

OUTCOMES COMMITTEE

Meeting Date 13 June 2017

Item Number. 64

SUBJECT: Planning Proposal and Site Specific Development Control Plan for Land at 620 Elizabeth Drive Bonnyrigg Heights
Premises: 620 Elizabeth Drive Bonnyrigg Heights (Lot 1 DP 781418)
Applicant/Owner: Michael Brown Planning Strategies on behalf of The Movement of Serbian Chetniks Ravna Gora (Director details to be circulated separately)
Zoning: RE2 Private Recreation

FILE NUMBER: 15/19275

PREVIOUS ITEMS: 76 - Planning Proposal - Additional Permitted Uses at 620 Elizabeth Drive Bonnyrigg Heights - Outcomes Committee - 12 July 2016
23 - Draft Site Specific Development Control Plan - 620 Elizabeth Drive Bonnyrigg Heights - Outcomes Committee - 14 March 2017

REPORT BY: Elizabeth Workman, Senior Strategic Land Use Planner

RECOMMENDATION:

That:

1. Council adopt the Planning Proposal as publicly exhibited (Attachment A of the report) to amend Schedule 1 Additional Permitted Uses of Fairfield Local Environmental Plan 2013 to permit with development consent the use of land at 620 Elizabeth Drive Bonnyrigg Heights (Lot 1 DP 781418) for the purposes of a service station and take away food and drink premises.
2. Pursuant to Section 59 of the Environmental Planning and Assessment (EP&A) Act 1979, Council proceed to finalise the Planning Proposal under delegated authority in accordance with the Guide to Preparing Local Environment Plans (Department of Planning & Infrastructure 2013). The delegated functions will be undertaken by the Manager Strategic Land Use Planning who has been delegated these powers by Council and the City Manager under Section 377 of the Local Government Act 1993.
3. Council adopt the draft Site Specific Development Control Plan as publicly exhibited (Attachment B of the report) to amend the Fairfield City Wide DCP 2013 to introduce development objectives and controls to guide the future development of land at 620 Elizabeth Drive Bonnyrigg Heights (Lot 1 DP 781418) for the purposes of a service station, take away food and drink premises and a recreation facility (indoor).

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4. In accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000, Council give public notice in a local newspaper within 28 days of its decision to adopt the site specific DCP amendment. The DCP amendment will come into effect when the associated Planning Proposal LEP is gazetted.

Note: This report deals with a planning decision made in the exercise of a function of Council under the EP&A Act and a division needs to be called.

SUPPORTING DOCUMENTS:

AT-A	Planning Proposal Document	24 Pages
AT-B	Site Specific Development Control Plan	8 Pages
AT-C	NSW Department of Planning Gateway Determination	6 Pages
AT-D	Submission from NSW Roads and Maritime Services	3 Pages
AT-E	Submission from Endeavour Energy	6 Pages
AT-F	Submission from NSW Environment Protection Authority	4 Pages
AT-G	Further Submission from Endeavour Energy	7 Pages

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

SUMMARY

In July 2016, Council resolved to support a Planning Proposal application for Gateway Determination which sought to allow additional permitted uses (for a service station and take away food and drink premises) on vacant land currently zoned RE2 Private Recreation located at 620 Elizabeth Drive, Bonnyrigg Heights. Council subsequently received the Gateway Determination from the NSW Department of Planning endorsing public exhibition of the proposal in August 2016 (Attachment C to this report)

In March 2017, Council also considered a report on a draft Site Specific Development Control Plan (DCP) for the site to support the additional uses proposed under the Planning Proposal and subsequently resolved to concurrently exhibit both the Planning Proposal and draft Site Specific DCP.

Both the Planning Proposal and draft Site Specific DCP provisions have recently undergone a period of public exhibition and consultation in accordance with the relevant conditions of the Gateway Determination and *Environmental Planning and Assessment Regulations, 2000*.

This report outlines the consultation strategy undertaken and the results of the public exhibition of the Planning Proposal and associated draft Site Specific DCP.

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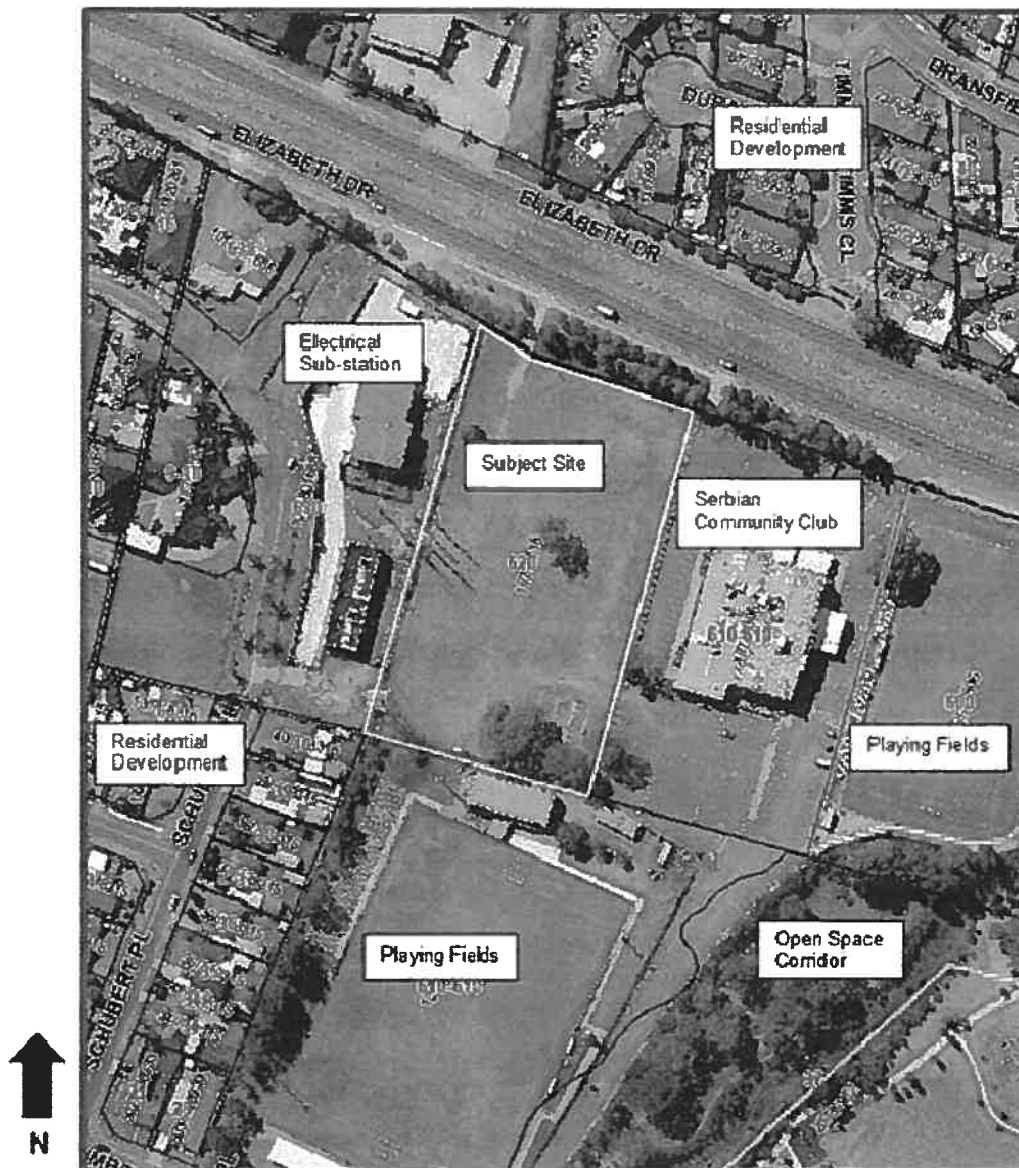
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REPORT

Subject Site

The subject site is located between an existing Endeavour Energy electrical sub-station (to the west), the Bonnyrigg Sports/Serbian Community Club (to the east), Bonnyrigg Sports Club playing fields and an open space corridor (to the south) and the arterial road corridor of Elizabeth Drive (to the north). The closest residential development is located at the south west corner of the subject site in Schubert Place. The site is otherwise disconnected and isolated from nearby low density residential development.



Aerial Photo – Subject Site and Adjoining Land Uses

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Summary of the Planning Proposal

The Planning Proposal seeks to amend Schedule 1 of Fairfield LEP 2013 to permit (with development consent) the use of 620 Elizabeth Drive, Bonnyrigg Heights for the purposes of a service station and take-away food and drink premises. The Planning Proposal does not seek to change the existing RE2 Private Recreation zone that applies to the site.

The Planning Proposal seeks to limit potential over development of the site for commercial purposes by including 2 development controls within Schedule 1 – Additional Permitted Uses as follows:

- a. the combined gross floor area does not exceed 600m² (excluding petrol filling areas); and
- b. there is to be no more than 1 restaurant or take away food and drink premises on the subject site at any one time.

The Applicant has stated that future development of the site would occur in 2 stages, as follows:

- Stage 1 - comprising the additional permitted uses of service station and take away food and drink premises plus gymnasium; and
- Stage 2 – a future extension to the gymnasium to accommodate an elevated indoor sports stadium comprising 2 basketball courts.

Development of the site for recreation purposes is already permitted under the current RE2 Private Recreation zone, subject to gaining development consent from Council.

Summary of the Site Specific DCP

The purpose of the draft site specific DCP is to ensure the design and operation of future land uses on the site address the potential land use conflicts which may arise given the proximity of the site to existing nearby residential development.

In this regard, development controls are proposed in relation to the following:

- Site Design and Layout;
- Development and building setbacks;
- Vehicular and pedestrian access;
- Site Servicing and Loading Facilities;
- Bulk, Scale and Built Form;
- Acoustic Amenity;
- Odour Generating Activities;
- Safety and Security;
- Lighting;
- Landscaping; and
- Solar Access and Amenity.

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The final Site Specific DCP provisions will form an amendment to Chapter 10 - Miscellaneous Development of the Fairfield City Wide DCP 2013 and will be inserted after the current Section 10.11 relating to the Cabravale Diggers site. A copy of the exhibited draft Site Specific DCP provisions are contained within Attachment B to this report.

Consultation Strategy

Under the Gateway Determination issued in favour of the Planning Proposal, public exhibition was required for a minimum statutory period of 14 days. However, under Clause 18(2) of the *Environmental Planning and Assessment Regulations 2000*, a draft development control plan is required to be publicly exhibited for a minimum of 28 days. For this reason both the draft site specific DCP and Planning Proposal were publicly exhibited for 30 days and included:

- Notification in writing to immediately adjoining and surrounding landowners within a radius of approximately 200 metres from each boundary of the subject site;
- Publication of a notice in the local newspaper on 2 separate occasions; and
- Publication of all relevant information on Council's website.

In accordance with Condition No.3 of the Gateway Determination, the following public authorities were also notified in writing in regarding the proposal.

- Transport for NSW – Roads and Maritime Services;
- Endeavour Energy;
- Sydney Water; and
- Environmental Protection Authority.

The public authority consultation was undertaken in September 2016 (prior to public exhibition) to enable any comments received to be included within the site specific DCP provisions. These authorities were again notified in April 2017 of the formal Planning Proposal and draft site specific DCP exhibition period. The following submissions were received:

1. Transport for NSW – Roads and Maritime Services (Attachment D of report)

The Applicant had undertaken considerable consultation with NSW RMS prior to the lodgement of the Planning Proposal and as such the majority of the issues raised within the submission have already been dealt with in the draft Site Specific DCP or they can be addressed at Development Application stage.

Proposed access arrangements for the site including the relocation of the exit driveway on the adjoining Bonnyrigg Sports Club site at 610 Elizabeth Drive have all been indicated within the draft site specific DCP.

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NSW RMS have indicated that the planning proposal will require the relocation of a bus stop on safety grounds and accordingly, the proposed bus stop location would need to be referred to Council's Local Traffic Committee in due course for review and approval in consultation with the local bus operator.

2. Endeavour Energy (Attachment E of report)

In September 2016, upon issue of the Gateway Determination, Council undertook consultation with Endeavour Energy to ensure that any requirement of Endeavour Energy could be included within the draft site specific DCP provisions. In October 2016, Endeavour Energy provided comments back to Council and these were also forwarded onto the applicant for use in the drafting of the DCP provisions.

In summary Endeavour Energy stated that no objection was raised to the Planning Proposal, subject to the following comments/recommendations:

- Network Connection – the applicant will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch.

Comment – this matter can be addressed at development application and/or construction stage.

- Easement Management/Network Access – Endeavour Energy does not permit any services or structures within the easement site and does not permit the applicant to alter the surface level of land within the easement site. Any works that propose to restrict access to the easement site must be approved by Endeavour Energy in writing.

Comment – This advice was immediately passed onto the applicant from Council and the design and layout of the proposal was subsequently altered to reflect these requirements. The site specific DCP provisions reinforce these requirements of Endeavour Energy and these matters can be further addressed at development application stage.

- Safety Clearances – All proposed buildings and structures, including signage must comply with minimum safe distances/clearances as specified in the relevant Australian Standards.

Comment - This matter will be addressed at development application stage.

- Earthing – Construction of buildings and structures must comply with relevant Australian Standards.

Comment - This is a matter to be addressed at development and construction stage.

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- Noise – The submission states that Endeavour Energy is not responsible for any acoustic/noise amelioration measures that may be required as a result of noise omitted for overhead powerlines.

Comment – Noted

- Electric and Magnetic Fields – Requires habitable rooms to be located away from overhead powerlines.

Comment – This requirement relates primarily to residential development which the site is not proposed to be used for.

- Asbestos – Comments relate to the potential for asbestos to be found on site and the requirements for management and exposure during demolition.

Comment – The site is currently vacant. A review of aerial photographs indicates that a small dwelling and outbuildings were located on the site in the mid 1990's. Further investigation of property files did not reveal any specific information to suggest the site is specifically affected by asbestos contamination.

However, as part of any future re-development of the site the applicant will be required to undertake further detailed investigations into potential site contamination via site sampling and geotechnical analysis.

This approach is considered appropriate given the nature of the proposed additional use of the site for a service station which is not considered a 'sensitive' land use.

- Vegetation Management – Planting of large trees within the electrical easement is not supported. Low growing shrubs no greater than 3m in height, ground cover and smaller shrubs with non-invasive root systems are recommended.

Comment – Noted and can be addressed at development application stage.

- Demolition – Requires all demolition to be undertaken in accordance with Australian Standards and appropriate care must be taken to not interfere with electrical infrastructure.

Comment – Noted however this is unlikely to be an issue as the site is currently vacant land.

- Public Safety – Recommends that workers involved in the construction and operation of the site are trained in public safety for work near electrical easements.

Comment – Noted

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3. NSW Environment Protection Authority (Attachment F of report)

The NSW EPA does not object to the proposal however provided comments in relation to:

- Environment Protection Licencing
- Vapour Recovery
- Noise and Odour
- Contaminated Land Management; and
- Waste Management.

Council has considered the submission provided and makes the following comments. The majority of issues raised including Environment Protection Licencing, Vapour Recovery and Waste Management will all be dealt with at the development application stage. With respect of Noise and Odour, Council has included controls within the site specific DCP which aim to minimise any potential negative impacts that may arise from the emission of noise and odour including:

- Requirements for the applicant to submit noise and odour impact assessments;
- Implementing appropriate setback controls in close proximity to residential development;
- Adequate and appropriate placement of ventilation facilities; and
- Siting and design to locate commercial activities (which may have longer operating hours) to the north of the property away from nearby residential development.

The applicant will also be required to submit a Waste Management Plan with any future development application for the site. With respect to the requirement for a Contaminated Land Assessment to be undertaken, this was previously submitted by the applicant with the original Planning Proposal and the site was found to be highly unlikely to contain contaminants and therefor suitable for the uses as proposed.

Submissions Received from the General Public

Council notified residents within a 200 metre radius of each boundary of the site and advertised the public exhibition on two separate occasions in the local newspaper and all information was available for the entire exhibition period on Council's website.

Council did not receive any submissions from the general public in relation to the public exhibition process.

Further Late Submission Received from Endeavour Energy (Attachment G to report)

On 30 May 2017, whilst this report was being finalised, and well after the close of the public exhibition and consultation period, Council received additional comments from Endeavour Energy. Most comments contained within the submission were also raised in the original submission (dated September 2016) however 3 new issues were raised as follows:

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1. Questions the compatibility of the proposed additional uses with the objectives of the RE2 Private Recreation zone in particular objectives relating to protecting and enhancing the natural environment for recreational purposes.

Comment – The site whilst vacant is not considered representative of significant natural value as it has previously been cleared of vegetation and due to its location between the electrical substation and existing Bonnyrigg Sports Club. The site also has frontage to Elizabeth Drive which is a major arterial road and due for upgrade and widening in the future.

There are a number of precedents and incidences of where Council has allowed the additional permitted use of 'service stations' on other sites in the City which are zoned for urban uses (e.g. residential) but do not generally permit service stations in the overriding zone applicable to the site.

This is due to the fact that proposals for service stations have particular siting requirements that need to be considered individually and on merit. This process has regard to the suitability of the site for a service station, proximity to other land uses and scope to mitigate the potential impacts of a service station on existing development in the surrounding area.

The above issues have all been taken into account under the assessment of the current Planning Proposal for the additional use of a service station on the subject site. The outcomes of this assessment have resulting in provision of LEP and DCP controls to safeguard the impacts of a service station on surrounding land uses.

In addition to the above, under Fairfield LEP 2013 the RE2 Private Recreation has been applied to various club sites located across the City which service not only recreation needs of the community but in many instances also offer a broad range of commercial services.

This arrangement is also reflected in the current proposal for a service station on the subject site which includes recreation uses proposed to the rear of the property in keeping with the intent of the zoning of the land.

2. The additional uses do not appear to be consistent with or be of a like character with the definitions within the LEP for '*recreation area*' or '*recreation facility*'.

Comment – The proposed additional uses are consistent with and in keeping with many uses already permitted under the current RE2 zoning including function centres, registered clubs, major recreation facilities and restaurants.

3. The additional uses would appear to be more in keeping with a rezoning ie. Zone B2 Local Centre, Zone B4 Mixed Use, Zone B5 Business Development and Zone B6 Enterprise Corridor under the LEP would either permit with consent or not prohibit these uses.

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Comment – As discussed in great detail in a previous report on this matter (Item 76 of the report to the July 2016 Outcomes Meeting) alternative zoning for this site for either residential or business purposes is not supported by Council for a number of reasons, summarised below.

- The isolation of the site from nearby low density residential development.
- Location between an existing substation and transmission easement (to the west) and club facility (to the east)
- Alternate zonings of Zone B2 Local Centre, Zone B4 Mixed Use, Zone B5 Business Development and Zone B6 Enterprise Corridor are inconsistent with Council's City Centres Study (2016) and Employment Lands Study (2009)
- The site is not located in proximity to main town centres, public transport, services or facilities where the business zonings have been applied in the City.

CONCLUSION

The formal public exhibition of a Planning Proposal and draft Site Specific DCP for 620 Elizabeth Drive, Bonnyrigg Heights, has now concluded. Council has complied with the relevant conditions of the Gateway Determination issued by the Department of Planning in August 2016 and has also undertaken the statutory public consultation requirements as set out in the relevant NSW planning legislation.

Endeavour Energy, NSW EPA and Transport for NSW – Roads and Maritime Services are the 3 public authorities who provided comments to Council in relation to the proposal. These comments were mostly associated with the design and future operation of the site and can be more specifically addressed at development application stage once the relevant LEP and DCP amendments have been finalised.

It is therefore recommended that Council proceed to adopt the Planning Proposal and draft Site Specific DCP to allow for future development of 620 Elizabeth Drive, Bonnyrigg Heights for the additional use as a service station, take away food and drink premises and associated recreation facilities.

Elizabeth Workman
Senior Strategic Land Use Planner

Authorisation:

Manager Strategic Land Use Planning
Director Community Outcomes

Outcomes Committee - 13 June 2017

File Name: **OUT130617_14.DOC**

***** END OF ITEM 64 *****



Planning Proposal

620 Elizabeth Drive, Bonnyrigg Heights

Proposed Amendment to
Fairfield Local Environmental Plan 2013

AMENDMENT TO SCHEDULE 1 – ADDITIONAL PERMITTED USES

TO PERMIT WITH CONSENT, DEVELOPMENT FOR THE PURPOSES OF A
SERVICE STATION AND TAKE-AWAY FOOD & DRINK PREMISES AT
620 ELIZABETH DRIVE, BONNYRIGG HEIGHTS

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Preliminary Advice from NSW Roads and Maritime Services

Part 1 – Objectives

The purpose of the Planning Proposal is to allow land zoned RE2 Private Recreation located at 620 Elizabeth Drive, Bonnyrigg Heights to be used for the additional use of a service station and take-away food and drink premises.

The existing RE2 Private Recreation zone currently prohibits development for the purposes of a service station or take-away food and drink premises. An amendment to Schedule 1 - Additional Permitted Uses of Fairfield LEP 2013 is required to allow development for these uses at 620 Elizabeth Drive, Bonnyrigg Heights without changing the zoning of the land.

In summary, the objective of the Planning Proposal is to amend Schedule 1 – Additional Permitted Uses of Fairfield Local Environmental Plan 2013 to permit with consent, development for the purpose of a service station and take-away food & drink premises at 620 Elizabeth Drive, Bonnyrigg Heights.

The amendment to Schedule 1 also seeks to impose a gross floor area limit for the proposed additional uses and restrict development on the site to only one restaurant or take away food and drink premises at any one time.

The planning proposal applies to the following land:

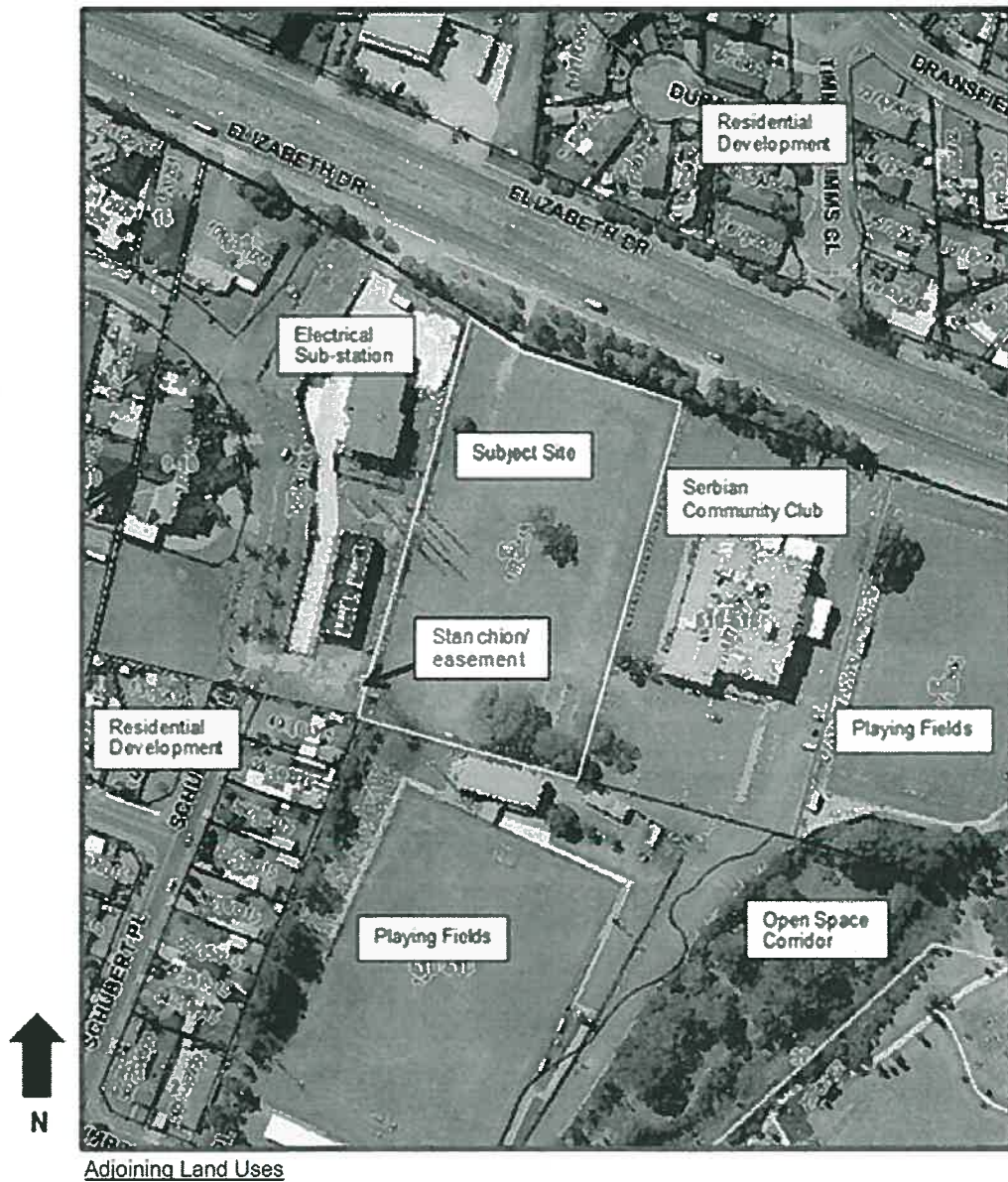
- Lot 1 DP 781418 at 620 Elizabeth Drive, Bonnyrigg Heights.

Surrounding Context

The subject site is located in the suburb of Bonnyrigg Heights and has frontage to Elizabeth Drive. The site is located between an existing Endeavour Energy electricity sub-station (to the west), the Serbian Community Club (to the east), Bonnyrigg Sports Club soccer fields and an open space corridor (to the south) and the arterial road corridor of Elizabeth Drive (to the north). The closest residential development is located at the south west corner of the subject site in Schubert Place. The site is otherwise disconnected and isolated from nearby low density residential development.



Locality Map



Part 2 – Explanation of provisions

To achieve the objectives mentioned above, the Planning Proposal will need to amend the Fairfield Local Environmental Plan 2013 (FLEP 2013) as follows:

1. Insert after Item 24 of Schedule 1 - Additional Permitted Uses, the following:

25 Use of certain land at 620 Elizabeth Drive, Bonnyrigg Heights

- (1) This clause applies to land identified as "26" on the Key Sites Map.
- (2) Development for the purposes of a service station and take-away food and drink premises is permitted with development consent, but only if:
 - a. the combined gross floor area does not exceed 600m² (excluding petrol filling areas); and
 - b. there is to be no more than one restaurant or take away food and drink premises on the subject site at any one time.

Refer to Appendix A identifying the subject site and proposed Key Sites map.

Part 3 – Justification

Section A – Need for a planning proposal

Is the planning proposal a result of any strategic study or report?

No. The Planning Proposal is not the subject of any strategic study or report. The planning proposal is a result of an owner initiated (Movement of Serbian Chetniks Ravna Gora) application to Council. It is however generally consistent with the background principles contained in state, regional, sub regional and metropolitan planning as identified in Section B to this Part.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. An amendment to Schedule 1 - Additional Permitted Uses of the FLEP 2013 is the best means of achieving the objective/intended outcomes. This ensures that a service station and take-away food and drink premises are restricted to the subject site only rather than permitting with consent across all RE2 Private Recreation zones. Permissibility of such uses needs to be considered on a site by site basis in context with the surrounding land uses and environmental features.

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

A Plan for Growing Sydney

'A Plan for Growing Sydney' (the Sydney Metropolitan Strategy) was released in December 2014 and is the NSW Government's 20-year plan for the Sydney Metropolitan Area.

'A Plan for Growing Sydney' (*The Plan*) applies to the subject property. *The Plan* is the Government's plan to bring all stakeholders together with a common purpose – to develop a competitive economy with world-class services and transport; to deliver greater housing choice to meet our changing needs and lifestyles; to create communities that have a strong sense of wellbeing; and to safeguard our natural environment.

The Plan sets the boundaries for future urban development and identifies the strategic transport corridors and Major Centres best placed to focus sustainable commercial and residential growth in the future. It therefore is important to determine how the Planning Proposal meets the strategic directions and objectives of 'The Plan'.

Fairfield City is now located within the South West Subregion. The Plan identifies the South West subregion as the fastest growing subregion, providing housing and jobs growth through the two regional city centres, Badgerys Creek Airport Precinct and an enterprise corridor stretching along a possible rail line corridor extending from Leppington to the airport.

The Planning Proposal is assessed against the broad strategic goals of *A Plan for Growing Sydney*. The vision for Sydney to be a 'strong global city, a great place to live' is supported by four goals. The Planning Proposal addresses a number of these goals under *The Plan* as follows:

Goals	Directions & Actions	Comment	Y/N
1. A competitive economy with world-class services and transport	1.4 Transform the productivity of Western Sydney through growth and investment	The PP will provide additional employment and recreation opportunities in the west of the city, and develop new strategic employment opportunities and services along transport infrastructure that will service Badgerys Creek Airport.	Y
3. A great place to live with communities that are strong, healthy and well connected	2.1 Revitalise existing suburbs	The Planning Proposal seeks to support urban development by locating services along existing strategic arterial corridors. Elizabeth Drive will form one of the major direct strategic routes to the proposed Badgerys Creek Airport.	Y

The Planning Proposal is consistent with the strategic direction detailed in *The Plan* by providing a range of employment opportunities and services along a major strategic transport route to the future Badgerys Creek Airport. It is anticipated this transport route will significantly increase in demand as development of the second Sydney Airport begins and continuing into the future airport operations.

South West District Strategy & Draft West Central Sub Regional Plan

The Greater Sydney Commission is yet to release new subregional strategies for public comment. Given these circumstances, no comments can be provided in relation to the current situation of the Commission or the plans in process.

The Planning Proposal is generally consistent with the Aims of the draft West Central Sub-regional Strategy.

Is the planning proposal consistent with the local Council's community strategic plan, or other local strategic plan?

Fairfield City Plan 2012-2022 (December 2012)

Fairfield City Plan 2012-2022 (The City Plan) sets the Community's Vision, Priorities and Outcomes for Fairfield City over the next 10 years. There are five specific themes in The City Plan of which three contain Goals which are of relevance to the Planning Proposal. These are as follows:

Theme	Goal	Comment	Y/N
1. Community Well Being	1.2 Being healthy and active 1.5 Increased opportunities for our community	The Planning Proposal will facilitate future development of the subject site for recreation purposes and will provide opportunities for the local community to access active, creative leisure and recreational services.	YES
2. Places and Infrastructure	2.2 Buildings and infrastructure meet the changing needs and growth of our community. 2.4 Providing quality public spaces as well as entertainment, leisure and recreation opportunities.	The aim of the planning proposal is to facilitate the provision of local convenience services and recreational facilities. The proposal assists in the planning, managing and accessibility to Infrastructure and community facilities particularly in consideration of the future growth and development planned for Western Sydney and the second Sydney Airport at Badgerys Creek.	YES
4. Local Economy and Employment	4.1 A range of employment opportunities and a workforce with a variety of skills.	The creation of local employment opportunities through the proposed additional uses on site as well as planned future recreational uses will contribute to lowering rates of unemployment and under-employment, especially for our youth	YES

Is the planning proposal consistent with the applicable state environmental policies?

The relevant State Environmental Planning Policies are outlined in the table below:

SEPP Title	Relevance	Consistency of Planning Proposal
SEPP 19 – Bushland in Urban Areas	No	
SEPP 21 – Caravan Parks	No	
SEPP 30 – Intensive Agriculture	No	
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	No	
SEPP 33 – Hazardous and Offensive Development	Yes	The development of a service station at the site will require the consideration

SEPP Title	Relevance	Consistency of Planning Proposal
		of SEPP33 Hazardous and Offensive Industry and the NSW EPA 'Environmental Action for Service Stations' guideline. This will form a requirement at Development Application stage.
SEPP 50 – Canal Estate Development	No	
SEPP 55 – Remediation of Land	Yes	The Planning Proposal is not inconsistent with the requirements of the SEPP for the following reasons: • The land is already zoned for recreation purposes and the planning proposal aims to allow the additional use for service station and take away food and drink premises. • A contamination report for the site found the site to have low risk of contamination and suitable for the proposed additional uses subject to appropriate measures being undertaken at construction and development stage.
SEPP 62 – Sustainable Aquaculture	No	
SEPP 64 – Advertising and Signage	Yes	Relevant at Development Application Stage
SEPP 65 – Design Quality of Residential Flat Development	No	
SEPP 70 – Affordable Housing (Revised Schemes)	No	
SEPP (Affordable Rental Housing) 2009	No	
SEPP (Building Sustainability Index: BASIX) 2004	Yes	Relevant at Development Application Stage
SEPP (Exempt and Complying Development Codes) 2008	Yes	Potentially relevant for future development proposals.
SEPP (Housing for Seniors or People with a Disability) 2004	No	
SEPP (Infrastructure) 2007	Yes	Division 5 Subdivision 2 of the SEPP in relation to <i>Development Likely to Affect an Electricity Transmission or Distribution Network</i> will apply at development application stage. Further Division 17 Subdivision 2 of the SEPP in relation to <i>Development In or Adjacent to Road Corridors and Road Reservations</i> will also apply at Development Application stage.
SEPP (State Significant Precincts) 2005	No	
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	No	
SEPP (Miscellaneous Consent Provisions) 2007	No	
SEPP (State and Regional Development) 2011	No	

The relevant Sydney Regional Environmental Plans are outlined in the table below:

SREP Title	Relevance	Consistency of Planning Proposal
SREP 9 – Extractive Industry (No 2 – 1995)	No	
SREP 18 – Public Transport Corridors	No	
SREP 20 – Hawkesbury-Nepean River (No 2 – 1997)	No	
GMREP No.2 – Georges River Catchment	Yes	Stormwater management requirements provided within this Plan should be addressed in any future Development Applications

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The relevant Section 117 Directions contained within the Environmental Planning and Assessment Act 1979 are outlined in the table below:

Section 117 Direction No. and Title	Consistency	Planning Proposal	Comply
1. Employment and Resources			
1.1 Business and Industrial Zones	- Encourage employment growth in suitable locations - Protect employment land in business and industrial zones - Support the viability of identified strategic centres.	The Planning Proposal does not affect land within an existing or proposed business or industrial zone.	N/A
1.2 Rural Zones	Protect agricultural production value of rural land.	N/A	N/A
1.3 Mining, Petroleum Production and Extractive Industries	Ensure future extraction of State and regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	N/A	N/A
1.4 Oyster Aquaculture	Protect oyster aquaculture areas.	N/A	N/A
1.5 Rural Lands		N/A	N/A
2. Environment and Heritage			
2.1 Environment Protection Zones	Protect and conserve environmentally sensitive areas.	N/A.	N/A
2.2 Coastal Protection	Implement the principles in the NSW Coastal Policy.	N/A	N/A
2.3 Heritage Conservation	Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The planning proposal does not relate to a property of heritage significance as identified under Fairfield LEP 2013 nor are there any items of heritage significance within close proximity of the subject site.	N/A
2.4 Recreation Vehicle Areas	Protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	N/A	N/A
3. Housing, Infrastructure and Urban Development			

Section 117 Direction No. and Title	Consistency	Planning Proposal	Comply
3.1 Residential Zones	- Encourage a variety and choice of housing types to provide for existing and future housing needs - Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services - Minimise the impact of residential development on the environment and resource lands.	N/A	N/A
3.2 Caravan Parks and Manufactured Home Estates	- Provide for a variety of housing types - Provide opportunities for caravan parks and manufactured home estates.	N/A	N/A
3.3 Home Occupations	Encourage the carrying out of low-impact small businesses in dwelling houses.	N/A	N/A
3.4 Integrating Land Use and Transport	- Improve access to housing, jobs and services by walking, cycling and public transport. - Increase choice of available transport and reducing car dependency. - Reduce travel demand and distance (especially by car) - Support the efficient and viable operation of public transport services - Provide for the efficient movement of freight	The subject site is located on an existing classified road with accessible bus routes and is also in reasonably close proximity to the Bonnyrigg Town Centre. Allowing additional permitted use of the site for a service station and take away food and drink premises will generate additional employment opportunities in a strategic location in the future. The development of a service station on the subject site will provide a service convenience along a strategic route to the future Badgerys Creek airport.	YES
3.5 Development Near Licensed Aerodromes	- Ensure effective and safe operation of aerodromes - Ensure aerodrome operation is not compromised by development - Ensure development for residential purposes or human occupation, if situated on land within the ANEF contours between 20 and 25, incorporate noise mitigation measures.	N/A	N/A
3.6 Shooting Ranges	- Maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range. - Reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land - Identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	N/A	N/A

Section 117 Direction No. and Title	Consistency	Planning Proposal	Comply
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	The subject site does not contain soils that are deemed to be acid sulfate soils.	N/A
4.2 Mine Subsidence and Unstable Land	Prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	N/A	N/A
4.3 Flood Prone Land	- Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>. - Ensure that the provisions of an LEP on flood prone land are commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	The subject site is not flood prone.	N/A
4.4 Planning for Bushfire Protection	- Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas. - Encourage sound management of bush fire prone areas.	The subject site is not identified as being bushfire prone.	N/A
5. Regional Planning			
5.1 Implementation of Regional Strategies	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	N/A	N/A
5.2 Sydney Drinking Water Catchments	To protect water quality in the hydrological catchment.	N/A	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	- Ensure that the best agricultural land will be available for current and future generations to grow food and fibre. - Provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning - Reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas	N/A	N/A
5.4 Commercial and	Protect the Pacific Highway's	N/A	N/A

Section 117 Direction No. and Title	Consistency	Planning Proposal	Comply
Retail Development along the Pacific Highway, North Coast	- function, that is to operate as the North Coast's primary inter and intra-regional road traffic route - Prevent inappropriate development fronting the highway - Protect public expenditure invested in the Pacific Highway - Protect and improve highway safety and efficiency - Provide for the food, vehicle service and rest needs of travellers on the highway - Reinforce the role of retail and commercial development in town centres, where they can best serve the population of the towns.		
5.8 Second Sydney Airport: Badgerys Creek	Draft LEPs shall not contain provisions that enable the carrying out of development, either with or without development consent, which at the date of this direction, could hinder the potential for development of a Second Sydney Airport at Badgerys Creek	N/A	N/A
5.9 North West Rail Link Corridor Strategy	Draft LEPs must: - promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL) - ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans	N/A	N/A
6. Local Plan Making			
6.1 Approval and Referral Requirements	Ensure LEP provisions encourage the efficient and appropriate assessment of development	The Planning Proposal does not contain additional provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. Provisions to refer any future Development Application to Endeavour Energy and NSW RMS already exist under the ISEPP.	YES
6.2 Reserving Land for Public Purposes	- Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes - Facilitate the removal of reservations of land for public	N/A	N/A

Section 117 Direction No. and Title	Consistency	Planning Proposal	Comply
	purposes where the land is no longer required for acquisition.		
6.3 Site Specific Provisions	Discourage unnecessarily restrictive site specific planning controls	The planning proposal is not proposing any site specific provisions for the subject site.	Yes

Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The subject site has been vacant for a number of years and is devoid of vegetation. The site is regularly mown and occasionally used for the purposes of a mobile circus and associated car parking. Therefore it is unlikely that any critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal will permit (subject to further development consent) two additional land uses on the subject site that are currently prohibited, being a service station and take away food and drink premises. These land uses are commercial in nature and could have potential environmental impacts if they are not designed, developed and operated in accordance with the future conditions of development consent and compliance with all relevant industry standards and guidelines.

The current zoning of the land already permits development for several similar commercial land uses including restaurants and cafes, function centres, recreation facilities and registered clubs. The potential environmental effects from development for the purposes of these currently permitted land uses is already present and therefore it is considered that the permissibility of the two additional uses as a result of the Planning Proposal, would not unreasonably change the potential environmental effects that already exist in the event of future development of the subject site.

The Planning Proposal aims to permit development of the subject site for the purpose of a service station and take away food and drink premises, both of which have the potential to generate significant environmental impacts particularly to diagonally adjacent residential properties. As part of the Planning Proposal application to Council, the applicant has submitted a Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineering.

The impact assessment concludes that the proposed additional permitted uses at 620 Elizabeth Drive, Bonnyrigg Heights are supportable on traffic flow efficiency, road safety and parking grounds.

How has the planning proposal adequately addressed any social and economic effects?

The potential social and economic effects of the proposal are varied. The majority are considered to be positive and include:

- Providing additional local employment opportunities;
- Providing a service convenience to the travelling public;
- Meeting increased demand for service stations in an area of Elizabeth Drive that is considered underserved by service stations particularly as development of the second Sydney airport commences; and
- Facilitating the provision of additional sporting facilities for the broader community.

The concept plans submitted with the Planning Proposal show extensive outdoor car parking areas in relatively close proximity to existing residential development. There is potential for an increase in anti-social behaviour in car parking areas particularly if these are not appropriately secured and monitored. Lighting in car parking areas also has the potential to negatively impact on the amenity of existing residences.

These issues will need to be adequately addressed at future development application stage and Council must ensure strict compliance with all relevant conditions of development consent. In this regard, future hours of operation of all components of development on the subject site must take into account the potential social and environmental impacts of the proposed development of the site for a service station, takeaway food and drink premises and recreation facilities.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

Public infrastructure will be required to be augmented to support the development of the subject land as communicated in this Planning Proposal. The nature and extent of augmentation will be finally determined having regard to more detailed investigations as part of the future more specific development design of the proposal. The proposal is unlikely to place a level of demand on existing public infrastructure that could not be managed satisfactorily by Council. The subject site is located on Elizabeth Drive which is a classified road controlled by the NSW Roads and Maritime Service.

Both Council's Traffic and Transport Co-ordinator and staff at the NSW Roads and Maritime Service (RMS) have not raised objection to the proposal, however there are specific requirements which will need to be incorporated into the design of future development and implemented as conditions of development consent. Further consultation would occur with NSW RMS at public exhibition of the Planning Proposal and future development application stage.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The applicant conducted preliminary consultation with the NSW RMS in relation to the proposal and a copy of the advice received is contained in Appendix B of this Planning Proposal document. In summary, the NSW RMS do not object to the use of the subject site as a future service station and take away food and drink premises provided a number of design criteria are achieved and incorporated at development application stage including:

- Incorporation of a deceleration lane for access to the site;
- Relocation of the egress point for the adjoining Bonnyrigg Sports Club to assist in the provision of the deceleration lane;
- Internal access to the future proposed recreation facility (already permitted in the zone) at the rear of the site via the existing Bonnyrigg Sports Club; and
- Existing on-road cycle path and pedestrian footpath to be retained and suitably relocated along Elizabeth Drive to allow for the deceleration lane.

The current owners of the adjoining Bonnyrigg Sports Club site (the Movement of Serbian Chetniks Ravna Gora) have submitted in writing an agreement to relocate the existing egress driveway from the site to facilitate the development of the deceleration lane required for access to 620 Elizabeth Drive, Bonnyrigg Heights (refer Appendix C).

The Gateway determination has required Council to consult with the following public authorities during the public exhibition period:

- Transport for NSW – Roads and Maritime Services;
- Endeavour energy;
- Sydney Water; and
- Environmental Protection Authority.

Part 4 – Mapping

This part of the Planning Proposal deals with the maps associated with the Fairfield Local Environmental Plan 2013 that are to be amended to facilitate the necessary changes as described in this report.

To achieve the objectives of the Planning Proposal, Fairfield Local Environmental Plan 2013 will be amended as follows:

- Amend the Key Sites Map (Sheet No.8) to identify the subject land at 620 Elizabeth Drive, Bonnyrigg Heights as Key Site No.26 (refer Appendix A)

Part 5 - Community Consultation

Community consultation is required under Sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979.

The Act sets out the community consultation requirement for planning proposals and these are determined or confirmed at by the conditions of the Gateway Determination.

The Gateway Determination (issued on 26 August 2016) states that the Planning Proposal is classified as a low impact proposal and is required to be exhibited for a minimum of 14 days. However, due the requirement for the associated site specific Development Control Plan to be exhibited for a minimum of 28 days, it was determined that the Planning Proposal would also be publicly exhibited for 28 days from Wednesday 12 April 2017 to Friday 12 May 2017.

Part 6 – Project Timeline

The project timeline is intended to be used only as a guide and may be subject to changes such as changes to issues that may arise during the public consultation process and/or community submissions.

No.	Step	Process content	Timeframe
1	s.56 – request for Gateway Determination	Prepare and submit Planning Proposal to DP&I	July 2016
2	Gateway Determination	- Assessment by DP&I (including LEP Panel) - Advice to Council	August 2016
3	Completion of required technical information and report (if required) back to Council	- Prepare draft controls for Planning Proposal - Update report on Gateway requirements	September 2016
4	Public consultation for Planning Proposal	In accordance with Council resolution and conditions of the Gateway Determination.	October to November 2016
5	Government Agency consultation	Notification letters to Government Agencies as required by Gateway Determination	November 2016
6	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&I public hearing is not required.	
7	Consideration of submission	Assessment and consideration of submissions	1 month
8	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	1 month: February 2017
9	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	Minimum 1 month
10	Report back to Council	Includes assessment and preparation of report to Council	1 month INSERT DATE
11	Referral to PCO and notify DP&I	- Draft Planning Proposal assessed by PCO, legal instrument finalised - Copy of the draft Planning Proposal forwarded to DP&I.	1 month March 2017
12	Plan is made	Notified on Legislation web site	May 2017
Estimated Time Frame			12 months



Appendix B – Preliminary Advice from NSW Roads and Maritime Services



17 August 2015

Our Reference: SYD15/00919 (A9910371)

Craig McLaren
Executive Traffic Engineer, Director
McLaren Traffic Engineering
PO Box 66
SUTHERLAND NSW 1400

PROPOSED ACCESS ARRANGEMENT FOR SERVICE STATION, GYM, FASTFOOD AND
FUTURE BASKETBALL COURT
620 ELIZABETH DRIVE, BONNYRIGG HEIGHTS

Dear Mr McLaren,

Reference is made to your email dated 21 July 2015, regarding the abovementioned proposal which was referred to Roads and Maritime Services (Roads and Maritime) for advice prior to lodging a formal application with Council.

Roads and Maritime has reviewed the proposal and additional information provided in the site meeting on 30 July 2015 and provides the following comments for your consideration:

1. Roads and Maritime understands that the site is currently zoned RE2 Private Recreation. The proponent is advised to consult with Council as to whether a rezoning would be required in order to facilitate the proposed development.
2. Roads and Maritime understands that the subject property is owned by the same landholder of the adjacent property to the east (Bonnyrigg Sports Club) which has frontage and access to a local road as well as Elizabeth Drive. Roads and Maritime's current practice is to limit the number of vehicular conflict points along the arterial Road network to maintain network efficiency and road safety. This current practice is reflected in Section 6.2.1 of Roads and Maritime's current publication of the Guide to Traffic Generating Developments, which states 'access across the boundary with a major road is to be avoided wherever possible'. Further, this position is supported by clause 101(2a) of *State Environmental Planning Policy (Infrastructure) 2007*, which reads as follows:
 "The consent authority must not grant consent to development on land that has frontage to a classified road unless it is satisfied that:
where practicable, vehicular access to the land is provided by a road other than the classified road".
3. Given the above, Roads and Maritime's preference would be for the access points to Elizabeth Drive to be consolidated and rationalised for any future development of the subject sites, given that alternate local road access is available via Simpson Road at the rear of the Sports Club site.
4. Notwithstanding the above, it is noted that the proposed fastfood outlet and service station development would form a separate operation to the existing recreational uses of the existing Sports Club site. Roads and Maritime has considered the proposed access arrangements for the service station development and raises concern with regard to the close proximity of the

Roads and Maritime Services

31 Argyle Street, Parramatta NSW 2150 | PO Box 973 Parramatta NSW 2150 | www.rms.nsw.gov.au | 131 782

proposed service station entry point to the existing exit driveway of the adjacent Sports Club site. Given the anticipated traffic generation of the proposed development, a deceleration lane to Austroads standards would be required on Elizabeth Drive at the entry point to the service station. This would overlap with the current exit driveway of the Sports Club. Roads and Maritime considers this presents a potential conflict point and has road safety concerns with this arrangement.

An amended plan should be provided demonstrating how the abovementioned issues would be addressed. The egress for the adjacent site would need to be removed/relocated. A minimum separation of at least five metres between the access for the Sports Club and the start of the slip lane to the service station would be required (please see indicative sketch attached).

5. The on-road cycle path would need to be retained and the pedestrian footpath would need to be suitably relocated/deviated to allow for the deceleration lane.
6. Roads and Maritime understands that the proposed basketball courts and gymnasium would operate in conjunction with the existing Sports Club. In this regard, an internal vehicular and pedestrian access connection from the Sports Club to the basketball courts and gymnasium should be provided to rationalise the access arrangements on site.
7. Any future development application should be accompanied by a Traffic Impact Study to examine the impacts of the peak traffic generation of the proposed development to inform the design and access requirements. This should be accompanied by vehicle swept path plans to demonstrate that the largest design vehicle to access the site (ie petrol tanker) can enter and exit the site in a forward direction, and service the development without obstructing access.
8. Further to the above, Roads and Maritime has previously resumed and dedicated a strip of land as road along the Elizabeth Drive frontage of the subject property, as shown by grey colour on the attached Aerial – "X".

Roads and Maritime has no other approved proposal that requires any part of the subject property for road purposes.

Therefore, in principle, there are no objections to a development proposal on property grounds provided all buildings or structures together with any improvements integral to the future use of the site are wholly within the freehold property (unlimited in height or depth), along the Elizabeth Drive boundary.

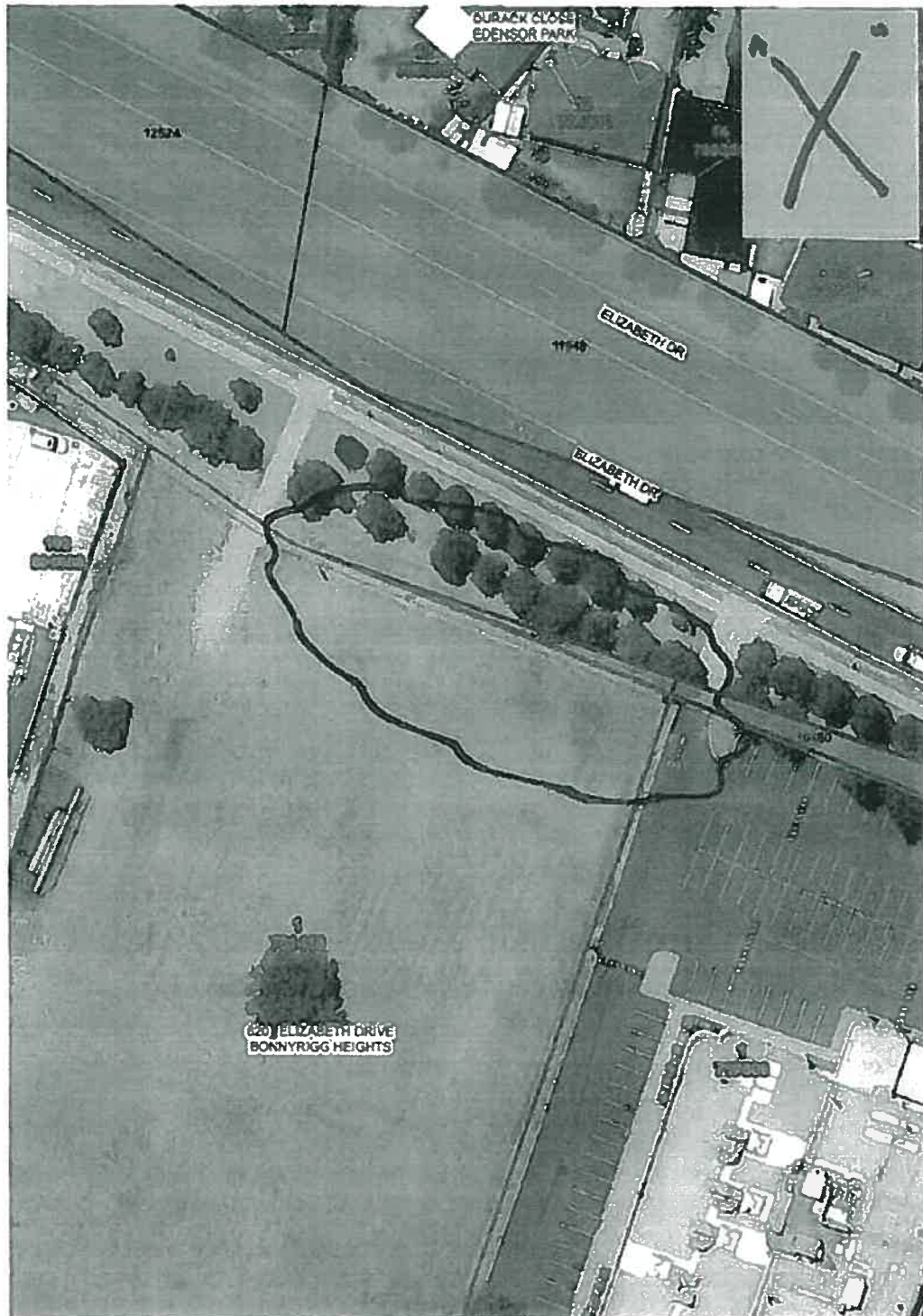
Please note that further land dedication to facilitate the proposed deceleration lane may be required in order to maintain existing road corridor widths.

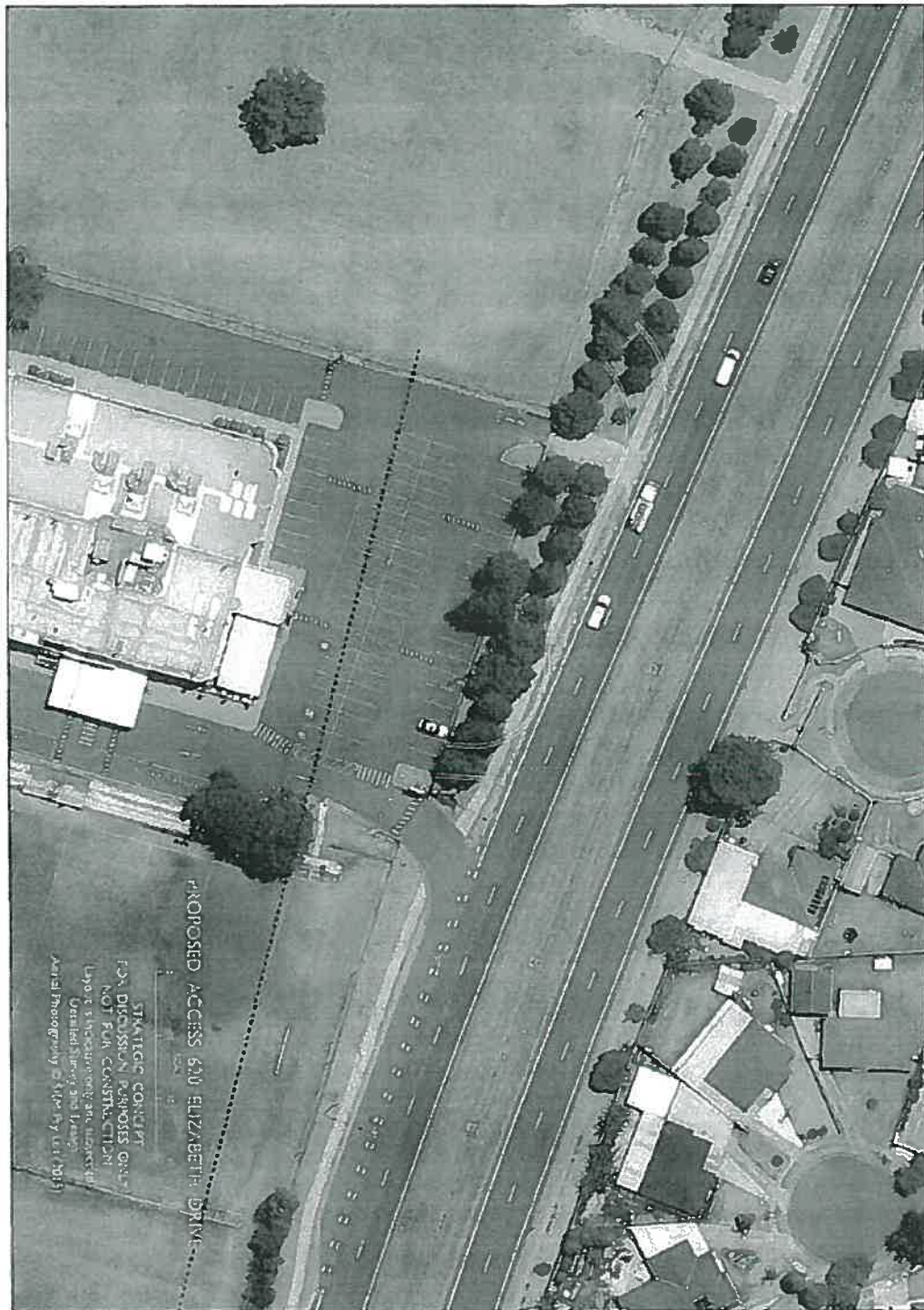
It is emphasised that the comments provided above are informal and of a Pre-DA nature. They are not to be interpreted as binding upon Roads and Maritime and may change following formal assessment of a submitted development application from the appropriate consent authority.

Any inquiries in relation to this application can be directed to Zhaleh Alamouti on 8849 2331 or by email at development.sydney@rms.nsw.gov.au

Yours sincerely

Rachel Nicholson
A/Senior Land Use Planner
Network and Safety Section







Chapter 10

Miscellaneous Development

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10.6 Controls for Stables and the Keeping of Animals	10.12 Controls for 620 Elizabeth Drive, Bonnyrigg Heights (Service Station, Food and Drink Premises and Recreation Facilities)

10.12 Controls for 620 Elizabeth Drive, Bonnyrigg Heights (Service Station, Food and Drink Premises including Take Away Food and Drink Premises and Recreation Facilities)

Overview

The site specific provisions contained within this section of the City Wide DCP apply to land known as No. 620 Elizabeth Drive (Lot 1 DP 781418) Bonnyrigg Heights (refer to Figure 1). Under the provisions of Fairfield Local Environmental Plan 2013 the site may be developed for the additional uses of a service station and take-away food and drink premises, subject to Council approval. The following provisions have been prepared in relation to future development of the subject site for these additional uses in conjunction with associated recreation facilities.

For land use definitions relevant to the subject site, please refer to the *Dictionary* contained within Fairfield Local Environmental Plan 2013.



Figure 1 – Subject Site

Objectives

These site specific development provisions have been prepared to:

- a) Guide and assist development of the subject site in a manner that encourages development and investment, and promotes local employment opportunities; whilst servicing the daily needs of the local community and travelling public.
- b) Facilitate the development of indoor recreation facilities to cater for the cultural and sporting needs of the community.

- c) Ensure that the design and operation of all development does not adversely impact upon the amenity of the area, or nearby existing residential development.
- d) Ensure that development is designed and constructed in a manner that positively contributes to the streetscape.
- e) Minimise potential issues that may arise at the interface of the site with adjoining residential development. In this regard, the provisions of Chapter 9.9 Industrial/Residential Interface of this DCP will also apply to future development of the site for a service station, food and drink premises (including take-away food and drink premises) and associated recreation facilities.

The provisions of other Chapters of this Development Control Plan (DCP), where they are relevant, will apply but also where there are any inconsistencies, the following site specific provisions prevail over those controls prescribed by the other chapters of this DCP.

Controls

a) Site Design and Layout

- The design and construction of development on the subject site shall be in accordance with the requirements outlined in Endeavour Energy's *'General Restrictions for Overhead Power Lines'* and to the satisfaction of Endeavour Energy.
- The layout of the buildings on the subject site shall be generally in accordance with Figures 2 & 3. Alternative layouts will be considered subject to final design in order to ensure that future development is designed, constructed and operated in a manner which minimises adverse impacts upon the amenity of the area and adjoining and nearby residences.
- On this basis, Figures 2 & 3 depict a proposed service station building, a take-away food & drink premises and gymnasium building and car parking at ground floor level and an elevated indoor basketball court building above proposed car parking.

b) Setbacks

- The minimum front setback to Elizabeth Drive shall be 10m of which 5m is to be used for landscaping.
- Side boundary setbacks to the Abbotsbury Zone Electrical Substation located at 630 Elizabeth Drive shall be determined in consultation with Endeavour Energy having regard to the location of the existing electricity transmission easement which runs the length of the western boundary of the site.
- When proposing work near power lines, reference should be made to "WorkCover Code of Practice 2006: Work Near Overhead Power Lines.
- Side and rear boundary setbacks to residential development in Schubert Place will be determined taking into account the potential impacts of proposed development on the privacy and amenity of existing residential development.
- The only development permissible within setback areas is:
 - landscaping;
 - accessways, car parking and drainage; and
 - approved signage.

c) Vehicular and Pedestrian Access

- The appropriate driveway width is dependent upon approval from the Roads and Maritime Services requirements.
- Vehicle access from Elizabeth Drive shall be in accordance with the requirements of the Roads and Maritime Service via a deceleration lane (minimum width of 3.5 metres to the face of kerb).
- Pedestrian access through car parking areas should be clearly marked, and where possible emphasised by use of raised and textured surfaces.
- As far as possible, pedestrian access through car parks should be kept separate from vehicle access ways.
- Internal vehicular and pedestrian access shall be provided between proposed basketball courts/gymnasium and the existing Bonnyrigg Sports Club facility located at 610-618 Elizabeth Drive. All development must comply with the car-parking, vehicle and access provisions contained within Chapter 12 of this DCP.

- Existing on-road cycle paths and pedestrian footpaths along Elizabeth Drive are to be retained and/or re-constructed at the expense of the applicant to the satisfaction of the NSW Roads and Maritime Services.
- d) Site Servicing and Loading Facilities**
- Loading and unloading areas shall be appropriately screened from public view and are not permitted along the Elizabeth Drive frontage.
 - The provisions of Chapter 8A.5 Site Servicing and Loading of this DCP apply in relation to the servicing, loading and waste management requirements for the future construction and operation of development on the subject site.
 - The applicant may be required to submit a Waste Management Plan with the Development Application which provides detailed information on waste storage and collection under the future operation of the site. In this regard, the following guidelines shall be consulted in relation to any future development application:
 - The Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities (EPA December 2012); and
 - The Better Practice for Public Place Recycling (DEC 2005).
- e) Bulk, Scale and Built Form**
- Details of samples of external materials and finishes shall be submitted with the Development Application;
 - Building façades are to incorporate architectural treatments where they front the public domain, and avoid long plain facades which front the street. On lengthy facades, the ratio of 'hard' finishes (e.g. masonry blocks, precast panels, concrete blocks and bricks) to 'soft' finishes (e.g.: glass walls, windows) should be considered in order to mitigate the bulk of the building and provide visual relief.
 - Building elevations with frontage to Elizabeth Drive must present a building form generally to be varied and interesting to provide attractive streetscapes and urban fabric;
 - Particular care should also be taken in:
 - designing roof elements; and
 - locating plant and mechanical equipment including exhausts, so as to reduce their visual impact from elevated locations
- f) Acoustic Amenity**
- Where it is considered likely that proposed future development may cause an adverse impact on nearby residential areas, a cumulative noise impact assessment from a suitably qualified acoustic engineer will be required to be submitted to Council for consideration. A noise impact assessment will need to demonstrate that the proposed development will not create an unreasonable adverse impact upon existing residential amenity for adjoining and nearby residences.
- g) Odour Generating Activities**
- Any odour generating activities (including take-away food and drink premises) shall provide ventilation facilities to ensure that no odour is emitted in a manner that adversely impacts upon adjoining residential properties.
 - Any application for development which includes odour generating activities will be required to submit an Odour Impact Assessment prepared by a suitably qualified Air Quality Consultant or Environmental Consultant and should be undertaken in accordance with *The Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW* (Dec 2006).
- h) Safety and Security**
- Layout and design of buildings is to comply with *Crime Prevention and the Assessment of Development* Applications, Department of Urban Affairs and Planning, April 2001, and BDCD Part A-5.75 Crime Prevention Through Environmental Design.
 - Adequate security lighting shall be provided, whilst ensuring there is no adverse impact upon the use and enjoyment of adjoining premises and surrounding areas, particularly residential areas.
- i) Lighting**

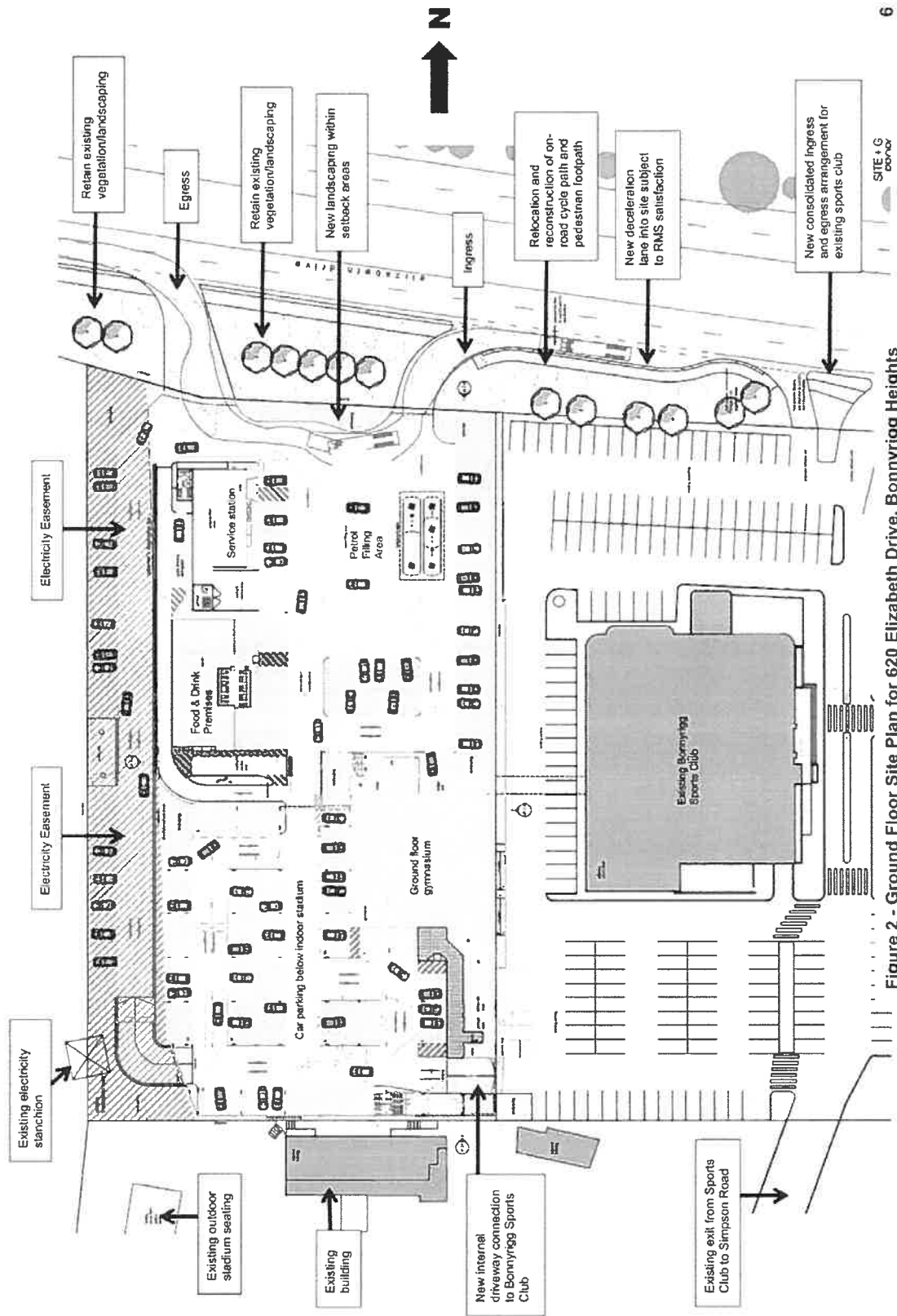
- An external lighting strategy/plan shall be submitted with any development application and must detail the location and design of lighting and the proposed hours of operation.
- A light spill impact assessment prepared by a suitably qualified person is to be submitted with any development application to ensure development proposed adjoining or nearby existing residential properties does not adversely impact upon existing residential amenity.
- The design and lux of any external and spot lighting shall be designed to avoid off-site or traffic safety impacts such as reflection and glare and shall comply with Australian Standard AS4282 (1997) – Control of the Obtrusive Effects of Outdoor Lighting.

j) Landscaping

- Vegetation landscaping must be included in the design of future development to soften the appearance of the development, and assist in contributing to the amenity of the area.
- Landscaping should be integrated with the overall building design and be used to:
 - Highlight architectural features, aesthetic qualities and provide a human scale at the street; and
 - Define and identify areas such as site and building entries and car parking areas.
- Where possible, existing vegetation should be retained within landscaped areas, road corridors and setbacks.
- Side setbacks must be landscaped where visible from the public domain.
- Plant material in carparks should be used to provide shade, ameliorate views of large expanses of paved areas and cars;
- Island planting beds should be interspersed throughout large parking areas. Planting should consist of ground covers, shrubs to 1 metre, shade producing and canopy species;
- No storage is permitted in the landscaped setback areas.
- Paving, structures and wall materials should complement the architectural style of buildings on the site and be of local origin where possible.
- Materials should cause minimal detrimental visual impact, and the use of subtle coloured materials and block or brick paving is encouraged

k) Solar Access and Amenity

- The private open space area of adjoining residential properties shall receive a minimum of three hours direct sunlight between 9am and 3pm in mid-winter (21 June). Shadow diagrams shall be prepared for the any development adjoining residential properties where it is considered there may be an impact of existing solar access.
- Design of car parking areas and buildings adjoining residential properties shall minimise direct overlooking of rooms and private open spaces



6

Figure 2 - Ground Floor Site Plan for 620 Elizabeth Drive, Bonnyrigg Heights

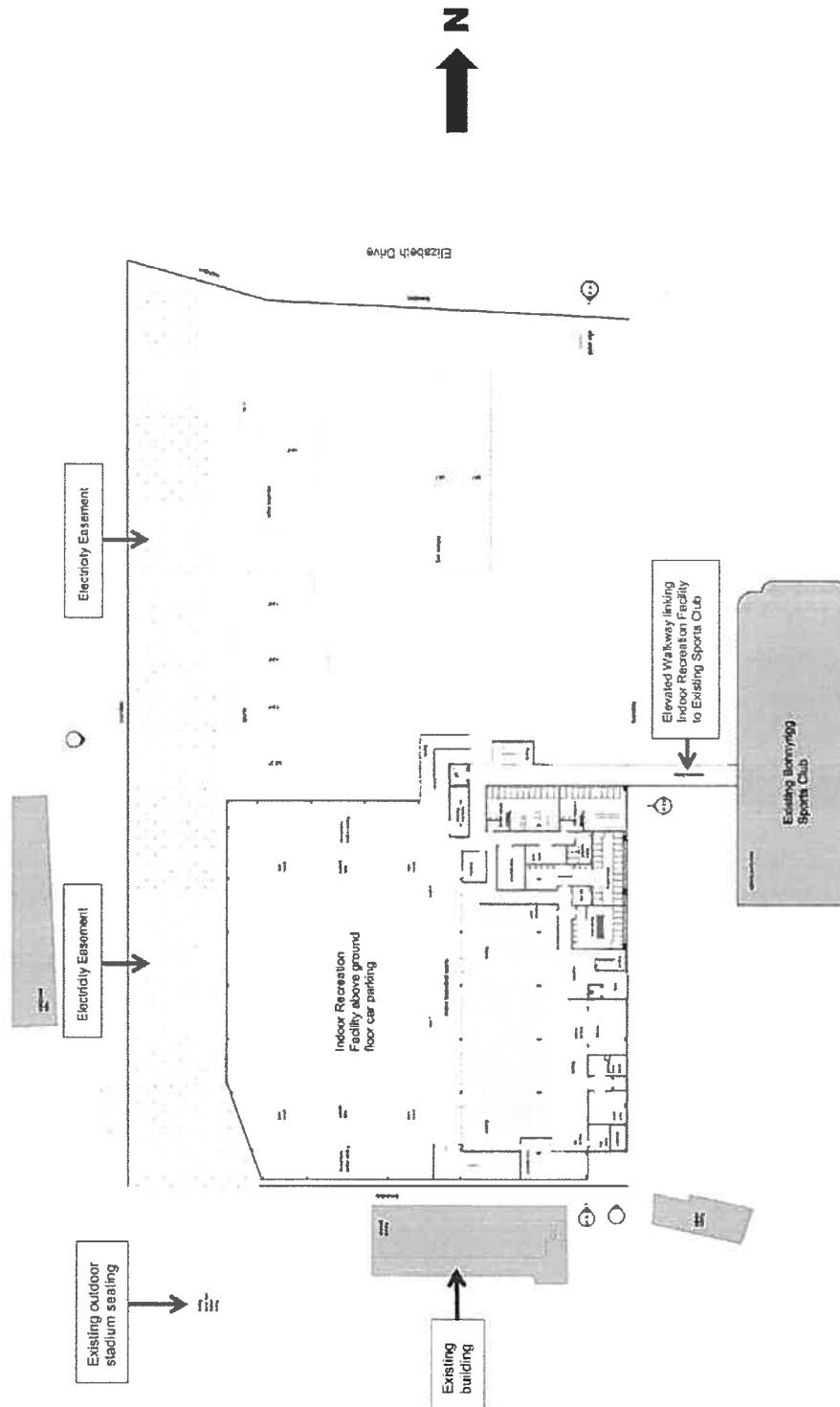


Figure 3 - First Floor Site Plan for 620 Elizabeth Drive, Bonnyrigg Heights





Planning &
Environment

16/11010

Mr Alan Young
City Manager
Fairfield City Council
PO Box 21
Fairfield NSW 1860

Attention: Elizabeth Workman

Dear Mr Young

Planning proposal to amend Fairfield Local Environmental Plan 2013

I am writing in response to your Council's letter dated 3 August 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Schedule 1 of *Fairfield Local Environmental Plan 2013* to permit the additional permitted uses of service station and take-away food and drink premises, with development consent, on land at 620 Elizabeth Drive, Bonnyrigg Heights.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with Section 117 Direction 6.3 – Site Specific Provisions, is of minor significance. No further approval is required in relation to this Direction.

Council is reminded that it will need to prepare maps in accordance with the Department technical mapping guidelines and standards prior to the plan being finalised.

Plan making powers were delegated to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

Department of Planning & Environment
Level 5, 10 Valentine Avenue, Parramatta, 2150 | GPO Box 39 Sydney NSW 2001 | T 02 9880 1560 | www.planning.nsw.gov.au

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Tessa Parmeter of the Department's regional office to assist you. Ms Parmeter can be contacted on (02) 9860 1555.

Yours sincerely

25/08/16

Catherine Van Laeren
Director, Sydney Region West,
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template



Planning &
Environment

Gateway Determination

Planning proposal (Department Ref: PP_2016_FAIRF_007_00): to amend Schedule 1 of Fairfield Local Environmental Plan 2013 to permit the additional permitted uses of service station and take-away food and drink premises, with development consent, on land at 620 Elizabeth Drive, Bonnyrigg Heights and apply specific development requirements.

I, the Director, Sydney Region West, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Fairfield Local Environmental Plan (LEP) 2013* to amend Schedule 1 to include additional permitted uses of a service station and takeaway food and drink premises, with development consent, at 620 Elizabeth Drive, Bonnyrigg Heights, should proceed subject to the following conditions:

1. Prior to exhibition the planning proposal is to be amended in the following manner:
 - (a) removal of item 7 Metropolitan Planning and item 7.1 Implementation of A Plan for Growing Sydney (and associated words) from the table for Section 117 Directions within the planning proposal (p. 13); and
 - (b) inclusion of written justification in the table for SEPP 55 - Remediation of Land (p. 9 refers) that the planning proposal is not inconsistent with the requirements of that State Environmental Planning Policy.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)* and must be made publicly available for a minimum of 14 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Transport for NSW - Roads and Maritime Services;
 - Endeavour Energy;
 - Sydney Water; and
 - Environmental Protection Authority.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

Department of Planning & Environment
Level 5, 10 Valentine Avenue, Parramatta, 2150 | GPO Box 39 Sydney NSW 2001 | T 02 9860 1560 | www.planning.nsw.gov.au

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Dated 26th day of August 2016

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney
Commission

FAIRFIELD PP_2016_FAIRF_007_00 (16/10976)



**Planning &
Environment**

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Fairfield City Council is authorised to exercise the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2016_FAIRF_007_00	Planning proposal to amend Schedule 1 of Fairfield Local Environmental Plan 2013 to permit additional permitted uses of service station and take-away food and drink premises, with development consent, on land at 620 Elizabeth Drive, Bonnyrigg Heights.

In exercising the Commission's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 26th day of August 2016

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

FAIRFIELD PP_2016_FAIRF_007_00 (16/10976)



Planning & Environment

Attachment 5 – Delegated plan making reporting template Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2016_FAIRF_007_00
Date Sent to DoP&E under s56	3 August 2016
Date considered at LEP Review Panel (if applicable)	N/A
Gateway determination date	26 August 2016

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information:

ATTACHMENT D

Item: 64

Submission from NSW Roads and Maritime Services



Transport
Roads & Maritime
Services

22 November 2016

Roads and Maritime Reference: SYD16/01181 (A15135120)
Council Ref: 15/19275

General Manager
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

Attention: Elizabeth Workman

Dear Sir/Madam,

PLANNING PROPOSAL – AMENDMENT TO FAIRFIELD LOCAL ENVIRONMENTAL PLAN 2013 TO ALLOW ADDITIONAL PERMITTED USES, 620 ELIZABETH DRIVE BONNYRIGG HEIGHTS

Reference is made to Council's letter dated 6 September 2016 regarding the abovementioned planning proposal which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with the consultation requirements in the Gateway determination and *Environmental Planning and Assessment Act, 1979*. Roads and Maritime appreciates the opportunity to comment on the planning proposal and apologises for the delay in providing a response.

Roads and Maritime has reviewed the information provided and notes it is proposed to amend Schedule 1 of the Fairfield Local Environmental Plan 2013 to allow additional permitted uses of service station and takeaway food and drink premises at the subject site, currently zoned RE2 Private Recreation. The additional uses are likely to result in a significant increase in traffic generation potential of the site. Detailed comments are provided at **Attachment A** in relation to the traffic and access aspects of the development which should be addressed prior to the making of the amendment to the LEP.

If you have any questions in relation to the above matters, please contact the nominated Land Use Planner Rachel Nicholson on phone 8849 2702 or development.sydney@rms.nsw.gov.au.

Yours sincerely,

(Greg Flynn)
Program Manager Land Use
Network Sydney

Roads and Maritime Services

27-31 Argyle Street, Parramatta NSW 2150 |
PO Box 973 Parramatta NSW 2150 |

www.rms.nsw.gov.au | 13 22 13

Attachment A Detailed comments**Proposed Access Arrangements:**

1. Roads and Maritime's current access management practice is to limit the number of vehicular conflict points along the arterial road network to maintain network efficiency and road safety. This current practice is reflected in Section 6.2.1 of Roads and Maritime's publication of the Guide to Traffic Generating Developments, which states 'access across the boundary with a major road is to be avoided wherever possible'. Further, this position is supported by clause 101(2a) of State Environmental Planning Policy (Infrastructure) 2007, which reads as follows:

"The consent authority must not grant consent to development on land that has frontage to a classified road unless it is satisfied that:

- a) *where practicable, vehicular access to the land is provided by a road other than the classified road".*

Elizabeth Drive is a major arterial road, which carries a high volume of traffic, where transport efficiency of through traffic is of great importance.

Roads and Maritime understands that the subject property is owned by the adjoining landowner (Bonnyrigg Sports Club), however the subject lot does not have an alternative access (or existing Right of Way) to the local road network. Given this, should Council support the planning proposal Roads and Maritime would not object to an access to Elizabeth Drive in-principle, subject to the matters detailed at points 2-8 being resolved.

2. It is noted that the planning proposal would result in a significant increase in development potential and traffic movements to/from the subject site. Should Council support the planning proposal, Roads and Maritime would require a deceleration lane to be provided for the proposed vehicular entry on Elizabeth Drive, in accordance with Austroads (and Roads and Maritime's) standards, in order to safely and efficiently facilitate entry movements to the site.

The existing exit driveway on Elizabeth Drive at the adjoining Sports Club site presents a conflict with the proposed deceleration lane as shown on the indicative site plan. For road safety reasons the exit driveway should be removed (given there would be two alternate exit points) or, at a minimum, relocated to provide at least 5m separation distance to the deceleration lane. In order to ensure that this occurs in the event that the subject lot is sold and redeveloped by another party, the closure/relocation of the existing exit driveway would need to be set out in a legally binding deed/agreement, prior to the making of the LEP amendment.

3. The redundant driveway on the Elizabeth Drive frontage of the subject site would also be required to be removed as part of any future redevelopment of the site.
4. The access arrangements for the subject site would need to be rationalised and set out in a site specific Development Control Plan (DCP) to guide the future development, prior to making of the LEP amendment.

Design Comments:

5. As part of the future DA, concept design plans will need to be prepared for the works on Elizabeth Drive with the following details:
 - Extent of the left turn lane with appropriate set out, widths etc. (Note: While the traffic report mentions the deceleration lane would be 3.0m, the minimum width of the deceleration lane would be 3.5m to the face of kerb)
 - Pavement details including any sub-soil drainage
 - Kerbing, new footpath, ramps etc.
 - Drainage, if any

- Linemarking and signposting
 - Utility adjustments
 - Turn paths for the largest anticipated vehicle i.e. petrol tanker. (Note: The internal site layout would need to allow enough space for these vehicles to easily manoeuvre onsite to exit in a forward direction. It appears that the proposed exit driveway is excessively wide to allow these vehicles to complete turning manoeuvres partially on the driveway (in the road reserve). The petrol tanker turning manoeuvres would need to be accommodated within the site boundaries.
 - Any details of lighting upgrades (if required) in accordance with Australian Standard AS/NZS1158.
 - An independent safety audit of the proposed access on Elizabeth Drive by an accredited road safety auditor would also need to be undertaken.
 - The on-road cycle path would need to be retained and the pedestrian footpath would need to be suitably relocated/deviated to accommodate the access. It appears some trees will need to be removed to facilitate the access.
6. As part of the future DA, the developer would be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD would need to be executed prior to Roads and Maritime assessment of the detailed civil design plans. All road work associated with the proposed development shall be at no cost to Roads and Maritime. The developer would be responsible for any public utility relocation works necessitated by the above work.
7. Further to the above, Roads and Maritime has previously resumed and dedicated a strip of land as road along the Elizabeth Drive frontage of the subject property, as shown by grey colour on the attached aerial. Land dedication on the Elizabeth Drive frontage of the site to facilitate the above works may be required as part of the future DA to maintain road corridor widths.
8. TfNSW should be consulted in relation to the public and active transport requirements for the future development. The proposal would require the relocation of a bus stop on safety grounds. Accordingly, the proposed bus stop location would need to be referred to Council's Local Traffic Committee in due course for review and approval in consultation with the local bus operator.

Elizabeth Workman

From: Cornelis Duba <Cornelis.Duba@endeavourenergy.com.au>
Sent: Friday, 14 October 2016 2:45 PM
To: Mail Mail
Cc: Phillip Wilson
Subject: FAIRFIELD CITY COUNCIL PLANNING PROPOSAL 15/19275 RE 620 ELIZABETH DRIVE BONNYRIGG HEIGHTS
Attachments: Safety+clearances_May+11.pdf; Safety+on+the+job.pdf; FactSheet_Building_Construction+web.pdf; work_near_underground_assets_1419[1].pdf; MDI0044%5B1%5D.PDF; Template - General Restrictions for Overhead Power Lines.pdf; emf-what-we-know-jan-2014-final_1_1.pdf; work_near_overhead_power_lines_code_of_practice_1394%5B1%5D.PDF

The General Manager
 Fairfield City Council

ATTENTION: Alexander Galea, Town Planner

Dear Sir or Madam

I refer to Council's letter of 6 September 2016 regarding Planning Proposal 15/19275 at 620 ELIZABETH DRIVE, BONNYRIGG HEIGHTS (Lot 1 DP 781418) for 'Allow the subject site, which is zoned RE2 Private Recreation, to be used for the additional use of a service station and take-away food and drink premises'. Submissions need to be made to Council by 14 October 2016.

As shown in the below site plan from Endeavour Energy's G/Net master facility model there is an electrical easement over part of the site for 132,000 volt / 132 kV overhead power lines which are associated with Endeavour Energy's adjoining Abbotsbury Zone Substation at 630 Elizabeth Drive Bonnyrigg Heights (Lot 102 DP 801688). There are also both low and high voltage underground cables to the road frontage. Please note the location of any electricity infrastructure, boundaries etc. shown on the plan is indicative only and this plan is not a 'Dial Before You Dig' plan under the provisions of Part 5E 'Protection of underground electricity power lines' of the Electricity Supply Act 1995 (NSW).

Subject to its following recommendations and comments, Endeavour Energy has no objections to the Planning Proposal:

- Network Capacity / Connection

In due course the applicant for the future proposed development of the site will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please find attached a copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:

<http://www.endeavourenergy.com.au/>

- Easement Management / Network Access

Please find attached for the applicant's reference a copy of Endeavour Energy's 'General Restrictions for Overhead Power Lines'. The following is a summary of the usual / main terms of Endeavour Energy's electrical easements / protected electrical works requiring that the land owner:

- o Not install or permit to be installed any services or structures within the easement site.
- o Not alter the surface level of the easement site.
- o Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

If the proposed works will encroach/affect Endeavour Energy's easements contact must first be made with the Endeavour Energy's Easements Officer, Philip Wilson, on 9853 7110 alternately Philip.Wilson@endeavourenergy.com.au.

It is imperative that the access to the existing electrical infrastructure adjacent and on the site is maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

- **Safety Clearances**

Any future proposed buildings, structures, signage etc. must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132kV) as specified in AS/NZS 7000:2010 'Overhead line design - Detailed procedures' and the 'Service and Installation Rules of NSW'. Different voltages are kept at different heights, the higher the voltage, the higher the wires are positioned on the pole. Similarly, the higher the voltage, the greater the required building setback. These distances must be maintained at all times and to all buildings and structures eg. for the erection of scaffolding etc., and regardless of the Council's allowable building setbacks etc. under its development controls, allowance must be made for the retention of appropriate / safe clearances.

- **Earthing**

The construction of any building or structure (including fencing) that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with AS/NZS 3000:2007 'Electrical installations' to ensure that there is adequate connection to the earth. Inadequate connection to the earth places persons and the electricity network at risk.

Endeavour Energy's Earthing & Power Quality Section have advised that if the service station has any active corrosion protection systems, details of the system will need to be provided to Endeavour Energy so that it can be analysed and checked for impacts on our substation.

- **Noise**

The electricity network is operational 24/7/365 ie. all day, every day of the year. Overhead power lines can produce an audible sound or buzz as a side effect of carrying electricity. The sound can be louder if there is increased moisture (during rain, fog, frost etc.) or pollutants in the air. The sound usually occurs at the poles at the insulators supporting the power lines. The transformer in substations may emit a hum – especially when under heavy load say in the summer peak when use of air conditioning is at its highest. These sounds are generally not an issue in non-urban / non-residential areas but with increasing density and building heights Endeavour Energy believes it is worth considering. Where development is proposed in the vicinity of electricity infrastructure, Endeavour Energy is not responsible for any acoustic / noise amelioration measures for such noise that may impact on the nearby proposed development.

- **Electric and Magnetic Fields (EMF)**

Endeavour Energy recognises that a causal link between power-line EMF exposure and demonstrated health effects has not been established, even after much scientific investigation throughout the world. There are no state or federal exposure standards for 50/60- hertz (Hz) EMF based on demonstrated health effects. Nor are there any such standards world-wide. Among those international agencies that provide guidelines for acceptable EMF exposure to the general public, the International Commission on Non-Ionizing Radiation Protection established a level of 1000 milligauss (mG). Endeavour Energy recognises that timely additional research is unlikely to prove the safety of power-line EMF to the satisfaction of all.

Endeavour Energy is committed to ensuring that its activities and assets conform to all relevant International and Australian Standards, National Health and Medical Research Council (NH&MRC) Standards, Energy Networks Association (ENA) Standards and NSW legislation. This includes a commitment to a policy of prudent avoidance as endorsed by the ENA with regard to the location of assets and electric and magnetic fields. Please find attached a copy of ENA's 'Electric & Magnetic Fields – What We Know, January 2014' which can also be accessed via the ENA's website at <http://www.ena.asn.au/>.

Likewise Endeavour Energy believes that Council should also adopt a policy of prudent avoidance by the siting of more sensitive uses away from any electricity infrastructure to minimise exposure to EMF eg. buildings should be designed with habitable rooms away from any electricity infrastructure with these orientations used for non-habitable rooms which by their nature are occupied neither frequently nor for extended periods.

- Asbestos

Endeavour Energy's G/Net master facility model indicates that the site is in a locality identified or suspected of having asbestos or asbestos containing materials (ACM) present. Whilst Endeavour Energy's underground detail is not complete within G/Net in some areas, in older communities, cement piping was regularly used for the electricity distribution system and in some instances containing asbestos to strengthen the pipe; for insulation; lightness and cost saving.

When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

The company's potential locations of asbestos to which construction / electricity workers could be exposed include:

- o customer meter boards;
- o conduits in ground;
- o padmount substation culvert end panels; and
- o joint connection boxes and connection pits.

Further details are available by contacting Endeavour Energy's Health, Safety & Environment via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm.

- Vegetation Management

The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Accordingly only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Landscaping that interferes with electricity infrastructure may become subject to Endeavour Energy's Vegetation Management program and/or the provisions of the *Electricity Supply Act 1995* (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

- Dial before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the **Dial before You Dig 1100** service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical or other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

- Demolition

Demolition work is to be carried out in accordance with Australian Standard AS2601: The demolition of structures (AS 2601). All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ie. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. street light columns, power poles, overhead and underground cables etc.

- Public Safety

As the proposed development will involve work near electricity infrastructure, workers run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

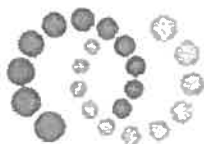
- Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note Emergencies Telephone is 131 003 which can be contact 24 hours/7 days.

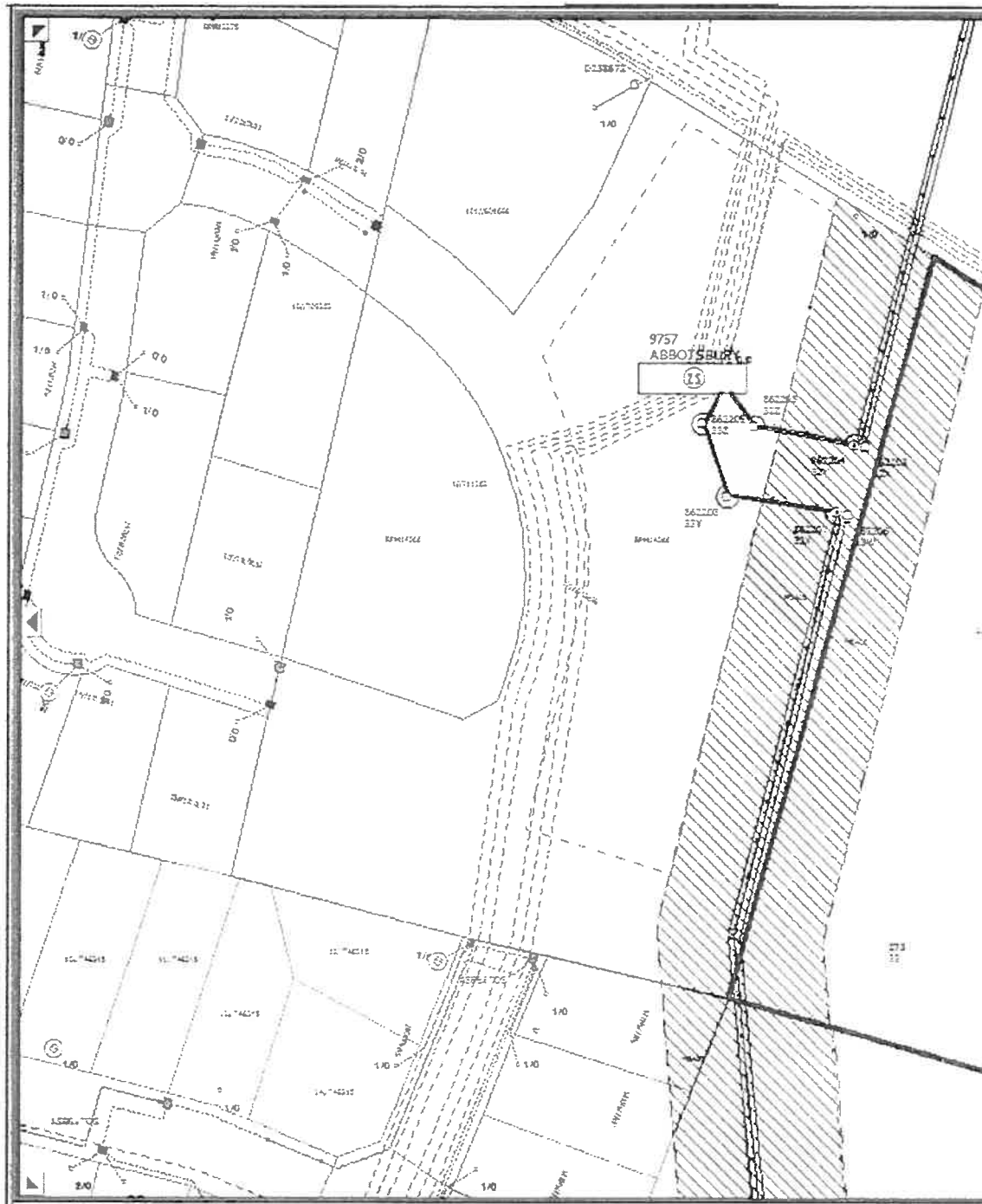
I appreciate that not all the foregoing issues are immediately relevant or significant to the Planning Proposal, however, Endeavour Energy's preference is to raise awareness of the potential matters that may arise should development within closer proximity of the electricity infrastructure on the site occur.

Could you please pass on the attached resources to the applicant? Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the telephone numbers identified in the above in relation to the various matters. As I am working on different projects across the company's franchise area, to ensure a response contact by email is preferred.

Yours faithfully
Cornelis Duba
Acting Public Safety Advisor
T: 9853 7896
E: cornelis.duba@endeavourenergy.com.au
51 Huntingwood Drive, Huntingwood NSW 2148
www.endeavourenergy.com.au



Endeavour
Energy



G3E_FID	Feature Name	Component Name
65293279	Crown Parcel	Crown Parcel Find

ATTACHMENT E

Item: 64

Submission from Endeavour Energy

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Think before you print. This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender and not necessarily the views of the business.
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DOC16/452943-01:PW

Ms Elizabeth Workman
Senior Strategic Land Use Planner
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

Dear Ms Workman

Public Authority Consultation
Planning Proposal for 620 Elizabeth Drive, Bonnyrigg Heights

I am writing to provide comment on the above rezoning proposal received by the Environment Protection Authority (EPA) on 6 September 2016.

The EPA has attached comments and information (**Attachment A**) for Council's consideration. These comments relate to:

- Environment Protection Licencing
- Vapour Recovery
- Noise and Odour
- Contaminated Land Management
- Waste Management

If you have questions regarding the above, please phone the contact officer on (02) 4224 4100.

Yours Sincerely

22/11/16

PETER BLOEM
Manager Illawarra
Environment Protection Authority

Contact officer: PAUL WEARNE
(02) 4224 4100

Attachment A

PO Box 513, Wollongong NSW 2520
Level 3, 84 Crown Street Wollongong NSW 2500
Tel: (02) 4224 4100 Fax: (02) 4224 4110
ABN 43 692 285 758
www.epa.nsw.gov.au

ATTACHMENT A

1. Environmental Protection Licensing

The Planning proposal states that the rezoning is to support activities such as a service station, take away food and drink premises and gymnasium. Where activities are proposed that do not require an Environment Protection Licence from the EPA, Council will be the Appropriate Regulatory Authority for those activities under the *Protection of the Environment Operations Act 1997* (POEO Act). The proponent will need to ensure all activities undertaken at the site comply with the requirements of the POEO Act and its associated regulations at all times.

2. Vapour Recovery

The EPA supports Council's recommendation that a report be required as part of any future Development Application confirming compliance with NSW EPA "Environmental Action for Service Stations" guideline and "Stage 2 Vapour Recovery" as per the *Protection of the Environment (Clean Air) Regulation 2010*.

Further information on best practice guidelines for service stations and vapour recovery can be obtained from the following web sites: <http://www.epa.nsw.gov.au/air/petrolvapour.htm> and <http://www.epa.nsw.gov.au/resources/clm/2008552ServStations.pdf>.

3. Noise and Odour

The Council's Planning Report states that a cumulative noise and odour impact assessment will be undertaken to support a future development application for a service station, take away food and drink premises and gymnasium.

It is important that adequate planning controls are in place to identify and manage land use conflict issues resulting from noise and odour issues. The potential to address these issues retrospectively following development can be challenging and expensive and lead to community complaint.

The EPA considers that implementing noise control at a strategic planning level provides the most effective means of minimising noise impacts on communities. This is best achieved by applying the following hierarchical approach to noise control.

1. Spatial separation of incompatible land use through appropriate zoning and placement of activities to minimise noise-related land use conflicts.
2. Minimising noise emissions at source through best practice selection, design, siting, construction and operation as appropriate.
3. Reducing noise impacts at receivers through best practice design, siting and construction.

The assessment should be undertaken in accordance with the *NSW Industrial Noise Policy* (INP) (EPA 2000). The INP outlines a strategic approach to ensure noise amenity is not eroded due to the cumulative impact of a group of developments and activities. A range of noise mitigation strategies can also be implemented to manage unavoidable noise impacts. This can include the application of noise control measures into the building design to ensure internal noise levels are acceptable. The *Noise Guide for Local Government* (EPA 2013) and the Department of Planning and Environment's *Development Near Rail Corridors and Busy Roads—Interim Guideline* should also be consulted.

Any future developers should be required to demonstrate compliance with any appropriate noise criteria developed at the detailed design stage and that any approval (planning instrument or consent, etc) be contingent on validating compliance with these criteria prior to occupation.

Construction noise should be assessed and any proposed noise mitigations measures identified and documented in the EIS in accordance with the *Interim Construction Noise Guideline* (DECC 2009).

In relation to the proposed odour assessment, this should be undertaken in accordance with *The Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW* (DEC 2006). A copy of this guideline can be obtained from the following web site:
<http://www.epa.nsw.gov.au/air/odour.htm>.

Council should also consult the local government air quality toolkit in relation to assessing any other air quality issues associated with the proposal. This toolkit provide a comprehensive set of resources to assist officers of local government in managing local air quality issues; it has information on:

- air pollution, its sources and impacts
- the regulatory framework for protecting air quality in NSW
- general information about air quality management procedures and technologies
- specific information in the form of guidelines for managing a number of air polluting activities that have been identified by council officers as priority issues including vehicle repair facilities and food outlets.

A copy of this guideline can be obtained from the following web site:
<http://www.epa.nsw.gov.au/air/aqt.htm>.

4. Contaminated Land Management

State Environmental Planning Policy 55 (SEPP) will apply and a contaminated land assessment will need to be undertaken and included in the proposal. SEPP 55 states that as part of the planning process, the following key considerations should be addressed:

- Whether the land is contaminated
- If the land is contaminated whether it is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes to which the land will be used
- If the land requires remediation; will be made suitable for any purpose for which the land will be used.

In cases where land is potentially contaminated, the investigation and any remediation and validation work is to be carried out in accordance with the guidelines made or approved by the EPA under Section 105 of the *Contaminated Land Management Act 1997* and be in accordance with the requirements and procedures in the following:

- *Contaminated Land Management Act 1997*
- *Contaminated Land Management Regulation 2013*
- *State Environmental Planning Policy 55 – Remediation of Land*.

Underground petroleum storage system

Any new development involving Underground Petroleum Storage Systems (UPSS) will need to be supported by information that demonstrates compliance with the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014*. This Regulation aims to ensure that UPSS management follows industry best practice to prevent land and groundwater contamination caused by leaking UPSS.

5. Waste Management

The EPA has developed information to improve waste management associated with new residential development. In this regard, Council should consult the *"Waste Not Development Control Plan Guideline"* (EPA 2008) to determine whether the waste provisions in the Development Control Plan are contemporary and adequate in relation to the proposed amendment. This guideline provides suggested planning approaches and conditions for planning authorities to consider at the development application phase in relation to waste minimisation and resource recovery. This includes consideration of demolition and construction waste and the provision of facilities and services to allow the ongoing separation, storage and removal of waste and recyclables.

A key component of this guideline includes the requirement of developers to submit a plan showing estimates of waste generation during demolition, construction and ongoing use of the site, as well as details on how these wastes will be sorted, stored and removed for recycling and/or disposal. The copy of the guideline can be obtained at the following site:

<http://www.epa.nsw.gov.au/resources/warr/08353SiteWasteMin2.pdf>

In addition, the EPA also recommends that the following guidelines should be consulted in relation to the development of waste management strategies to inform any future development application:

- The *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (EPA December 2012). This guide can be accessed at: <http://www.epa.nsw.gov.au/resources/managewaste/120960-comm-ind.pdf>.
- The *Better Practice for Public Place Recycling* (DEC 2005) provides information on standards for recycling systems in public places, such as parks, shopping centres, footpaths, bus-stops, etc. This guideline can be accessed at: <http://www.epa.nsw.gov.au/warr/publicrecycling.htm>.

Elizabeth Workman

From: Cornelis Duba <Cornelis.Duba@endeavourenergy.com.au>
Sent: Tuesday, 30 May 2017 8:17 AM
To: Mail Mail
Subject: FAIRFIELD CITY COUNCIL PUBLIC EXHIBITION OF PLANNING PROPOSAL AND DRAFT SITE SPECIFIC DEVELOPMENT CONTROL PLAN FOR LAND AT 620 ELIZABETH DRIVE, BONNYRIGG HEIGHTS (Council's reference 15/19275).
Attachments: Endeavour Energy MDI0044 Easements and Property Tenure.pdf; Endeavour Energy Technical Review Request FPJ 6007.pdf; work_near_underground_assets_1419[1].pdf; work_near_overhead_power_lines_code_of_practice_1394%5B1%5D.PDF; Safety+clearances_May+11.pdf; Safety+on+the+job.pdf; FactSheet_Building_Construction+web.pdf; FactSheet_Plumber_web.pdf

The General Manager
 Fairfield City Council

ATTENTION: Elizabeth Workman or Julio Assuncao

Dear Sir or Madam

I refer to my previous email below of 19 May 2017 in response to Council's letter of 10 April 2017 regarding Public Exhibition of Planning Proposal and Draft Site Specific Development Control Plan for Land at 620 Elizabeth Drive, Bonnyrigg Heights (Lot 1 DP 781418).

As an adjoining or nearby owners and occupiers, Endeavour Energy has noted the following in relation to the site and the additional proposed uses of 'Food and drink premises' and 'Service stations':

- The Council is allowed to add to the types of development that are permitted in a zone but it needs to consistent with the core objectives set out in the standard 'land use table' in Fairfield Local Environmental Plan 2013 (LEP). In this regard whilst acknowledging that there are already a wide range of facilities permitted under the zoning, 'Food and drink premises' and 'Service stations' do not appear to foster the objective '*To protect and enhance the natural environment for recreational purposes*'.
- The additional uses do not appear to be consistent with or be of a like character with the definitions within the LEP for '*recreation area*' or '*recreation facility*'.
- The additional uses would appear to be more in keeping with a rezoning ie. Zone B2 Local Centre, Zone B4 Mixed Use, Zone B5 Business Development and Zone B6 Enterprise Corridor under the LEP would either permit with consent or not prohibit these uses.

Endeavour Energy's substation as a non-habitable building / site is comparatively less impacted. Whilst Endeavour Energy is not necessarily opposed to the additional uses proposed for the site, in regards to the impact of the increased development of the site on adjoining or nearby residential owners (the Planning Proposal mentions the potential to generate significant environmental impacts particularly to diagonally adjacent residential including the potential for an increase in anti-social behaviour in car parking areas and lighting in car parking areas also has the potential to negatively impact on the amenity of existing residences) it will leave such determination to Council.

In regards to Endeavour Energy's role as an electricity supply authority, Endeavour Energy's recommendations and comments are as follows:

- Network Capacity / Connection

In due course the applicant for the future proposed development of the site will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount or indoor / chamber substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:

<http://www.endeavourenergy.com.au/>

Advice on the electricity infrastructure required to facilitate the proposed development can be obtained by submitting a Technical Review Request to Endeavour Energy's Network Connections Branch, the form for which FPJ6007 is attached and further details (including the applicable charges) are available from Endeavour Energy's website under 'Our connection services'. The response to these enquiries is based upon a desktop review of corporate information systems, and as such does not involve the engagement of various internal stakeholders in order to develop a 'Connection Offer'. It does provide details of preliminary connection requirements which can be considered by the applicant prior to lodging a formal application for connection of load.

Alternatively the applicant should engage a Level 3 Accredited Service Provider (ASP) approved to design distribution network assets, including underground or overhead. The ASP scheme is administered by NSW Trade & Investment and details are available on their website via the following link or telephone 13 77 88:

<http://www.resourcesandenergy.nsw.gov.au/energy-supply-industry/pipelines-electricity-gas-networks/network-connections/contestable-works>

- Earthing / Fire Risk

The construction of any building or structure (including fencing) that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with AS/NZS 3000:2007 'Electrical installations' to ensure that there is adequate connection to the earth. Inadequate connection to the earth places persons and the electricity network at risk.

From a desktop review of the information provided Endeavour Energy's Earthing and Power Quality Manager has advised that as at a high level there is a level of risk of fire, particularly in the event of a fault and current discharge near spilled or vaporised fuel and accordingly has indicated that 'Equipotential bonding between the earth, concrete driveway and fuel tanks is recommended'.

Conversely, the storage of flammable and combustible liquids in close proximity to a substation represents an increased risk to the electricity infrastructure ie. a fire in the service station has a high potential fire load and rate of fire spread which could have a significant impact on any adjoining premises / structures regardless of their type or use.

- Prudent Avoidance

The electricity industry has adopted a policy of prudent avoidance by doing what can be done without undue inconvenience and at modest expense to avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise. In practical terms this means that when designing new transmission and distribution facilities, consideration is given to locating them where exposure to the more sensitive uses is reduced and increasing separation distances. These emissions are generally not an issue but with Council's permitting or encouraging development with higher density, reduced setbacks and increased building heights, new development can impact on existing electricity infrastructure. Where development is proposed in the vicinity of electricity infrastructure, Endeavour Energy is not responsible for any amelioration measures for such emissions that may impact on the nearby proposed development.

Endeavour Energy believes that likewise Council should also adopt a policy of prudent avoidance by the siting of more sensitive uses away from any electricity infrastructure.

- Climb Points

Endeavour Energy's Substation Design Instruction states the following requirement in relation to the prevention of unauthorised access by any person to a substation by the creation of 'climb points':

b. Fences with adjacent climb points

Fences shall be fitted with a barbed wire topping and they shall have a minimum effective height of 3000mm above the climb point, or a minimum effective height of 4800mm above the finished ground level inside the substation (refer to clause 5.11).

Angled metallic caps shall be used as an addition to the barbed wire topping on masonry/brick fences to further minimise the likelihood of an opportunistic intruder gaining unauthorised access to the site.

Endeavour Energy's usual requirement is to have a minimum clear area / buffer of 2 metres from the fence with 3 metres preferred, and then depending on what the climb point is, it could increase to 4 metres eg. a tree with a wide canopy & solid branches. If the clearance / buffer can't be provided, Endeavour Energy may increase the height of the substation fence.

- Vegetation Management

The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become subject to Endeavour Energy's Vegetation Management program and/or the provisions of the Electricity Supply Act 1995 (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

- Dial before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the **Dial before You Dig 1100** service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

- Asbestos

Endeavour Energy's G/Net master facility model indicates that the site is a location identified or suspected of having asbestos or asbestos containing materials (ACM) present in the nearby electricity network. Whilst Endeavour Energy's underground detail is not complete within G/Net in some areas, in older communities, cement piping was regularly used for the electricity distribution system and in some instances containing asbestos to strengthen the pipe; for insulation; lightness and cost saving.

When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

The company's potential locations of asbestos to which construction / electricity workers could be exposed include:

- o customer meter boards;
- o conduits in ground;
- o padmount substation culvert end panels; and
- o joint connection boxes and connection pits.

Further details are available by contacting Endeavour Energy's Health, Safety & Environment via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm

- Public Safety

Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

- Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note Emergencies Telephone is 131 003 which can be contact 24 hours/7 days.

I appreciate that not all the foregoing issues are immediately relevant or significant to the Planning Proposal, however, Endeavour Energy's preference is to raise awareness of the potential matters that may arise should development within closer proximity of the electricity infrastructure occur.

Could you please pass on the attached resources to the applicant? Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified above in relation to the various matters. As I am working on different projects across the company's franchise area, to ensure a response contact by email is preferred.

Yours faithfully
 Cornelis Duba
 Development Application Review
 Network Environment & Assessment
 T: 9853 7896
 E: cornelis.duba@endeavourenergy.com.au
 51 Huntingwood Drive, Huntingwood NSW 2148
www.endeavourenergy.com.au



From: Cornelis Duba
Sent: Friday, 19 May 2017 3:22 PM
To: 'mail@fairfieldcity.nsw.gov.au'
Subject: FAIRFIELD CITY COUNCIL PUBLIC EXHIBITION OF PLANNING PROPOSAL AND DRAFT SITE SPECIFIC

DEVELOPMENT CONTROL PLAN FOR LAND AT 620 ELIZABETH DRIVE, BONNYRIGG HEIGHTS (Council's reference 15/19275).

The General Manager
Fairfield City Council

ATTENTION: Elizabeth Workman or Julio Assuncao

Dear Sir or Madam

I refer to Council's attached letter of 10 April 2017 regarding Public Exhibition of Planning Proposal and Draft Site Specific Development Control Plan for Land at 620 Elizabeth Drive, Bonnyrigg Heights (Lot 1 DP 781418). Submissions needed to be made to Council by 12 May 2017.

Unfortunately due to a backlog in responding to numerous development application and planning proposal notifications and the Council's letter inadvertently not being registered in Endeavour Energy's records system, the matter has only today come to the attention of the relevant internal stakeholders.

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

- There is an easement over the site benefitting Endeavour Energy (indicated by red hatching) for 132,000 volt / 132 kV high voltage overhead power lines.
- The site adjoins Endeavour Energy's Abbotsbury Zone Substation at 630 Elizabeth Drive Bonnyrigg Heights (Lot 102 DP 801688).
- There are low voltage and 11,000 volt / 11 kV high voltage underground cables to the road verge / roadway.

The development of any type adjacent to such major electricity infrastructure requires careful consideration. Accordingly I hereby request a reasonable extension of time in order for Endeavour Energy to review the information from the Public Exhibition and to make a submission.

I apologise for the late request but trust that Endeavour Energy's recommendations and comments will still be considered.

Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me. As I am working on different projects across the company's franchise area, to ensure a response contact by email is preferred.

Yours faithfully
Cornelis Duba
Development Application Review
Network Environment & Assessment
T: 9853 7896
E: cornelis.duba@endeavourenergy.com.au
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G3E_FID	Feature Name	Component Name
65293279	Crown Parcel	Crown Parcel Find

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ATTACHMENT G

Item: 64

Further Submission from Endeavour Energy

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