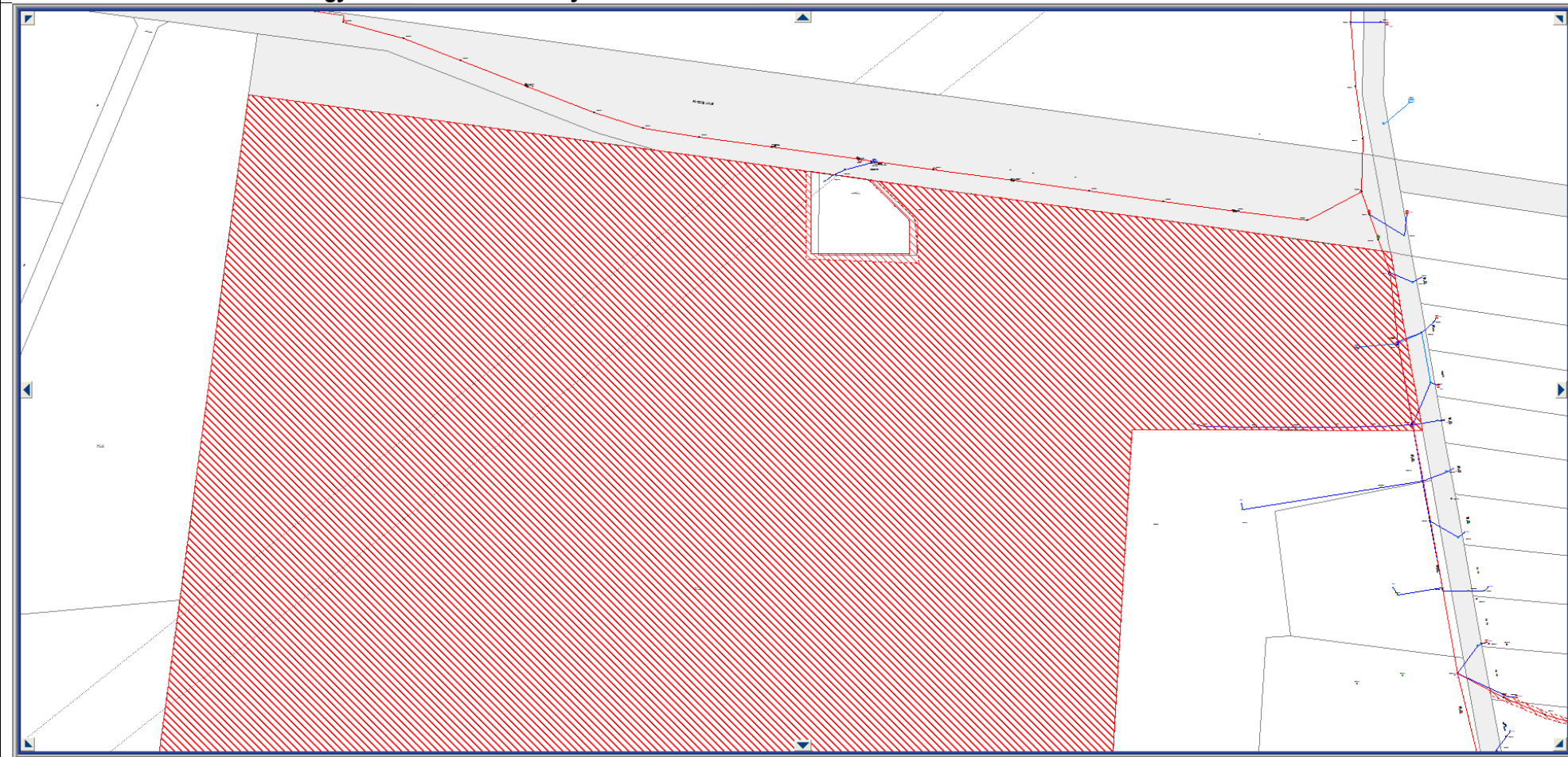


Site Plan from Endeavour Energy's G/Net Master Facility Model

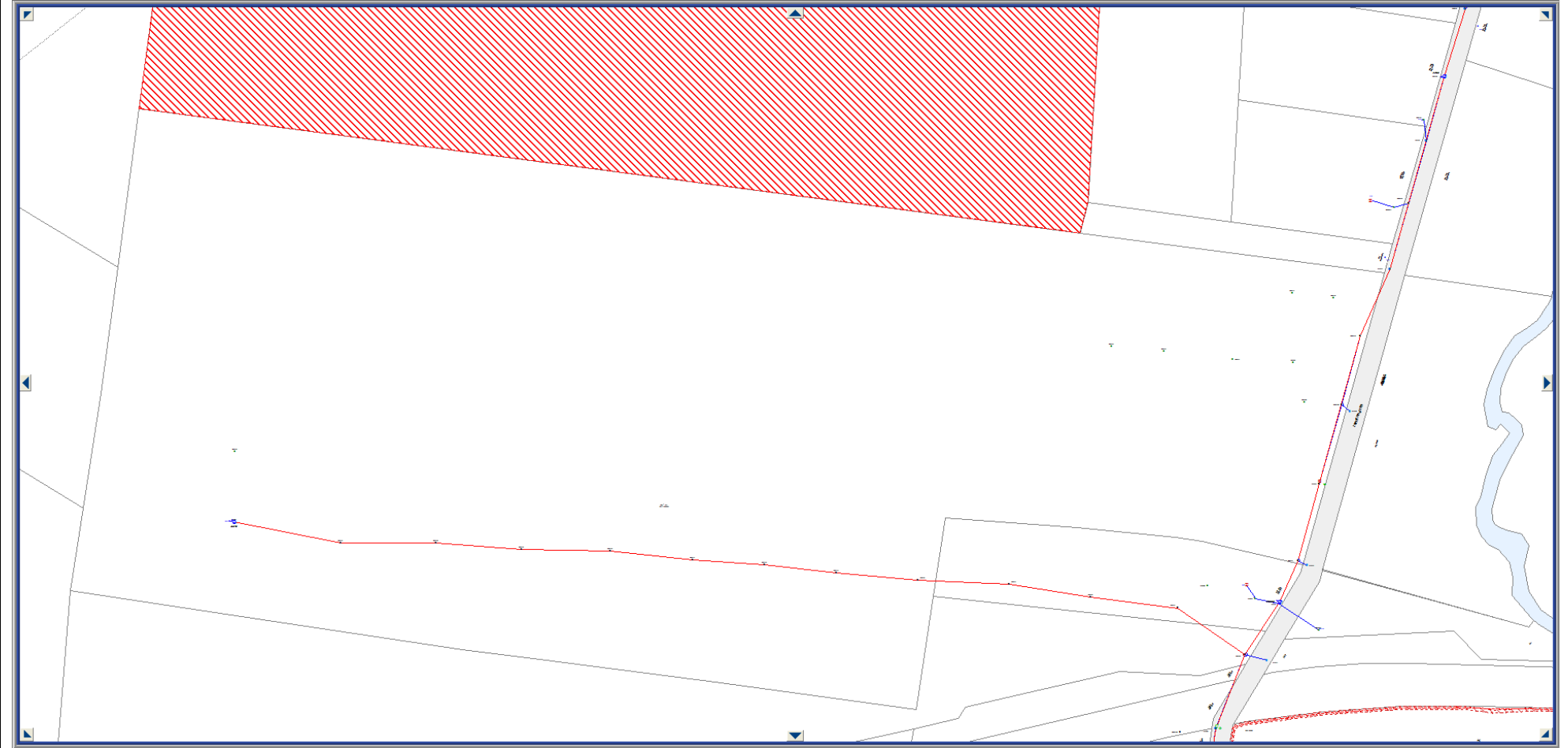



























Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of 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).

Site Plan from Endeavour Energy's G/Net Master Facility Model



Site Plan from Endeavour Energy's G/Net Master Facility Model



LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Voltage regulator
	Customer connection point
	Low voltage pillar
	Streetlight column
	Life support customer
	Tower
	Pole
	Pole with streetlight
	Customer owned / private pole
	Cable pit
	Load break switch
	Recloser
	Proposed removed
	Easement
	Subject site

PM CONNECTIONS

SSM 22738-SSM 22740
 X-Y 179°06'27"~1061.461 MGA GROUND
 179°06'27"~1061.472 SURVEY

SSM 22740-PM 42474
 0°23'12"~759.212 MGA GROUND
 0°23'13"~759.221 SURVEY

PM 42474-SSM 22738
 355°54'00"~302.912 MGA GROUND
 355°53'58"~302.916 SURVEY

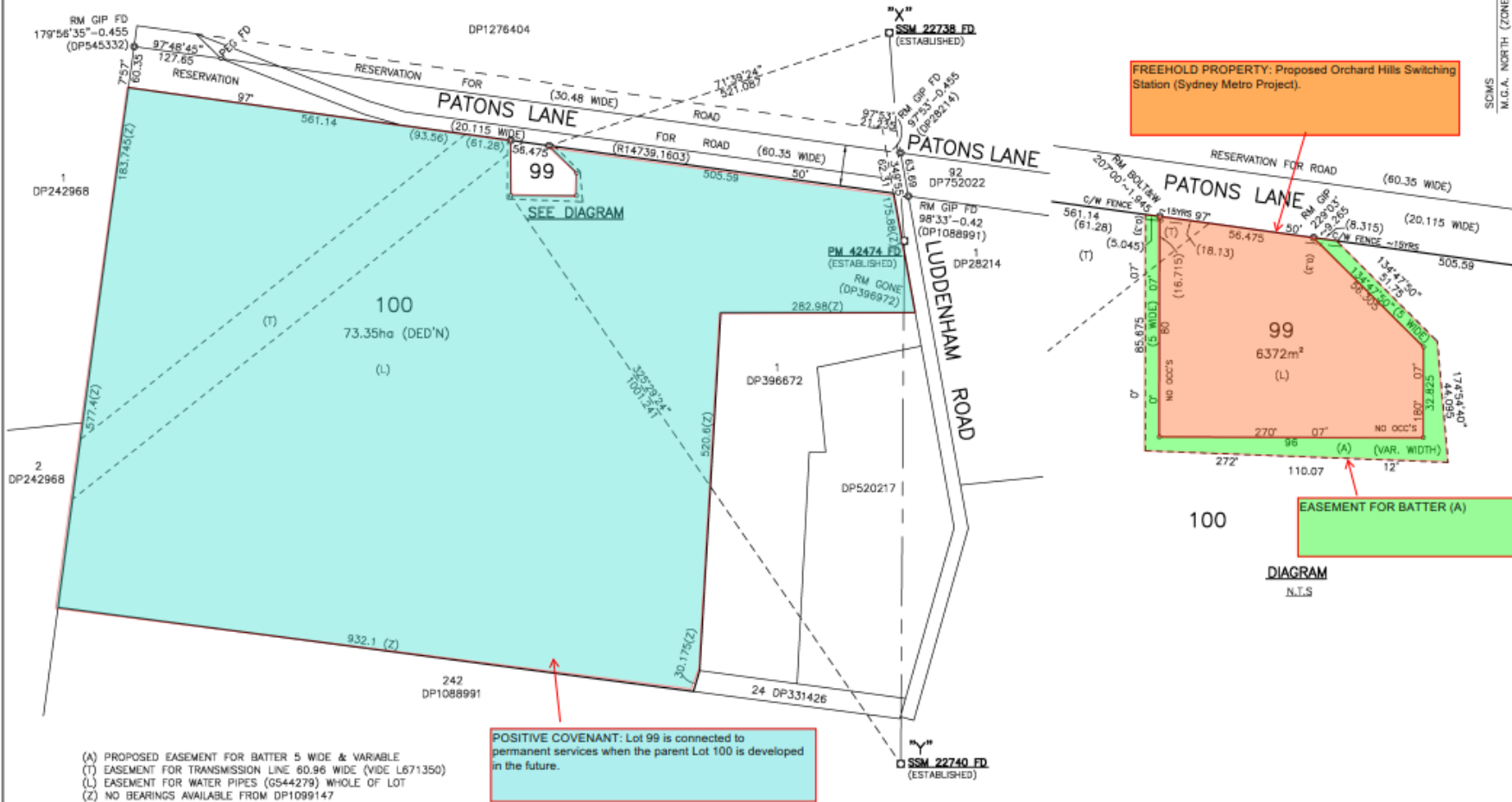
LOTS 99 & 100

LOT 1 DP 1099147
 C.T. 1/1099147

COORDINATE SCHEDULE

MARK	MGA CO-ORDINATES		CLASS	PU	METHOD	STATE
	EASTING	NORTHING				
SSM 22738	29269.498	6255951.326	B		SCIMS	FOUND
PM 42474	292713.158	6255649.153	B		SCIMS	FOUND
SSM 22740	292708.032	6254889.866	B		SCIMS	FOUND

DATE OF SCIMS COORDINATES: 24/02/2022 MGA ZONE: 56 MGA DATUM: GDA2020
 COMBINED SCALE FACTOR: 1.00012



Surveyor: RODERICK JAMISON
 LandPartners PTY LTD
 PO BOX 1144 DUNDAS 2117
 Date of Survey: 15/03/2022
 Surveyor's Ref: SY075567.000, RP4860
 2022M7100 (90) Partial Survey

PLAN OF LAND TO BE ACQUIRED UNDER THE
 ELECTRICITY SUPPLY ACT 1995, BEING PART LOT 1 IN
 DP1099147

LGA: PENRITH
 Locality: ORCHARD HILLS
 Subdivision No: N/A
 Lengths are in metres. Reduction Ratio 1:4000

Registered
 21.4.2022

DP1282927

10 20 30 40 50 Table of mm 60 70 80 90 100 110 120 130 140

Google Maps Street View. Intersection of Luddenham Road and Patons Lane.

