

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
NSW Dept. of Planning, Housing & Infrastructure	DA3-Mod-10		Chris Eldred	11/11/2024	6/12/2024	15/11/2024

Address	Land Title
Penrith Lakes, Castlereagh Road, Castlereagh	Various lots

Scope of Development Application or Planning Proposal

Penrith Lakes - Modification to DA3. The proposal seeks to modify the consent to increase the importation of fill on to site by approx. 9.7 million tonnes (across DA2 and DA3) to increase the height of the eastern portion of the land to raise it above the 0.2% (1 in 500 year) flood level.

Endeavour Energy's G/Net master facility model indicates:

Within or adjacent to the property the electrical network used in the distribution / supply of electricity are:

Electricity Infrastructure / Apparatus	Statutory allocation (road verge / roadway*)	Easement (or other form of property tenure**)	Protected works***	Freehold (adjoining or nearby)
Overhead Power Lines				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Pole / tower	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Underground Cables				
<input checked="" type="checkbox"/> Low voltage	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> High voltage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission voltage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Streetlight / pillar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substation				
<input checked="" type="checkbox"/> Pole mounted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Padmount	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Transmission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Low voltage extra low voltage up to 1,000 volts alternating current (a.c.).

High voltage above 1,000 volts a.c. and less than 33,000 volts a.c. [33 kilovolts (kV)].

Transmission voltage 33 kV up to 132,000 volts a.c. (132 kV).

*Rights provided in a public road or reserve. The allocation depends on the classification and date of roadway dedication.

** Other form of property tenure includes but is not limited to restriction, covenant, lease, licence etc.

***Protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

Other: provide detail of electricity infrastructure / apparatus.

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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20	Look up and Live	Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
<input type="checkbox"/>	<input type="checkbox"/>	21	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22	Network Access	Access to the electricity infrastructure may be required at any time particularly in the event of an emergency.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	23	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.

Condition	Advice	Clause No.	Issue	Detail
<input type="checkbox"/>	<input checked="" type="checkbox"/>	24	Network Connection	Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25	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"/>	26	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"/>	27	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 type="checkbox"/>	28	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"/>	29	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"/>	30	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"/>	31	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"/>	32	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 type="checkbox"/>	33	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"/>	34	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"/>	35	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	36	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network infrastructure.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	37	Vegetation Management	Landscaping that interferes with electricity infrastructure is a potential safety risk and may result in the interruption of supply.
Decision				Approve (with conditions)

Environmental Services Team

P 133 718

E Property.Development@endeavourenergy.com.au

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Parramatta NSW 2150.

Dharug/Wiradjuri/Dharawal/Gundungurra/Yuin Country

endeavourenergy.com.au |    



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Energy**

**POWER
together**



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

Reason(s) for Conditions or Objection (If applicable)

- The Department's letter indicates 'You are being notified of this application as you have been identified as a neighbouring landowner / occupier to the proposed development'. This appears to be in reference to Endeavour Energy's Cranebrook Zone Substation located at 115-125 Andrews Road Cranebrook (Lot 4 DP 595931) approximately 1.1 kilometres to the south east.

The Statement of Support for Modification to DA3 includes the following advice.

Executive Summary

This means there would be no effective change in the nature, location, or intensity of any impacts. The only residual impact would be an increase in overall duration of any managed residual impacts onsite to account for the site's extended use for importing material. The only other outcome would be a marginal increase in the overall landform and profile, which would not be visible from the periphery of the site given the relative topography and intervening landform. This negates the modification having any additional material impact on the receiving environment.

Endeavour Energy's primary concern is that there is no worsening of any flood impact, not only in regard to the Cranebrook Zone Substation but to all the electricity distribution infrastructure located on or near Penrith Lakes site.

- Although Endeavour Energy's electricity infrastructure is not a 'sensitive receptor' in the traditional sense of being a habitable / residential use, the electrical equipment / operation of the site would be affected by excessive / cumulative dust emissions.
- As shown in the below Site Plans from Endeavour Energy's G/Net master facility model there is various electricity distribution infrastructure within the Penrith Lakes. Due to the large size the scale required to show the area means the first two plans only show the high and transmission voltage assets. The second two plans show the parts of the site with the majority of the network assets and includes the low voltage network. However if the Department requires more detailed plans of any specific area they can be provided upon request.
- Electricity distribution infrastructure on private property over which there is no easement are regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW) and may be managed as if an easement is in place.

Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure', Table 1 'Minimum easement widths' provides details of the minimum required easement width for various types of electricity distribution infrastructure.

- All encroachments, activities and / or works (including subdivision and even if not part of the Development Application) whether temporary or permanent within or affecting an easement, restriction, right of access 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) need to be referred to Endeavour Energy's Easements Officers 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.

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

- General Restrictions for Overhead Power Lines.
 - General Restrictions for Underground Cables.
 - 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.
- To ensure an adequate connection, the applicant may 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.

- The minimum required safety clearances and controls for buildings 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 or structure, 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). It also includes the following requirements for work near low voltage overhead power / service lines.

TABLE 4

Approach distances for work near low voltage overhead service lines

Ordinary Persons (m)				
Hand held tools	Operation of crane or mobile plant	Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc)	Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc)	Driving or operating vehicle
0.5	3.0	4.0	1.5	0.6

- 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.

Endeavour Energy's G/Net master facility model.

The advice provided regarding the extent of the electricity infrastructure on or near the site is based on a desk top review of Endeavour Energy's G/Net master facility model. This is a computer based geographic information system which holds the data on and is used to map the electricity network. 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. It only shows the Endeavour Energy electricity 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.

Easement (or other form of property tenure).

Title searches will confirm the current owners of a property and shows any registered interests affecting the property such as an easement. Not all interests eg. short term leases and licences are registered on the title. Not all easements for electricity infrastructure will necessarily benefit Endeavour Energy eg. there may be interallotment / easements appurtenant to the land particularly for low voltage service conductors / customer connections. For further advice please refer to Endeavour Energy's:

- Land Interest Guidelines for Network Connection Works.
- Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

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 and will be generally indicated as 'Condition'. If the Site Plan from Endeavour Energy's G/Net Master Facility Model indicates there is no underground electricity infrastructure it will be indicated as 'Advice' as a precaution and in regard to any other underground utilities.

Not all of the matters may be directly or immediately relevant or significant to the Development Application or 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. Even if a matter is not indicated a 'Condition' or 'Advice', applicants are encouraged to review all of the 'Standard Conditions' as some matters may not have been evident from the information provided with the Development Application and of which the applicant may have additional knowledge.

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'.

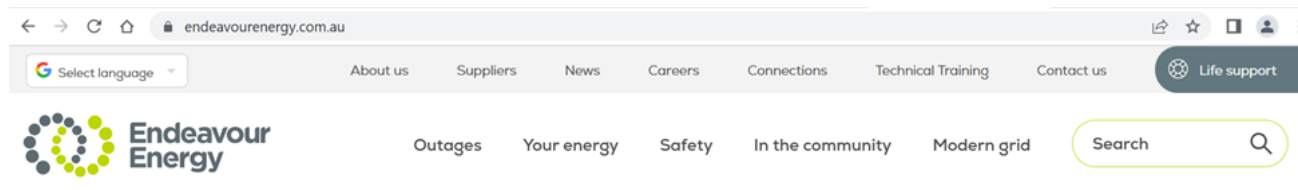
Objection

Endeavour Energy may object to a Development Application if the conditions may substantially impact the proposed development or regarded as a significant risk to the electricity distribution network. Although Council may be able to appropriately condition these matters, Endeavour Energy's recommendation is to address the matters prior to Council granting any consent. This can assist in avoiding the need to later seek modification of an approved Development Application.

Please note Endeavour Energy can only assess the Development Application based on the information provided by the applicant and Council. Due to time and resource constraints it is not possible to refer all development application notifications to the relevant internal stakeholders for review and advice or to request additional information from the applicant or Council. Applicants should be providing proper detailed plans of the electricity infrastructure / easements on or near the site and address the potential impacts of the proposed development thereon in the Statement of Environmental Effects. The provision of inadequate detail may result in Endeavour Energy objecting to the Development Application.

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/> .



To resolve any objection or to seek further advice the following are the main contacts and can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718. For other matters the contact details are included in Endeavour Energy's standard conditions for Development Application and Planning Proposal Review. Whilst the Environmental Services Team are able to provide general advice, the resolution / approval of any matter/s rests with the relevant contact related to the matter/s.

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).	CWAdmin@endeavourenergy.com.au
Easements 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.

Accredited Service Providers

The Accredited Service Provider (ASP) scheme accredits organisations to perform contestable work on the NSW electricity distribution network. Contestable works are works that are required for the electricity distribution network provider to supply the load in the power lines where a new or altered connection is being requested.

Endeavour Energy is urging applicants / customers to engage with an ASP prior to finalising plans to in order to assess and incorporate any required electricity infrastructure as well as addressing safety issues such as safety clearances. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

Details of the 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> .

Duty of Care

All individuals have a duty of care they must observe when working in the vicinity of electricity infrastructure. Before you do anything:

- 1) Contact Before You Dig and Look Up and Live to obtain the details of the electricity infrastructure on or near the site noting they are a guide only to what might be in the area and may not be entirely accurate.
- 2) Comply with the conditions and consider the advice provided above.
- 3) If needed contact Endeavour Energy on 133 718 or the contacts provided above for assistance.
- 4) **DO NOT** attempt any work near electricity infrastructure until all required approvals and safety measures are in place.
- 5) Proceed only if you have satisfied yourself it is safe.
- 6) Always remember, even the briefest contact with electricity at any voltage can have serious consequences to a person's health and safety and can be fatal.

Site Layout



Figure 2-1 Site layout

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).

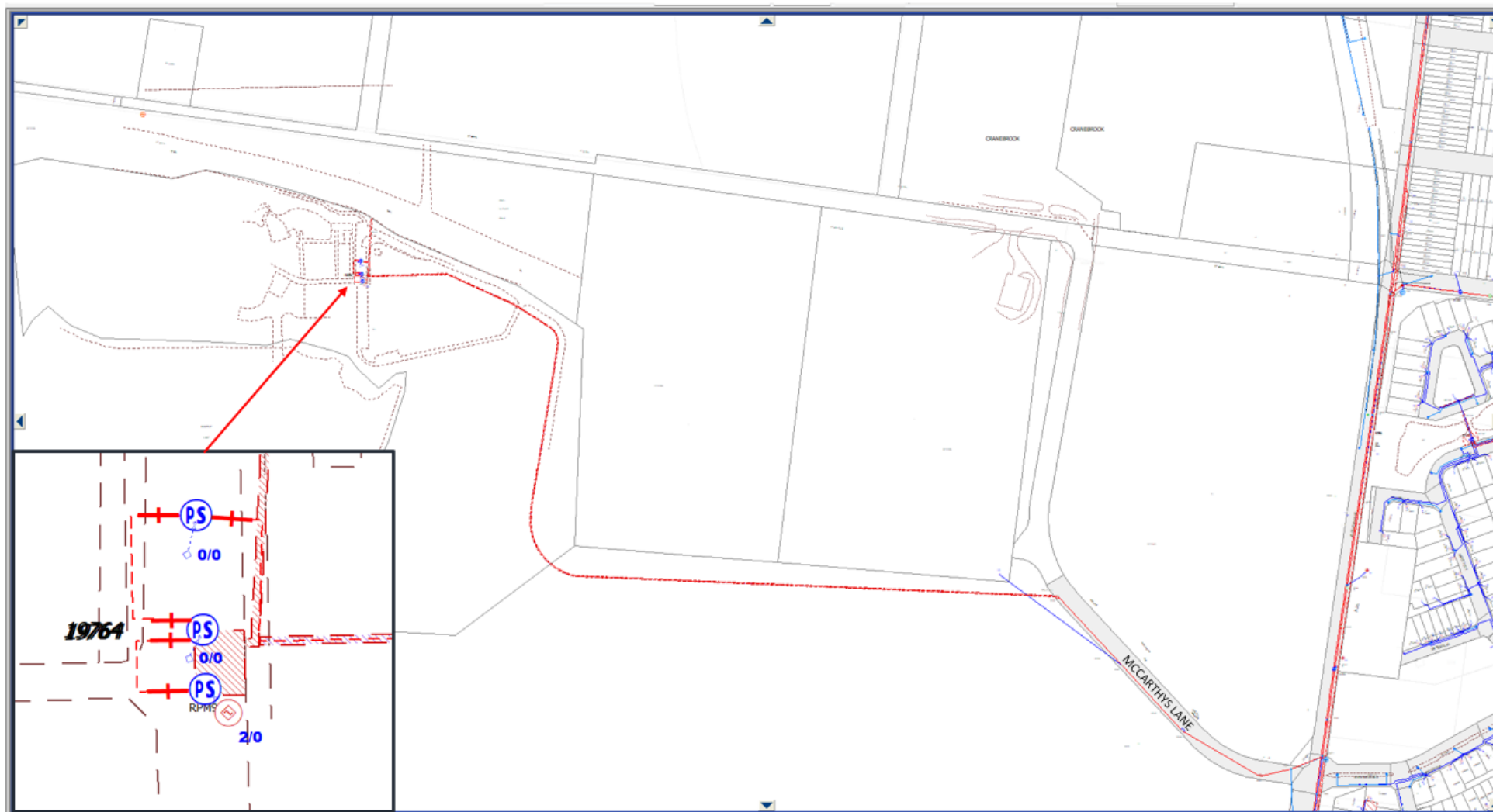
Site Plan from Endeavour Energy's G/Net Master Facility Model




























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



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



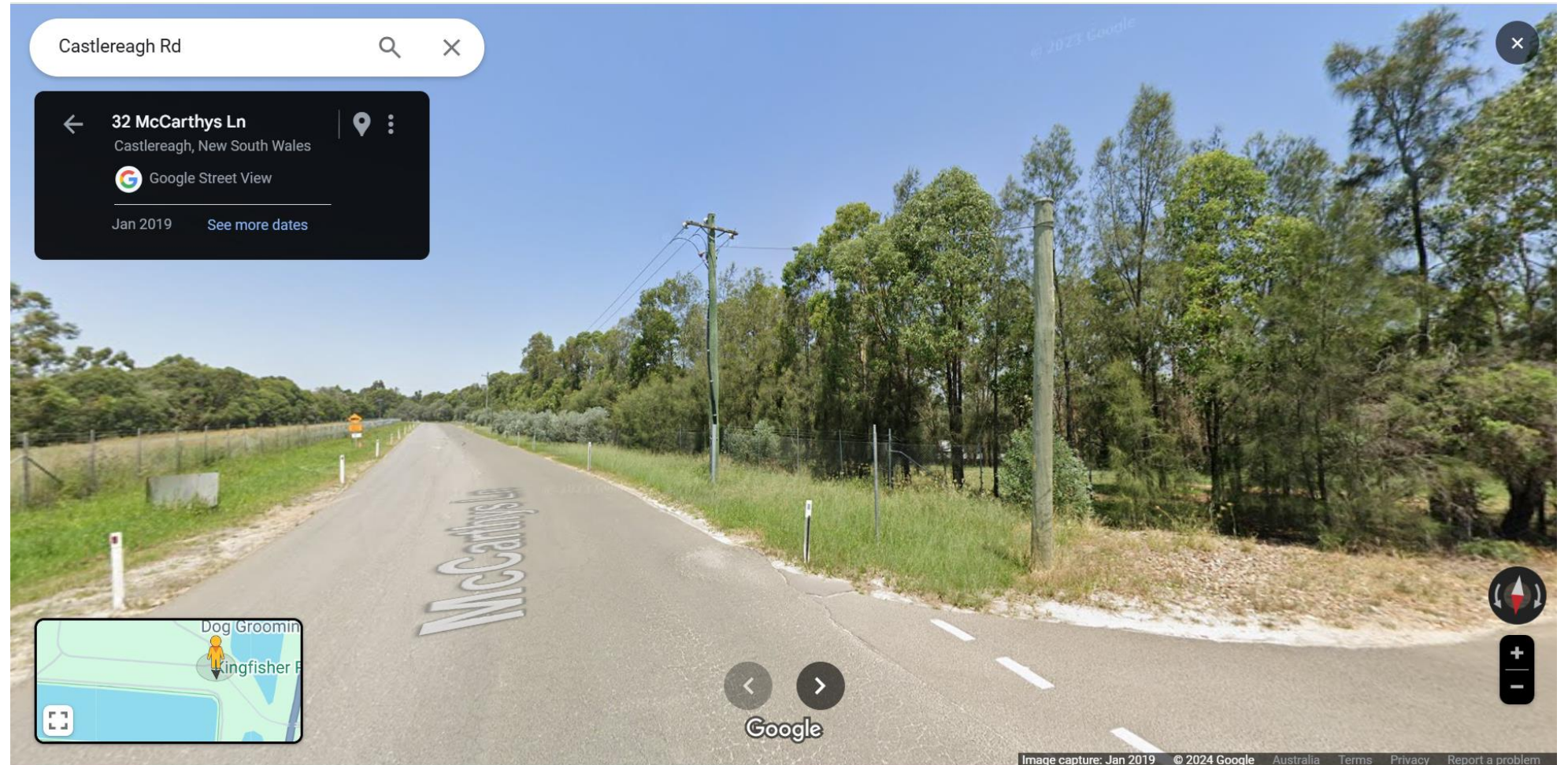
LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Voltage regulator
	Customer connection point
	Low voltage pillar
	Streetlight column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

Extract of Statutory Rights SR293624

[illegible]

1. AN EASEMENT FOR UNDERGROUND CABLE 1 METRE WIDE IS REQUIRED TO BE CREATED BY PENRITH LAKES DEVELOPMENT CORPORATION OVER THE FULL LENGTH OF THE HV. CABLE WHERE LOCATED ON PRIVATE PROPERTY.

Google Maps Street View



Google Maps Street View

