

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD 7917
Development	Construction of two warehouse/industrial facilities with a gross floor area of 22,950 m ² and 158 car parking spaces.
Location	Lot 3 within the Horsley Drive Business Park corner of Horsley Drive and Cowpasture Road, Wetherill Park, Fairfield Local Government Area
Applicant	Frasers Property Industrial Constructions
Date of Issue	September 2016
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>. In addition, the EIS must include:</p> <ul style="list-style-type: none"> • a detailed description of the development, including: <ul style="list-style-type: none"> – the need for the proposed development; – justification for the proposed development; – likely staging of the development; – likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; – demonstrate how the development complies with the existing Concept Plan approval (SSD 5169) and – plans of any proposed building works; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> – a description of the existing environment, using sufficient baseline data; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans, the current development consent (SSD 5169) and statutes; and – a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment; and • a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) of the proposal as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>, including details of all components of the CIV; • an estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Strategic and Statutory Context – including:

	<ul style="list-style-type: none"> - detailed justification for the proposal and the suitability of the site; and - demonstration that the proposal is generally consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), adopted management plans including the <i>Parklands Plan of Management 2020</i> and the <i>Parklands Plan of Management 2020 Supplement</i>, and the <i>Horsley Drive Business Park Conceptual Proposal (SSD 5169)</i> and justification for any inconsistencies. <ul style="list-style-type: none"> • Traffic and Transport – including: <ul style="list-style-type: none"> - a Traffic Impact Assessment detailing all daily and peak traffic and transport movements likely to be generated (vehicle, public transport, pedestrian and cycle trips) during construction and operation of the development, including a description of vehicle access routes and the impacts on nearby intersections; - details of access to the site from the road network including intersection location, design and sight distance to cater for the largest design vehicle to use the site; - an assessment of predicted impacts on road safety and the capacity of the road network to accommodate the development; - plans of any road upgrades or new roads required to service the development, if necessary; - detailed plans of the proposed layout of the internal road network, service bays and parking provision on-site to cater for the largest design vehicle to use the site and to account for peak demands, and parking provision on-site in accordance with the relevant Australian Standards; and - details of the likely dangerous goods to be transported on arterial and local roads to/from the site, if any, and the preparation of an incident management strategy, if relevant. • Urban Design and Visual – including: <ul style="list-style-type: none"> - layout of the development including staging, site coverage, setbacks, proposed open space and landscaped areas; - suitable landscaping incorporating endemic species; - the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks; - a detailed description (including photomontages and perspectives) of the facility (buildings and storage areas) including height, colour, scale, bulk, building materials and architectural treatments and finishes, signage, lighting and any retaining walls, particularly from nearby public receivers and significant vantage points within the broader public domain; - provision of a report that assesses compliance with the requirements of <i>AS4282-1997 – Control of the obtrusive effects of outdoor lighting</i>; and - proposed cut and fill works associated with the development, if relevant. • Noise and Vibration– including: <ul style="list-style-type: none"> - a description of all potential noise and vibration sources during the construction and operational phases of the development, including on and off-site traffic noise; - a noise impact assessment that considers the cumulative noise impact of the proposed development in accordance with the relevant Environment Protection Authority guidelines; and - details of noise mitigation, management and monitoring measures. • Soils and Water – including: <ul style="list-style-type: none"> - a description of the water demands and a breakdown of water supplies; - a description of the measures to minimise water use; - a detailed and consolidated water balance; - demonstration of an adequate and secure water supply for the life of the development; - a description of all wastewater generated on-site; - a description of the proposed erosion and sediment controls during
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	<p>construction and operation, paying particular attention to the Upper Canal;</p> <ul style="list-style-type: none"> - a description of the surface and stormwater management system, including on site detention, stormwater isolation valve for the operational site and measures to treat or reuse water; - an assessment of potential surface and groundwater impacts (both quality and quantity) associated with the development, including details of any modelling and proposed monitoring activities; - details of impact mitigation, management and monitoring measures; - demonstrate how stormwater systems will be designed to accommodate and not impede any up stream flows from systems that convey stormwater across, along or under the Upper Canal; and - the site must be able to contain all stormwater and prevent any flows from entering the Upper Canal Corridor. <ul style="list-style-type: none"> • Heritage – including an assessment of the potential heritage impacts associated with the development taking into consideration the State Heritage listed “Upper Canal System”. • Air Quality – including: <ul style="list-style-type: none"> - an assessment of the air quality impacts at private properties during construction and operation of the development, in accordance with relevant Environment Protection Authority guidelines; and - details of any mitigation, management and monitoring measures required to prevent and/or minimise emissions. • Hazards and Risk – including: <ul style="list-style-type: none"> - if the storage of dangerous goods is proposed on-site the Environmental Impact Statement must include a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is “potentially hazardous” a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011). • Infrastructure Requirements – including: <ul style="list-style-type: none"> - a detailed written and/or geographical description of the infrastructure required on-site; - identification of any infrastructure upgrades required off-site to facilitate the development, and describe any arrangements to ensure the upgrades will be implemented in a timely manner and maintained; - a description of how infrastructure on and off-site will be co-ordinated and funded to ensure it is in place prior to commencement of operation; - a detailed description of cooling/heating systems to be installed on-site; and - consideration of the adjoining Transgrid electricity easement and the guideline <i>Transgrid Easement Guidelines for 3rd Party Development (V10)</i>. • Greenhouse Gas and Energy Efficiency – including an assessment of the energy use on site, and demonstrate what measures would be implemented to ensure the proposal is energy efficient. • Ecologically Sustainable Development – including an assessment of how the development will incorporate ecologically sustainable development principles in all phases of the development. • Waste – including: <ul style="list-style-type: none"> - details of the quantities and classification of all waste streams to be generated on-site; - details of waste storage, handling and disposal (including the location of waste storage and management facilities); and - details of the measures that would be implemented to ensure the development is consistent with the aims, objectives and guidance in the
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	<p><i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.</i></p> <ul style="list-style-type: none"> • Contributions – including: <ul style="list-style-type: none"> – consideration of Council's Section 94/94A Contribution Plan and/or details of any Voluntary Planning Agreement.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> . You should provide these as part of the EIS rather than as separate documents.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with:</p> <ul style="list-style-type: none"> • Fairfield City Council; • Department of Primary Industries; • Transport for NSW; • Roads and Maritime Services; • Sydney Water; • WaterNSW; • TransGrid; • Endeavour Energy; and • local residents and stakeholders. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to any further requirements for lodgement.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

Policies, Guidelines & Plans	
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include the following:</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; • location and height of adjacent buildings and private open space; and • all levels to be to Australian Height Datum (AHD). 2. Locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as heritage items; • the location and uses of existing buildings, shopping and employment areas; and • traffic and road patterns, pedestrian routes and public transport nodes. 3. Drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.
Documents to be Submitted	<p>Documents to submit include:</p> <ul style="list-style-type: none"> • 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and • Other copies as determined by the Department once the development application is lodged
Aspect	Policy / Methodology
Transport and Access	<p>State Environmental Planning Policy (Infrastructure)</p> <p>Guide to Traffic Generating Development (Roads and Maritime Services)</p> <p>Road Design Guide (Roads and Maritime Services)</p> <p>Austrorads Guide to Traffic Management – Pt 12: Traffic Impacts of Development</p>
Noise and Vibration	<p>Assessing Vibration: A Technical Guide (DEC, 2006).</p>

	Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC, 1990).
	NSW Industrial Noise Policy (EPA, 2000).
	Environmental Criteria for Road Traffic Noise (EPA, 1999).
	Environmental Noise Control Manual (DECC).
	Interim Construction Noise Guideline (DECC, 2009).
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Bunding and Spill Management (EPA)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	The NSW State Rivers and Estuaries Policy (NSW Water Resources Council)
	Water Sharing Plan for the Metropolitan Region Unregulated River Water Sources (NOW) 2011
Soils and Water	
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW) 2011
<i>Acid Sulfate Soils</i>	Acid Sulfate Soil Manual (ASSMAC)
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC)
	Wind Erosion – 2nd Edition
<i>Stormwater</i>	Managing Urban Stormwater: Strategic Framework. Draft (EPA)
	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control. Draft (EPA)
	Managing Urban Stormwater: Harvesting and Reuse (DEC)
<i>Wastewater</i>	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMMC & AHMC)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA)
	Waste Avoidance and Resource Recovery Performance Report 2006 (DECC)

ATTACHMENT 2

Government Authority and Council Responses to Request for Key Issues

Necola Chisholm

From: Edward Saulig <ESaulig@fairfieldcity.nsw.gov.au>
Sent: Friday, 16 September 2016 4:15 PM
To: Necola Chisholm
Cc: Trevor Wintle; Philip Saverimuttu
Subject: SEARS request for SSD 7917 - Wetherill Park Corner Horsley Drive and Cowpasture Road - Lot 3 - Reply - 16.09.2016

Dear Necola,

Please find attached a table summarising Council's comments on the draft SEARs for SSD 7917 - Wetherill Park, Corner Horsley Drive and Cowpasture Road - Lot 3.

Key issues	Fairfield City Council comment
<ul style="list-style-type: none">• Traffic and Transport – including:<ul style="list-style-type: none">• a Traffic Impact Assessment detailing all daily and peak traffic and transport movements likely to be generated (vehicle, public transport, pedestrian and cycle trips) during construction and operation of the development, including a description of vehicle access routes and the impacts on nearby intersections;• details of access to the site from the road network including intersection location, design and sight distance;• an assessment of predicted impacts on road safety and the capacity of the road network to accommodate the development;• plans of any road upgrades or new roads required to service the development, if necessary;• detailed plans of the proposed layout of the internal road network and parking provision on-site in accordance with the relevant Australian Standards; and• details of the likely dangerous goods to be transported on arterial and local roads to/from the site, if any, and the preparation of an incident management strategy, if relevant.	<p>Note the following requirements in any assessment:</p> <ul style="list-style-type: none">• Provision for the largest design vehicle likely to use the facility;• Provision of service bays, in sufficient numbers to accommodate the expected peak loading and to the specified dimensions according to the size of vehicle using them; and• All vehicular entries and exits shall be made in a forward direction.

Key issues	Fairfield City Council comment
<ul style="list-style-type: none">• Noise and Vibration– including:<ul style="list-style-type: none">– a description of all potential noise and vibration sources during the construction and operational phases of the development, including on and off-site traffic noise;– a noise impact assessment that considers the cumulative noise impact of the proposed development in accordance with the relevant Environment Protection Authority guidelines; and– details of noise mitigation, management and monitoring measures.	<p>Note following inclusions/amendments</p> <ul style="list-style-type: none">• Details of noise mitigation, management and monitoring measures <i>that would form a post development Noise Impact Assessment Report.</i>
<ul style="list-style-type: none">• Soils and Water – including:	<p>Note following inclusions/amendments</p>

<ul style="list-style-type: none"> – a description of the water demands and a breakdown of water supplies; • a description of the measures to minimise water use; • a detailed water balance; • a description of all wastewater generated on-site; • a description of the proposed erosion and sediment controls during construction and operation; • a description of the surface and stormwater management system, including on-site detention, and measures to treat or re-use water; • an assessment of potential surface and groundwater impacts associated with the development; and • details of impact mitigation, management and monitoring measures. 	<ul style="list-style-type: none"> • a description of the proposed erosion and sediment controls during construction and operation <i>that would form a Sediment and Erosion Control Plan</i> • details of the management of sediment detention ponds including treatment prior to discharge • a description of the surface and stormwater management system, including on site detention, <i>storm water isolation valve for the operational site</i> and measures to treat or reuse water
<ul style="list-style-type: none"> • Air Quality – including: <ul style="list-style-type: none"> • an assessment of the air quality impacts at private properties during construction and operation of the development, in accordance with relevant Environment Protection Authority guidelines; and • details of any mitigation, management and monitoring measures required to prevent and/or minimise emissions. 	<p>Note following inclusions/amendments</p> <ul style="list-style-type: none"> • details of air quality and odour impacts on private properties, <i>that includes the controlling of dust during construction that would form part of the Sediment and Erosion Control Plan</i>, in accordance with relevant Environment Protection Authority guidelines;
<ul style="list-style-type: none"> • Hazards and Risk – including if the storage of dangerous goods is proposed on-site the Environmental Impact Statement must include a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is “potentially hazardous” a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011). 	<p>No further inclusions/amendments</p>
<ul style="list-style-type: none"> • Greenhouse Gas and Energy Efficiency – including an assessment of the energy use on site, and demonstrate what measures would be implemented to ensure the proposal is energy efficient. 	<p>No further inclusions/amendments</p>
<ul style="list-style-type: none"> • Ecologically Sustainable Development – including an assessment of how the development will incorporate ecologically sustainable development principles in all phases of the development. 	<p>No further inclusions/amendments</p>
<ul style="list-style-type: none"> • Waste – including: <ul style="list-style-type: none"> • details of the quantities and classification of all waste streams to be generated on-site; • details of waste storage, handling and disposal; and • details of the measures that would be implemented to ensure the development is 	<p>Note following inclusions/amendments</p> <ul style="list-style-type: none"> • details of waste storage, handling and disposal <i>including the location of waste storage and management facilities</i> • details of concrete washout during construction • details of refuelling area

consistent with the aims, objectives and guidance in details of impact mitigation, management and monitoring measures. the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i> .	
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Yours faithfully,

Edward Saulig

Land Use Planner | Strategic Land Use Planning
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D2016/98299

Ms Joanna Bakopanos
Team Leader
Industry Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attn: Necola Chisholm

Dear Ms Bakopanos,

SSD 7917 – Warehouse and Distribution Facility – Lot 3 Horsley Drive Business Park

Thank you for your letter received 29 August 2016 requesting WaterNSW's input for the Secretary's Environmental Assessment Requirements (SEARs) for the above proposal.

WaterNSW owns and manages the critical water supply infrastructure – the Upper Canal that forms the western boundary of Horsley Drive Business Park. The corridor is categorised as a 'Controlled Area' under the *Water NSW Act 2014*, which means access is prohibited unless WaterNSW has provided its written consent. Additionally, the Upper Canal is State Heritage listed. The location of the proposed warehouse and distribution facility is in the north-west corner of the park, adjacent to and downslope of the Upper Canal corridor.

In 2012 WaterNSW (the former Sydney Catchment Authority (SCA)) responded to the SSD application for the Horsley Drive Business Park (SSD 5169; our reference D2012/76601). The issues raised in that response are relevant to the current application, and should be considered by the proponent.

The following are WaterNSW's key issues and assessment requirements for the proposal:

Stormwater

The Upper Canal is upslope of the development site and therefore unaffected by stormwater flows from the site. However, the subject site is affected by overland flows from the western side of, and from within, the Upper Canal corridor.

The EIS should demonstrate how stormwater systems for the development will be designed to accommodate and not impede any upstream flows from systems that convey stormwater across, along or under the Upper Canal. The stormwater management system should ensure it makes allowance for all flow emanating from land to the west of the Upper Canal as well as from the corridor itself.

Should the ground level of the development site be raised, the EIS may also need to show how stormwater management systems will retain stormwater within the development site and prevent any flows from entering the Upper Canal corridor. All stormwater structures associated with the development should be kept within the development site.

Earthworks adjacent to the boundary

The EIS should detail the measures being taken to prevent any impact on the Upper Canal corridor from any earthworks occurring adjacent to the boundary, including how sediment or

polluted run-off will be prevented from entering the corridor, and dust suppression measures to prevent dust blowing into the open waters of the Upper Canal.

Access consent

If at any time access is required to the corridor, an access consent must be obtained from WaterNSW. It is advisable to apply for this as early as possible, allowing 28 days processing time. Online applications can be made through WaterNSW's website at <http://www.waternsw.com.au/water-quality/catchment/manage/special-areas/access>.

Security

The EIS should address the need for a security fence to be erected to WaterNSW's standards on the boundary of the development site and the Upper Canal corridor, with any existing fencing being removed. The fencing required is either a 2.1 metre chain mesh fence with three barbed wire strands on top, or a 2.1 metre palisade fence.

State Heritage

The EIS should identify the Upper Canal as being listed on the State Heritage Register, listed as the "Upper Canal System". The listing includes the entire length of the Upper Canal corridor, including tunnels, dams and other associated water supply components. Development adjacent to the Upper Canal corridor should aim to not detract from the Canal's heritage significance.

Further information for development adjacent to the Upper Canal and Warragamba Pipelines can be found in the following WaterNSW Guidelines:

http://www.waternsw.com.au/data/assets/pdf_file/0011/55973/Guidelines-for-Development-adjacent-to-the-Upper-Canal-and-Warragamba-Pipelines.pdf.

WaterNSW requests that it is closely consulted during the preparation of the EIS, and the Department continues to consult with us regarding any future developments and SEARs requests for the Horsley Drive Business Park.

If you have any queries regarding the above please contact Alison Kniha, Environmental Policy and Planning Manager on 4724 2451 or at alison.kniha@waternsw.com.au.

Yours sincerely,



MALCOLM HUGHES
Manager Environment and Planning

5/9/16



Department of Primary Industries

OUT16/33932

Ms Nicola Chisholm
Industry Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Nicola.chisholm@planning.nsw.gov.au

Dear Ms Chisholm

**Horsley Drive Business Park – Proposed Warehouse/Distribution and Industrial
Facility (Lot 3) (SSD 7917)
Request for Secretary's Environmental Assessment Requirements**

I refer to your email of 29 August 2016 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant divisions of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI. Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

The Department has reviewed the request and accompanying draft SEARs and provides the following recommendations:

- In the SEARs under 'consultation' amend so that consultation with Department of Primary Industries only be required *where relevant* to avoid unnecessary requests.
- The section on Soils and Water should be amended as follows:
 - a description of the water demands and a breakdown of water supplies **including water taken from water sources under the *Water Management Act 2000***;
 - **Assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project)**
 - **The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.**
 - a description of the measures to minimise water use;
 - a detailed **and consolidated** water balance;
 - a description of all wastewater generated on-site;
 - a description of the proposed erosion and sediment controls during construction and operation;
 - a description of the surface and stormwater management system, including on-site detention, and measures to treat or re-use water;
 - **assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems;**
 - **full technical details and data of any surface and groundwater modelling; and**
 - **proposed surface and groundwater monitoring activities and methodologies;**

- The EIS should also be required to include a statement of where each element of the SEARs is addressed in the EIS (i.e. in the form of a table).

Yours sincerely



Mitchell Isaacs

Director, Planning Policy & Assessment Advice

12 September 2016

Background

TransGrid acquires Transmission Line (TL) and cable easements to provide adequate clearance along the route of a TL for construction and maintenance work and to preserve certain property rights in perpetuity. These easements also ensure no work or other activity is undertaken under or near a TL or cable that could create an unsafe situation either for persons or for the security of the TL or cable.

The TL or cable easement area and its ongoing maintenance are control measures that cannot be compromised. Easements are established to prevent and mitigate against the following electrical safety risks:

- > Infringement of electrical safety clearances e.g. due to an activity or vegetation growth;
- > Electrical Induction e.g. due to parallel conducting materials;
- > Step and touch potentials under fault conditions e.g. due to lightning or bushfire;
- > Failure of structures or line equipment e.g. due to third party vehicle or plant impact;
- > Transfer off easement of dangerous voltages, e.g. by services installed within the easement area; and
- > Blowout of a conductor under high wind (or blow in of vegetation) e.g. into an adjacent structure.

TransGrid's paramount concern is the safety of people and property. TransGrid is also bound to maintain its infrastructure efficiently and cost effectively. The TL and cable easements, along with the accesses, have been designed to facilitate effective operational maintenance.

Development Approval Process

The *Environmental Planning and Assessment Act 1979* may empower Local Councils to act as the consent authority for development applications. In these situations, a Development Application (DA) is prepared and submitted to the Local Council for development consent.

The *State Environmental Planning Policy (Infrastructure) 2007* (SEPP), which commenced on 1 January 2008, requires Local Councils to consult with Electricity Network Operators before granting development consent for proposals that might adversely affect:

- > existing electricity infrastructure; and
- > easements for electricity purposes, even if no infrastructure has yet been constructed in the easement.

The Local Council must take into consideration any comments made by the Electricity Network Operator who has 21 days to respond to any written notification of a DA received by Council. Council must take into consideration any comments provided by the Electricity Network Operator before it determines any DA. TransGrid's initial response may be a request for additional information to assess a development that seeks to encroach or is immediately adjacent to our easements and infrastructure. Such a request is likely to then be forwarded to the applicant.

The party submitting the development application is required to consult with TransGrid in accordance with the *State Environmental Planning Policy (Infrastructure) 2007 (SEPP)*; the *NSW Occupational Health and Safety Act 2000*; the WorkCover NSW 'Work Near Overhead Power Lines' Code of Practice 2006, and; the WorkCover NSW 'Work Near Underground Assets' Guide 2007.

TransGrid Approval

The statutory approval authority should obtain a written approval from TransGrid for all proposed activities within an easement area in accordance with regulation 45 of the *SEPP*.

It is recommended that the development proponent consult with TransGrid prior to lodging a DA, so the proposed development may be assessed relative to TransGrid's easements and infrastructure within the specific locality. Statutory notification pursuant to regulation 45 of the *SEPP* may not always provide an adequate response time for TransGrid to assess any development proposed within or immediately adjacent to our easements and infrastructure. Therefore, it is considered to be in the best interests of any development proponent to thoroughly consult and attempt to resolve all and any issues with TransGrid prior to submitting a DA. In consulting with TransGrid prior to submitting the DA, the following information must be provided.

1. Detailed specifications and plans drawn to scale and fully dimensioned, showing property boundaries and other relevant information. Survey plans must clearly identify TransGrid's easements; any high voltage transmission infrastructure located therein (including stanchions); and horizontal clearances;
2. Three dimensional CAD file of the development, preferably in 3D-DXF format; and
3. TransGrid will also require an *Impact Assessment* of the development on TransGrid's infrastructure and associated interests (including easements). Details of how any adverse impacts will be managed, mitigated or resolved must also be provided. The *Impact Assessment* form is contained in **Appendix A** of these guidelines.

Upon receipt of the abovementioned documentation, TransGrid will assess the proposed development in relation to its impact on TransGrid infrastructure, easements and means of access. For complicated proposals the consultation process will be comprehensive and the proponent should allow sufficient time for this process prior to lodgement of a DA (see *Timeframes* below).

General Development Proposal Guidelines

1. Prohibited Activities and Encroachments

A number of activities and encroachments are not permitted within the easement area. These are detailed in the "TransGrid Easement Guide" contained in **Appendix B** of these guidelines.

Any *Development Proposal* should be designed in such a way that:

- > It does not involve the listed activities, nor introduce the identified encroachments; and
- > Does not encourage other parties to undertake such activities or introduce such encroachments in the future.

2. Development

The Development Proposal should be planned taking into consideration the policy of "*prudent avoidance*" as identified by The Right Honourable Harry Gibbs Report (*Inquiry into Community Needs and High Voltage Transmission Line Development*).

This report placed recommendations on the design of new TL's having regard to their proximity to houses, schools, work sites and the like and is equally valid when considering new developments proposed in proximity to existing powerlines and associated easements.

The policy not only considers electrical safety risks it also takes into consideration Electric and Magnetic Field (EMF). The EMF strength rises from the easement edge to beneath the conductors and the most practical way to achieve *prudent avoidance* is to keep any development entirely outside the easement area.

If it is desired to place any part of a development within an easement the proponent shall, in conjunction with the *Development Proposal*, undertake an *Impact Assessment* (see **Appendix A**) to be provided to TransGrid that covers the changes in risk and mitigation measures proposed. General development requirements are listed in **Appendix C**.

Relocating Infrastructure and Interruption to Transmission

The development proponent will be liable for any costs involved in any agreed relocation of TransGrid infrastructure as part of any proposed development. Depending on how the development proposes to encroach on TransGrid's easement, an earthing study and earthing modifications may be required at the developer's expense. Further, the developer will also be liable for any costs and penalties incurred as a consequence of interruptions to TransGrid's transmission operations arising from the development, whether planned or inadvertent.

Post Construction Compliance Statement

The Development Proposal, as provided to TransGrid, must include as-built plans compliant with TransGrid's drawing management system of the final construction where approval of an encroachment is granted. The as-built drawings must be accurate, scaled and display distances/measurements, demonstrating compliance to the agreed plans and implementation of agreed control measures.

Timeframes

TransGrid will respond to a Local Council notification of a proposed development within 21 days as required in the SEPP, however that response may not be an approval (or disapproval). If the Development Proposal does not meet the requirements of these Guidelines, or in the event further detailed engineering analysis is required, TransGrid may require the Development Proposal to be revised and resubmitted or additional information will be sought.

Developers are advised to consider TransGrid's requirements early in the process as discussed and not as an afterthought that could result in project delays, including the future demolition of any prohibited construction works. To this extent, development proponents and their consultants are encouraged to contact and meet with TransGrid in the preliminary planning and design stages of the development in order to establish what restrictions and prohibitions apply and what, if any conditional encroachments can be accommodated.

Further Assistance

For any further development enquiry assistance please contact the Enquiries Services Coordinator:

Enquiries Services Coordinator	Telephone	(02) 9620 0104
	Mobile	0427 094 860
TransGrid Community Liaison Group	Phone	1800 222 537
	Email	community@transgrid.com.au
	Website	www.transgrid.com.au

Appendix A - Development Proposal Impact Assessment

Details of the Development

Street Address	
Land and Title References	
Encroachment and/or Proximity to Easement	
Development Proposal's Clearances to TransGrid's high voltage infrastructure	
Detailed plans of development attached	

Safety

Consideration	Yes/No (If Yes, please provide details and mitigation/resolution)
Are ground levels being changed within or in the vicinity of the easement? If so, by how much?	
Is any part of the development proposed within 30m of a transmission line structure or guy? If so, how close to the structure/guy?	
Will the development increase earth potential rise risk? (If unsure please consult with TransGrid Enquiries Services Coordinator.)	
Will the development contain metallic structures or services in the easement?	
Will the development result in voltages being transferred off the easement or bring remote earths onto the easement? (If unsure, please consult with TransGrid's Enquiries Services Coordinator.)	
Are public spaces or recreational areas proposed within or adjacent to the easement?	
Will the development encourage people to congregate and/or spend time within the easement or immediately adjacent thereto?	
Are structures with a height greater than 2.5m proposed on the easement?	
Will an Elevated Work Platform (EWP) be required to maintain any structures within the easement?	
Is infrastructure proposed that is a fire hazard, or that would encourage the storage or use of flammable material on the easement?	
Is infrastructure proposed that would require emergency workers (such as fire fighters) to come near, or their equipment to come onto or near high voltage conductors?	

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Will the easement or the nature of the land in the vicinity of the easement, be altered in any way that would encourage prohibited encroachments to occur within the easement?	
Will access around any TransGrid structure be altered preventing EWP's, crane or other plant access? (Required for TransGrid maintenance purposes.)	
Will the development introduce other risks to maintenance staff when working within the easement?	
Will access to the easement be altered that would introduce risks to TransGrid personnel including, although not limited to, asset inspectors or patrol staff?	

Operations

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Have any ground level developments been proposed (including roads, driveways, parking lots and turning bays etc) that would expose TransGrid transmission structures and lines to impact risk? (If unsure please consult with the TransGrid Enquiries Services Coordinator.)	
Will the development result in a change in water flows or drainage that could impact on the foundations or structural integrity of any TransGrid structure or guy-wire?	
Are excavations or surface activities proposed that would impact a TransGrid structure's foundations, stability or subterranean earthing systems? (If unsure please consult with the TransGrid Enquiries Services Coordinator.)	

Maintenance

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Have roads, driveways or landscaping been proposed that would prevent or hinder TransGrid maintenance, or increase maintenance costs, for the above or below ground components of the transmission line structure?	
Will access to the easement or within the easement, be obstructed, restricted or altered?	
Have access roads, bridges, crossings and the like been designed to cater for the weight and size of TransGrid maintenance plant (EWPs and Cranes)?	
Does the development encourage the placement of obstructions that would prevent access for routine or emergency works?	

Development Design & Construction

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Has the development been designed so that during the construction phase TransGrid is not restricted from undertaking normal maintenance and inspection activities?	
Has the development been designed so that during the construction phase prohibited activities or encroachments are not required in the easement area?	
Has the design health and safety risk assessment complied with the following WorkCover NSW instruments: <ul style="list-style-type: none">• ‘Work Near Overhead Power Lines’ Code of Practice 2006; and/or• ‘Work Near Underground Assets’ Guide 2007?	

TransGrid's Rights

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Are TransGrid's existing access rights preserved, pursuant to the terms of the easement?	
Will TransGrid be exposed to new or higher maintenance costs (e.g. landscaping or other development changes impacting easement access, use and maintenance)?	
Does a new deed of easement need to be negotiated by the development proponent?	

Preservation of Easement for Access

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Will TransGrid's <i>Easement for Access</i> be affected?	
Does a new <i>Easement for Access</i> need to be arranged by the development proponent, including to supersede an existing registered right of carriageway?	

Appendix B - Prohibited encroachments and activities

TransGrid will use its powers under the Electricity Supply Act, involve WorkCover or take other legal action as required to prevent or halt prohibited activities.

1. Transmission Lines

Activities and encroachments that are **prohibited** within a Transmission Line (TL) Easement include, but are not limited to (Note 2), the following:

- > The construction of houses, buildings, substantial structures, or parts thereof.
- > The installation of fixed plant or equipment.
- > The storage of flammable materials, corrosive or explosive material.
- > The placing of garbage, refuse or fallen timber.
- > The planting or cultivation of trees or shrubs capable of growing to a height exceeding 4 metres.
- > The placing of obstructions within 20 metres of any part of a transmission line structure or supporting guy-wire.
- > Camping or the permanent parking of caravans or other camping vehicles.
- > Public spaces or recreational areas which encourage people to spend time within or congregate within the easement.
- > The parking or storage of flammable liquid carriers or containers.
- > The installation of site construction offices, workshops or storage compounds.
- > Flying of kites or wire-controlled model aircraft within the easement area.
- > Flying of any manned aircraft or balloon within 60m of any structure, guy-wire or conductor.
- > Flying of remote controlled or autonomous aerial devices (such as UAVs) within 60m of any structure, guy-wire or conductor.
- > Placing any obstructions on access tracks or placed within the easement area that restricts access.
- > Any vegetation maintenance (such as felling tall trees) where the vegetation could come within the Ordinary Persons Zone – refer to the WorkCover NSW 'Work Near Overhead Power Lines' - Code of Practice 2006'.
- > Any substantial excavation within 15 metres of a pole or supporting guy-wire or guy foundation or within 20 metres of a tower
- > The climbing of any structure (any development that encourages or facilitates climbing will not be permitted).
- > Any change in ground levels that reduce clearances below that required in AS7000.
- > The attachment of any fence, any signage, posters, or anything else, to a structure or guy-wire.
Note: Interference to electricity infrastructure is an offence under the *Electricity Supply Act 1995*.
- > The movement of any vehicle or plant between the tower legs, within 5m of a structure, guy-wire or between a guy-wire and the transmission pole.
Note: Any damage to electricity infrastructure is an offence under the *Electricity Supply Act 1995*.
- > The storage of anything whatsoever within the tower base or within 10m of any tower leg.
- > Any structure whatsoever that during its construction or future maintenance will require an Accredited person to access.
Note: The final structure may meet AS7000 clearances, but may be accessible (e.g. by EWP) by Ordinary Persons within the Ordinary Persons Zone.
- > Any work that generates significant amounts of dust or smoke that can compromise the TL high voltage insulation.
- > The erection of any structure in a location that could create an unsafe situation work area for TransGrid staff.
- > Burning off or the lighting of fires.

- > Any activity (including operation of mobile plant or equipment having a height when fully extended exceeding 4.3 metres) by persons not Accredited or not in accordance with the requirements of the WorkCover NSW 'Work Near Overhead Power Lines' Code of Practice 2006 that is within (Note 1):
 - 3m of an exposed 132kV overhead power line
 - 6m of an exposed 220kV or 330kV overhead power line
 - 8m of an exposed 500kV overhead power line

Note: Distances quoted are to the design conductor position (i.e. maximum sag and blowout)

The following activities may possibly be approved with conditions. TransGrid's prior written consent is required. The proponent will have to demonstrate (using the Impact Assessment process) that the risks associated with the activity have been satisfactorily mitigated.

- > Temporary parking of caravans and other large vehicles in the outer 3m of the easement area, subject to a 4.3 metre height restriction and metallic parts being earthed.
- > The erection of flagpoles, weather vanes, single post signs, outdoor lighting, subject to a 4.3 metre height restriction and metallic parts being earthed.
- > The erection of non-electric agricultural fencing, yards and the like.

Note: Fencing that exceeds 2.5 metres in height or that impedes access would not be approved.

- > The erection of metallic fencing less than 2.5 metres in height providing that it is earthed, located more than 20 metres from any part of a transmission line structure or supporting guy and greater than 4 metres of the vertical projection of the overhead conductors.
- > The erection of electric fencing provided that the height of the fencing does not exceed 2.5 metres and provided that the fence does not pass beneath the overhead conductors.

Note: Approval may be given for a portable electric fence to pass underneath the conductors provided that it is supplied from a portable battery-powered energiser that is located remotely from frequented areas. Where it is necessary for a permanent electric fence to pass beneath the overhead conductors, or where an extensive permanent electric fencing system is installed in proximity to a transmission line certain additional safety requirements will be required.

- > The installation or use of irrigation equipment inside the easement.
NOTE: An irrigation system will not be approved if it is capable of coming within 4 metres of the overhead conductors; exceeds 4.3 metres in height; consists of individual sections of rigid or semi-rigid pipe exceeding 4.3 metres; is capable of projecting a solid jet of water to within 4 metres of any overhead conductors; requires fuel to be stored within the easement; and/or requires an outage of the transmission line for its operation.

- > The installation of low voltage electricity, telephone, communication, water, sewerage, gas, whether overhead, underground or on the surface.

Note: Services that do not maintain standard clearances to the overhead conductors that are within 15 metres from the easement centre-line, 20 metres from any part of a transmission line supporting structure or are metallic and within 30 metres of any part of a structure will not be approved. TransGrid may impose additional conditions or restrictions on proposed development.

- > The installation of high voltage electricity services, subject to there being no practicable alternative and provided the standard clearances are maintained to the supporting structures.

Note: Where extensive parallels are involved certain additional safety requirements may be imposed by TransGrid, depending on the particular case and engineering advice.

- > Swimming pools, subject to TransGrid's strict compliance criteria.

Note: Above ground pools will not be approved. In-ground pools will not be approved if there is a practicable alternative site clear of the easement area. If there is no practical alternative site, in-ground

pools including coping will not be approved if it encroaches more than 4.5 metres, or is less than 30 metres away from a transmission line structure. A site specific assessment by TransGrid is required.

- > Detached garages, detached carports, detached sheds, detached stables, detached glass houses, caravans, site containers, portable tool sheds, pergolas and unroofed verandahs attached to residences on the outer 3 meters of the easement only.

- > Prefabricated metal (garden) sheds. TransGrid approved sheds must be earthed.

Note: Sheds exceeding 2.5 metres in height, with a floor area exceeding 8m², encroaching more than of up to 3 metres or within 30 metres of any part of a transmission line structure will not be approved. Connection of electric power will not be approved.

- > Single tennis courts.

Note: Tennis courts that hinder access are for commercial use or do not provide adequate clearances shall not be approved.

- > Subdivisions. See **Appendix C** requirements.

- > Roads, carparks, cycleways, walking tracks and footpaths on the outer part of the easement or as a thoroughfare across the easement, subject to horizontal and vertical clearances. Restrictions and other conditions on consent may also apply. These will not be approved when located within:

- 20 metres of any part of a transmission line structure
- 10 metres of the centre-line of a transmission line 132kV and below
- 17 metres of the centre-line of a transmission line above 132kV

Note: Roads and pathways that cross the transmission line as a thoroughfare may be permitted. Where it is proposed that a road passes within 30 metres of a transmission structure or supporting guy, TransGrid may refuse consent or impose restrictions and other conditions on consent. Where a road passes within 30 metres of a transmission structure or supporting guy, the structure's earthing system may require modification for reasons including, but not limited to, preventing fault currents from entering utility services which may be buried in the road. The option of raising conductors or relocation of structures, at the full cost to the proponent, may be considered.

- > Excavation – subject to restriction criteria.

Note: Substantial excavations located within 20 metres of any part of a steel tower or pole structure and exceeding a depth 3 metres will not be approved.

- > Quarrying activities, earthworks, dam or artificial lake construction.
- > Mining. Approval would be based on the merits of the proposal and any related circumstances.
- > Use of explosives.

Note 1: An encroachment or activity that is located outside the prohibited distance of the infrastructure but still within the easement will not necessarily be permitted. It will generally need to be addressed in the Impact Assessment and remains subject to TransGrid prior consent.

Note 2: The above list is not exhaustive and if there is any uncertainty as to whether an activity or encroachment is acceptable within an easement, please contact TransGrid. TransGrid may impose additional conditions or restrictions on proposed development.

2. Cables

The location of TransGrid's subterranean infrastructure and associated easements includes, but is not limited to, beneath private freehold and strata land as well as public roadways and railways etc. All development proposed within immediate proximity of TransGrid's subterranean infrastructure, including high voltage cables, stratum tunnels and conduits, must undertake a *Dial Before You Dig* search of any land where development is proposed, including roads adjoining a development site where subterranean services are proposed to be installed. The activities listed below are prohibited within cable easements:

- > The storage of flammable liquids or explosives
- > The planting or cultivation of trees or shrubs with extensive root systems
- > The construction of houses, buildings or substantial structures
- > The installation of fixed plant or equipment
- > The placing of garbage, refuse or fallen timber
- > Boring directly over the cable lay (eg. the installation of fencing or safety railing)
- > The raising or lowering of existing ground surface levels
- > Any excavation within 2m of an underground cable.

The following activities may be approved with conditions. TransGrid's prior written consent is required. The proponent will have to demonstrate (using the Impact Assessment process) that the risks associated with the activity have been satisfactorily mitigated.

- > Parking of vehicles

Note: Parking will be prohibited if the surface is not capable of supporting the vehicles likely to be parked, risking the crushing of the cable/ducts or erosion of the ground

- > The operation of mobile plant and equipment

Note: Such operations will be prohibited if the surface is not capable of supporting the vehicles likely to be parked, whereby risking the crushing of the cable/ducts or erosion of the ground

- > The erection of structures spanning the easement
- > Excavation
- > Concrete driveways
- > The installation of metallic pipes, fences, underground or overhead cables and services
- > Road-boring within approved distances of a high voltage cable.

Where TransGrid's prior written consent has been granted to undertake work near an easement and related subterranean infrastructure, including the tunnels and conduits that accommodate our high voltage transmission line cables, all works must be undertaken in accordance with the WorkCover NSW 'Work Near Underground Assets' Guide 2007. Further, all development works must comply with the TransGrid guidelines for subterranean infrastructure referring to the document titled "*Requirements for Working In the Vicinity of TransGrid Underground Cables*".

Appendix C - General Requirements for Developments and Subdivisions

The following list of current general requirements is provided for your information. It should be noted that the list is not exhaustive and, where there is any doubt concerning a particular activity within the easement area advice should be sought from TransGrid.

1. Completed Works

The completed works shall provide for the following considerations:

- > A safe unobstructed working platform shall be preserved around the transmission line structures for access by EWP, cranes as well as other large plant and equipment. No obstructions of any type shall be placed within 30 metres of any part of a transmission line structure.
- > Roads, streets etc (including kerb to property boundaries) and intersections shall not be located within 30 metres of any TL structure.
- > Developments must meet the clearances requirements set out in AS7000 between their finished level and the conductor at its maximum operating temperature.
- > Proposed roadway locations shall also take into consideration any street lighting requirements to ensure that statutory clearance requirements are followed. The design clearances should include future maintenance safety issues. TL outages will not be provided for street light maintenance. Access to the TL and its structures shall be available at all times for TransGrid plant and personnel. In this regard a continuous and unobstructed access way shall be retained along the easement.
- > Where fences are required for security purposes access gates will be installed in an agreed location and a TransGrid lock will be fitted.
- > Application of “prudent avoidance” in relation to electric and magnetic fields should always be observed.
- > No increase in earth potential rise risks.
- > All underground services installed more than 20 metres but within 30 metres of a TL structure shall be non-metallic. Utility services (including street lighting), whether above or below ground, shall not be installed without prior written approval of TransGrid.
- > Excavation work or other alterations to existing ground levels shall not be carried out within the easement area without the prior approval of TransGrid. Approval will not normally be granted for such work within 20 metres of any supporting structure.
- > Boundaries for new subdivided properties should not be located within the easement.
- > Fenced boundaries for all new properties in the subdivision shall not be within 30 metres of any TL structure.
- > A “Restriction-as-User” (88B Instrument) shall be placed on the titles of any created lots that may become affected by a TL easement. Any proposed activity within an easement area will require the prior written approval of TransGrid (appropriate wording will be advised when required).
- > Any proposed development must not impact on TransGrid's costs of inspecting, maintaining or reconstruction of the transmission lines.
- > In order to comply with its statutory responsibilities to maintain adequate clearance between the conductors and any forms of vegetation, TransGrid maintains its easements as follows:
 - Tall growing species likely to infringe safe clearances are to be removed regardless of existing height at time of construction.
 - Trees likely to fall onto conductors or towers are also to be removed whether on the easement or off the easement (ref. Sec 48 of the Electricity Supply Act 1995).

- Shrubs and other vegetation of lower mature height within the easement will be reduced and managed, generally by slashing with ground level retained.
- Vegetation management will aim to reduce available fuel and subsequent bushfire risks in accordance with NSW Rural Fire Service Bush Fire Environmental Assessment Code that sets out the requirements for hazard reduction strategies such as Asset Protection Zones and Strategic Fire Advantage Zones.
- Removed vegetation will be mulched or chipped and removed from site or retained on site in accordance with owner/stakeholder requirements.
- Other works considered necessary in order to provide a safe working environment for maintenance staff, contractors and for the property owner/manager will be undertaken.

Proposed vegetation plantings, such as Riparian corridors, within the transmission line easements shall be compatible with the above maintenance requirements and must consider on-going vegetation control.

2. Construction

During construction, the development plans shall also provide for the following considerations:

- > Vehicles, plant or equipment having a height exceeding 4.3 metres when fully extended shall not be brought onto or used within the easement area without prior TransGrid approval.
- > Where temporary vehicular access or parking (during the construction period) is within 16 metres of a transmission line structure, adequate precautions shall be taken to protect the structure from accidental damage. Plans need to be submitted to TransGrid for prior approval.
- > The easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction materials.

3. Costs

The Developer shall bear all costs of any specialist design studies, TransGrid supervision, reconstruction or modification of the transmission line and its components, including consultation and design required to maintain clearances due to proposed ground level changes; road crossings within the easement; or due to any damage to the TL arising from the development.

Example of the Required Working Platform for Transmission Tower Maintenance



Necola Chisholm

From: Timothy Cowdroy <Timothy.Cowdroy@transgrid.com.au>
Sent: Tuesday, 13 September 2016 4:13 PM
To: Necola Chisholm
Cc: Lauren Vine; Skye Shanahan; Kenson Ho
Subject: FW: SEARS request for SSD 7917 - TransGrid
Attachments: TransGrid Plan of SSD7917 Site - SEAR (130916).pdf; TG Easement Guidelines for Third Party Development (V10).pdf; SSD 7917 - Letter to TransGrid Requesting SEARs Input.pdf

Hi Necola,

Re: SEARS – SSD7917 – Lot 3 (Development Site - Corner of Horsley Drive and Cowpasture Road)

We refer to the Department of Planning and Environment's letter of notification in respect of the abovementioned matter, pursuant to regulation 45 of SEPP (Infrastructure) 2007.

Please find attached a TransGrid plan identifying the position of TransGrid's easement, known as the *Sydney West to Guildford No.1 132kV (Easement)*. Please note that the transmission line (Feeder 93J) situated within TransGrid's Easement has been transferred to Endeavour Energy. It is TransGrid's intent to transfer the Easement to Endeavour Energy and until this occurs, TransGrid's registered land interest pertaining to the Easement prevails. That being said, Endeavour Energy should be consulted and availed the opportunity to make submission in respect of the proposed development on account of their high voltage transmission infrastructure being situated and operating within TransGrid's Easement.

The SEAR documentation does not identify the position of TransGrid's Easement relative to the subject development (Lot 3, SSD7917). The development site appears to be off TransGrid's Easement but is situated immediately adjacent thereto. Even if the proposed development is situated outside of the Easement, TransGrid has rights governing what occurs immediately adjacent to our easements and/or infrastructure pursuant to the Electricity Supply Act 1995.

It is noted that a car park is proposed to be constructed on the land immediately adjacent to the Easement. Please ensure that lighting in respect of the car parking is not located near any boundary adjacent to the transmission easement as vertical and horizontal clearances apply. Please find attached the TransGrid Easement Guidelines for Third Party Development (V10) (**Guidelines**). The Guidelines are not an exhaustive list, therefore in the event of any uncertainty, please contact TransGrid accordingly.

Please ensure that all construction work, including civil works that seemingly have already commenced, are undertaken in accordance with the WorkCover NSW *'Work Near Overhead Power Lines'* Code of Practice 2006.

Should you have any queries in respect of this matter, please feel free to me per the details below.

Kind regards
Tim

Timothy Cowdroy
Land Economist | Property & Environment Assets
Asset Management

TransGrid | 200 Old Wallgrove Road, Eastern Creek NSW, 2766
T: (02) 9620 0765 **M:** 0408 192 165

From: Necola.Chisholm@planning.nsw.gov.au [<mailto:Necola.Chisholm@planning.nsw.gov.au>]
Sent: Monday, 29 August 2016 12:17 PM
To: Skye Shanahan
Subject: FW: SEARS request for SSD 7917 - Transgrid

Dear Ms Shanahan,

Please find the attached SEARs request and supporting documents. Please note comments for these SEARs are due **Monday 12 September 2016**.

Kindest regards

Necola Chisholm

Planning Officer (Monday, Tuesday and Thursday)
Industry Assessments
Department of Planning and Environment
23-33 Bridge Street | GPO Box 39 SYDNEY NSW 2001
T 02 9228 6456 E necola.chisholm@planning.nsw.gov.au

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Legend

— Transmission Line 330 kV

— Transmission Line 500 kV

 TransGrid Easement



TL Easement: Sydney West to Guildford No.1
132kV (Feeder 93J)

Affected Land: Lots 23 & 24 in DP13961

Property of Transgrid. No warranty is given that information shown is complete or accurate.

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6 September 2016

Joanna Bakopanos
Team Leader
Industry Assessments
Department of Planning & Environment
GPO Box 39, Sydney NSW 2001

Request for SEARs for the Proposed Warehouse and Distribution Facility at Lot 3 Horsley Drive Business Park (SSD 7917)

Dear Ms Bakopanos,

Thank you for your letter requesting Sydney Water's input on the Secretary's Environmental Assessment Requirements for the above development. We have reviewed the proposal and provide the following comments for your consideration.

Sydney Water Requirements for Environmental Assessment

Sydney Water requests Secretary Environment Assessment Requirements include the following:

1. The proponent must gain approval from Sydney Water to ensure that the proposed development does not adversely impact on any water, wastewater or stormwater main.
2. When determining landscaping options, the proponent should take into account that certain tree species can cause cracking or blockage of Sydney Water pipes and therefore should be avoided.
3. Strict requirements for Sydney Water's stormwater assets for certain types of development may apply. Consider the following in your submission, stormwater assets protection, building over and/or adjacent to stormwater assets, building bridges over stormwater assets, potential flood, water quality and heritage impacts and creation of easements.

If you require any further information, please contact Manwella Hawell of Urban Growth Strategy on 02 8849 4354 or e-mail manwella.hawell@sydneywater.com.au.

Yours sincerely,



Greg Joblin
Manager, Growth Strategy

Necola Chisholm

From: Marnie Stewart
Sent: Thursday, 8 September 2016 2:11 PM
To: Necola Chisholm
Subject: SEARS request for SSD 7917 - OEH

Dear Necola

After reviewing the relevant documents, OEH's Greater Sydney Planning Team has concluded that the matter does not contain biodiversity, natural hazards or Aboriginal cultural heritage issues that require a formal OEH response. We have no further need to be involved in the assessment of this project.

Please note that the Heritage Division in OEH may wish to provide separate comments. The Heritage Division can be contacted at heritage@heritage.nsw.gov.au.

Regards,

Marnie Stewart
Senior Operations Officer, Greater Sydney Region
Regional Operations
Office of Environment and Heritage
T: 02 9995 6868
W: www.environment.nsw.gov.au
Please note my work days are Tues- Fri

🌱 Save paper, save the planet! think before you print.

From: Necola Chisholm
Sent: Monday, 29 August 2016 12:03 PM
To: Planning Matters Mailbox <planning.matters@environment.nsw.gov.au>
Subject: SEARS request for SSD 7917 - OEH

Dear Ms Harrison,

Please find the attached SEARs request and supporting documents. Please note comments for these SEARs are due **Monday 12 September 2016**.

Kindest regards

Necola Chisholm
Planning Officer (Monday, Tuesday and Thursday)
Industry Assessments
Department of Planning and Environment
23-33 Bridge Street | GPO Box 39 SYDNEY NSW 2001
T 02 9228 6456 E necola.chisholm@planning.nsw.gov.au

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Necola Chisholm

From: Bruce Colman
Sent: Monday, 12 September 2016 1:29 PM
To: Necola Chisholm
Subject: Re: SEARS request for SSD 7917 - DPE Employment Precinct

Hi Necola,

As the site is within the Western Sydney Parklands, there is no comment from us.

Regards
Bruce

Bruce Colman
Director, Land Release
Department of Planning & Environment
Mob. 0439 136 252

On 12 Sep 2016, at 1:23 PM, Necola Chisholm <Necola.Chisholm@planning.nsw.gov.au> wrote:

Hi Bruce,

Just following up this SEARs Request from 29 August 2016, comments are due today, please advise if your team has any comments to add.

Many thanks
Necola

From: Necola Chisholm
Sent: Monday, 29 August 2016 12:20 PM
To: Bruce Colman <BRUCE.COLMAN@PLANNING.NSW.GOV.AU>
Subject: SEARS request for SSD 7917 - DPE Employment Precinct

Dear Mr Coleman,

Please find the attached SEARs request and supporting documents. Please note comments for these SEARs are due **Monday 12 September 2016**.

Kindest regards

Necola Chisholm
Planning Officer (Monday, Tuesday and Thursday)
Industry Assessments
Department of Planning and Environment
23-33 Bridge Street | GPO Box 39 SYDNEY NSW 2001
T 02 9228 6456 E necola.chisholm@planning.nsw.gov.au

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<image001.png>



8 September 2016

RMS Reference: SYD16/01130/01 (A14397240)
DP&E Ref: SSD – 7917

Joanna Bakopanos
Team Leader – Industry Assessment
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Nicola Chisholm

Dear Sir/Madam,

**PROPOSED WAREHOUSE AND DISTRIBUTION FACILITY AT LOT 3 HORSLEY DRIVE
BUSINESS PARK**

Reference is made to your correspondence dated 29 August 2016 requesting Roads and Maritime Services (Roads and Maritime) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment Requirements (SEARs).

Roads and Maritime has reviewed the submitted draft SEARs and has no further request for inclusion.

Any inquiries in relation to this development application can be directed to Ahsanul Amin on 8849 2762 or development.sydney@rms.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'A Malloch'.

Angela Malloch
**A/Manager Land Use Assessment
Network and Safety Section**

Necola Chisholm

From: Charlotte Barry <charlotte.barry@industry.nsw.gov.au>
Sent: Friday, 2 September 2016 2:37 PM
To: Necola Chisholm
Subject: SEARs request for SSD 7917 - GSNSW response

Dear Necola,

Thank you for the opportunity to provide advice on **Secretaries Environmental Assessment Requirements (SEARs) for a proposed warehouse and distribution facility located at Lot 3 Horsley Drive Business Park (SSD 7917) - Fairfield LGA.**

The New South Wales Department of Industry Geological Survey of New South Wales (GSNSW) has no SEARs to issue as there are no current mineral, coal or petroleum titles over the site and the proposal should have no impact upon mineral, coal or petroleum resources.

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the GSNSW Land Use team at landuse.minerals@industry.nsw.gov.au.

Regards
Charlotte

Charlotte Barry | Graduate Officer | Land Use Assessment
Geological Survey of NSW | Resources & Energy | NSW Department of Industry
516 High Street | Maitland NSW 2320
T: 02 4931 6753 | E: charlotte.barry@industry.nsw.gov.au W: <http://www.resourcesandenergy.nsw.gov.au/>

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ENVIRONMENT PROTECTION AUTHORITY

Your reference: SSD 7917
Our reference: DOC16/433756-01

Ms Nicola Chisholm
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Nicola.Chisholm@planning.nsw.gov.au

Dear Nicola

Request for SEARs - SSD 7917 – Proposed Warehouse & Distribution Facility at Lot 3 Horsley Drive Business Park (Fairfield LGA)

I refer to the request for SEARs for a proposed warehouse and distribution facility located at Horsley Drive Business Park, received by the Environment Protection Authority on 29th August 2016.

On the basis of the information provided, the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). The EPA does not consider that the proposal will require an Environment Protection Licence (EPL) under the POEO Act. Accordingly, the EPA has no comments regarding the proposal and has no further interest in this proposal.

However, should future tenants of the finished warehouse buildings intend to conduct activities that require a licence under Schedule 1 of the POEO Act the occupier of the premises will be required to take all necessary steps to ensure appropriate approvals have been obtained and a licence application submitted to the EPA prior to conducting those activities.

Please contact Alexander Spaller on 9995 5894 or alexander.spaller@epa.nsw.gov.au if you require any further assistance.

Yours sincerely

A handwritten signature in black ink that reads 'Jane Burgett' followed by the date '30/8/16'.

JANE BURGETT
A/Unit Head - Regulation Unit North
Environment Protection Authority

Necola Chisholm

From: Pat Woodbury <Pat.Woodbury@endeavourenergy.com.au>
Sent: Thursday, 1 September 2016 2:32 PM
To: Necola Chisholm
Subject: RE: SEARS request for SSD 7917 - Endeavour Energy

Hi Necola,

Endeavour Energy has no objection to the proposal.

The Developer must make application for electricity supply to their development via Endeavour Energy's Network Connections Branch.

Regards Pat

Pat Woodbury

Network Environmental Assessment Manager
Asset Standards and Design
Endeavour Energy
Ph:- 02 9853-6552
M:- 0419 628 593
Fax:- 02 9853-5169
Email:- pat.woodbury@endeavourenergy.com.au

From: Necola.Chisholm@planning.nsw.gov.au [mailto:Necola.Chisholm@planning.nsw.gov.au]
Sent: Monday, 29 August 2016 12:10 PM
To: Pat Woodbury
Subject: SEARS request for SSD 7917 - Endeavour Energy

Dear Ms Woodbury,

Please find the attached SEARs request and supporting documents. Please note comments for these SEARs are due **Monday 12 September 2016**.

Kindest regards

Necola Chisholm

Planning Officer (Monday, Tuesday and Thursday)
Industry Assessments
Department of Planning and Environment
23-33 Bridge Street | GPO Box 39 SYDNEY NSW 2001
T 02 9228 6456 E necola.chisholm@planning.nsw.gov.au

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