

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



Authority	Authority's Reference	Agency Concurrence and Referral	Authority Contact	Authority Notification	Submission Due	Submission Made
Penrith City Council	DA22/1086	CNR-48934	Concurrence Referral	29/11/2022	20/12/2022	29/11/2022

Address	Land Title
172 LORD SHEFFIELD CIRCUIT PENRITH 2750	Lot 3002 DP 1184498

Scope of Development Application or Planning Proposal

Construction of two 10 storey mixed use buildings comprising of 287 residential apartments, commercial offices, ground floor retail tenancies with 3 levels of basement carparking and associated landscaping.

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

There are:

- No easements benefitting Endeavour Energy (active easements are indicated by red hatching).
- Adjoins an easement for 11,000 volt / 11 kilovolt (kV) high voltage underground cables and underground pilot cables (carrying protection signals or communications between substations).

The pilot cables appear to also traverse the site (and there are also pilot cables running parallel to the rear boundary within the railway corridor). Whilst there may be no easement over the cables, they are regarded as protected works under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW).

- Low voltage and 11,000 volt / 11 kilovolt (kV) high voltage underground cables (including a streetlight column and low voltage pillar for provision of a single customer connection point) to the road verge / roadway.

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

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

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

Cornelis Duba | Development Application Specialist

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endeavourenergy.com.au |    



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

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

- The Statement of Environmental Effects includes the following advice.

3.13 Utilities and Services

Connection to and augmentation of underground services will be undertaken to service the proposed development. This is addressed by the Building Services Report (**Appendix S**) and the Civil Design Plans (**Appendix CC**).

It is further noted that the proposed development presents an updated arrangement for easements and affections across the site. An overview of the proposed easements is provided at **Figure 45**. Please note the high visibility pink line shown in this figure is not intended to denote the site boundary.

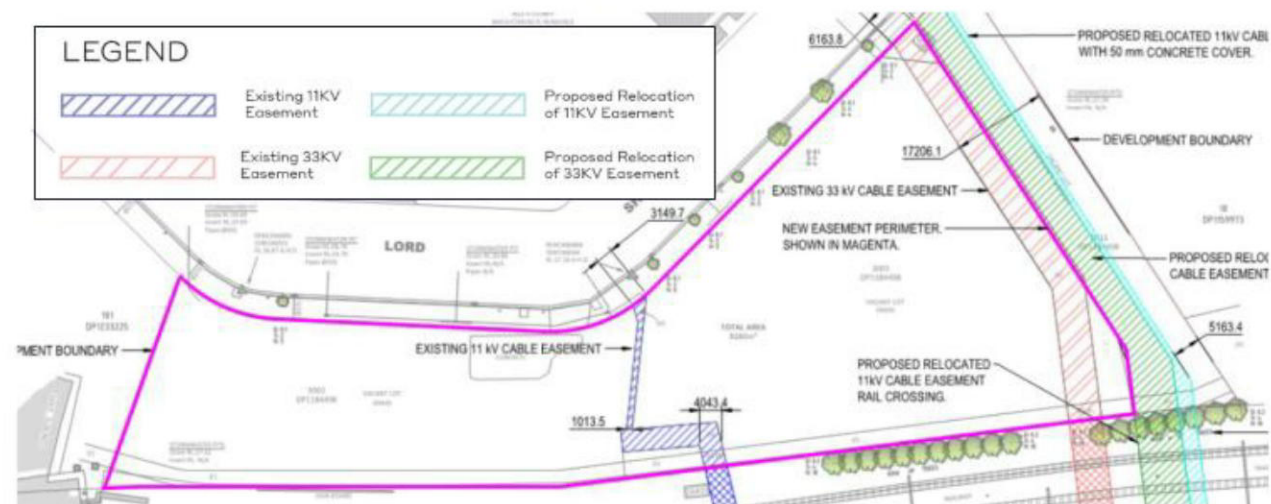


Figure 45 Overview of Proposed Easements

Source: Integrated Group Services

- Protected works may be managed as if an easement is in place. Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', Table 1 – 'Minimum easement widths', requires a minimum easement width of 1 metre for communications cables ie. 0.5 metres to both sides of the centreline of the cable duct.

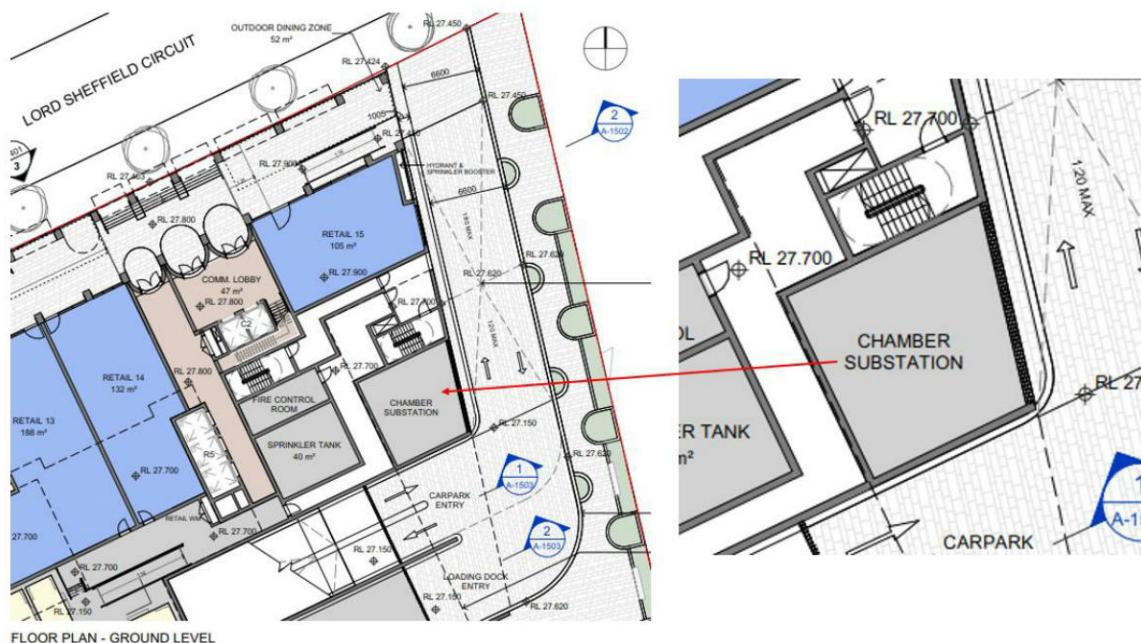
Due to the extensive electricity infrastructure in the locality the site plan from Endeavour Energy's G/Net master facility model is unable to record all the network detail in its exact location. There are extensive plans available which would be provided as part of the Before You Dig enquiry process. Even with the provision of the plans, the actual position of the underground pilot cables on the site must be verified prior to any actual excavation work commencing – please refer to the attached copy of Before You Dig 'Best Practice Guide Preventing Damage to Underground Services'.

- All encroachments and /or activities (works) within or affecting an easement or protected works (other than those approved / certified by Endeavour Energy's Customer Network Solutions Branch as part of an enquiry / application for load or asset relocation project and even if not part of the Development Application) need to be referred to Endeavour Energy's Easement Officer for assessment and possible approval if they meet the minimum safety requirements and controls. However please note that this does not constitute or imply the granting of approval by Endeavour Energy to any or all of the proposed encroachments and / or activities within the easement.

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

- General Restrictions for Underground Cables.
 - Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.
- The Building Services Report (Appendix S) mentioned in the Statement of Environmental Effects does not appear to be included in the documents available in the NSW Planning Portal or the Council's DA Tracker on their website and therefore has not been reviewed by Endeavour Energy in the making of this submission.

- The Architectural Plans shows provision of a 'Chamber Substation' to the Ground Level off the eastern side off the carpark driveway.



- To ensure an adequate / suitable connection, the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- The 'Chamber Substation' will need to be protected by an easement benefiting and gifted to Endeavour Energy. Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' includes the following requirements for an indoor substation.

5.3.5 Indoor substations

The boundaries of an easement for indoor substation must be defined by the internal face of the walls, ceiling, floor, and cable trenches of the substation room.

An easement for the cables that enter and exit the substation room will also be required if they are not installed within public roads and/or existing Endeavour Energy easements.

A right of access may also be required to give Endeavour Energy employees, vehicles, and equipment unrestricted access to the indoor substation at all times.

- Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc.
- Endeavour Energy is urging applicants /customers to engage with an Electrical Consultant / Accredited Service Provider (ASP) prior to finalising plans to in order to assess and incorporate any required electricity infrastructure. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.
- The planting of large / deep rooted trees near electricity infrastructure is opposed by Endeavour Energy. Existing trees which are of low ecological significance in proximity of electricity infrastructure should be removed and if necessary replaced by an alternative smaller planting. The landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements.
- Not all the conditions / advice marked may be directly or immediately relevant or significant to the Development Application. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

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

Condition or Advice

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

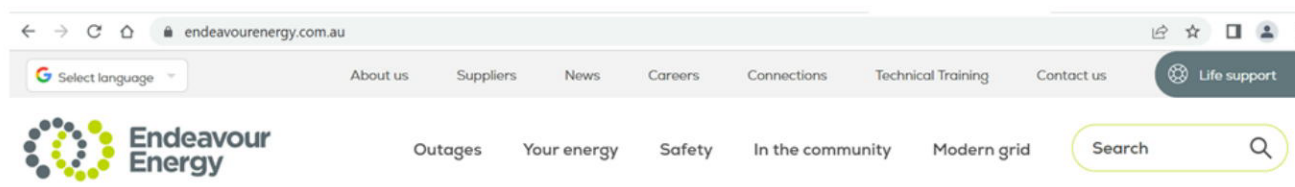
For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement. It will be generally indicated as 'Advice'. If the Site Plan from Endeavour Energy's G/Net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

Decision

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

Further Advice

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



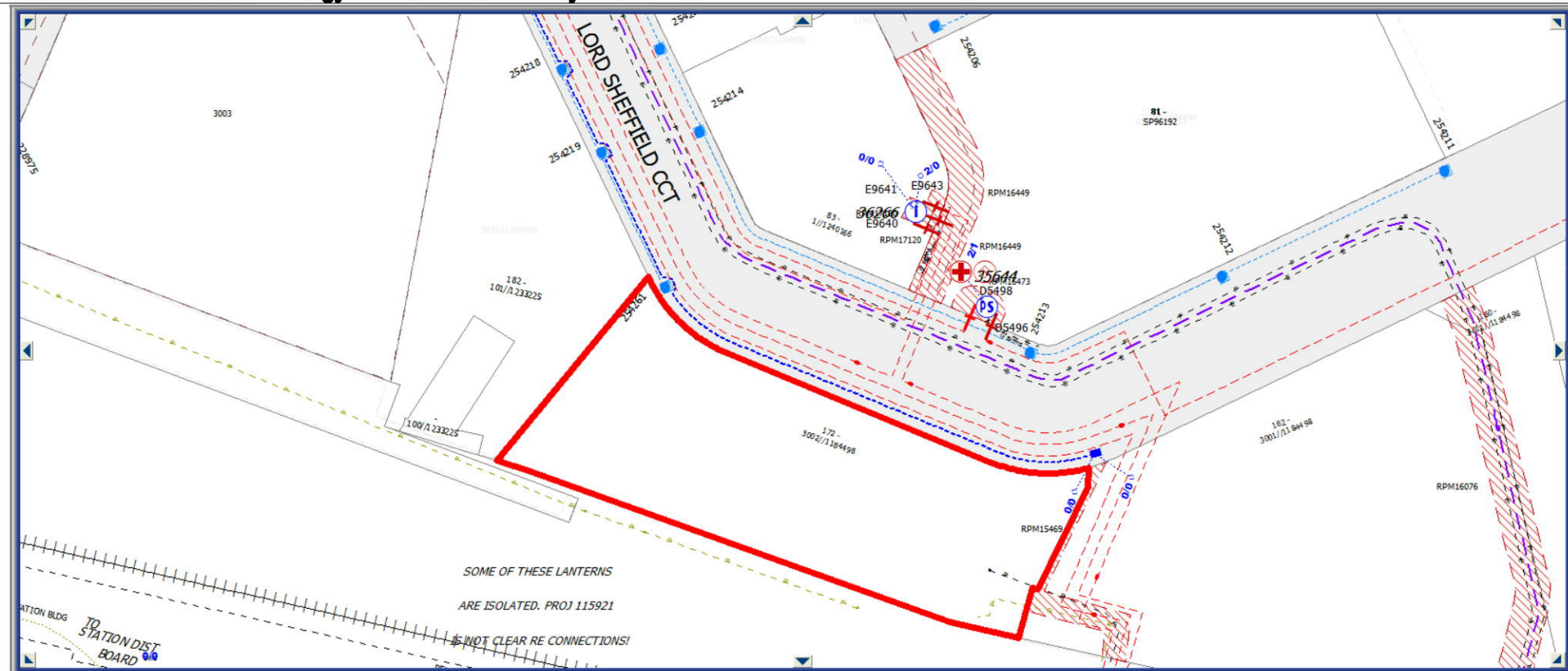
The following contacts can be reached by calling Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666.

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

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

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

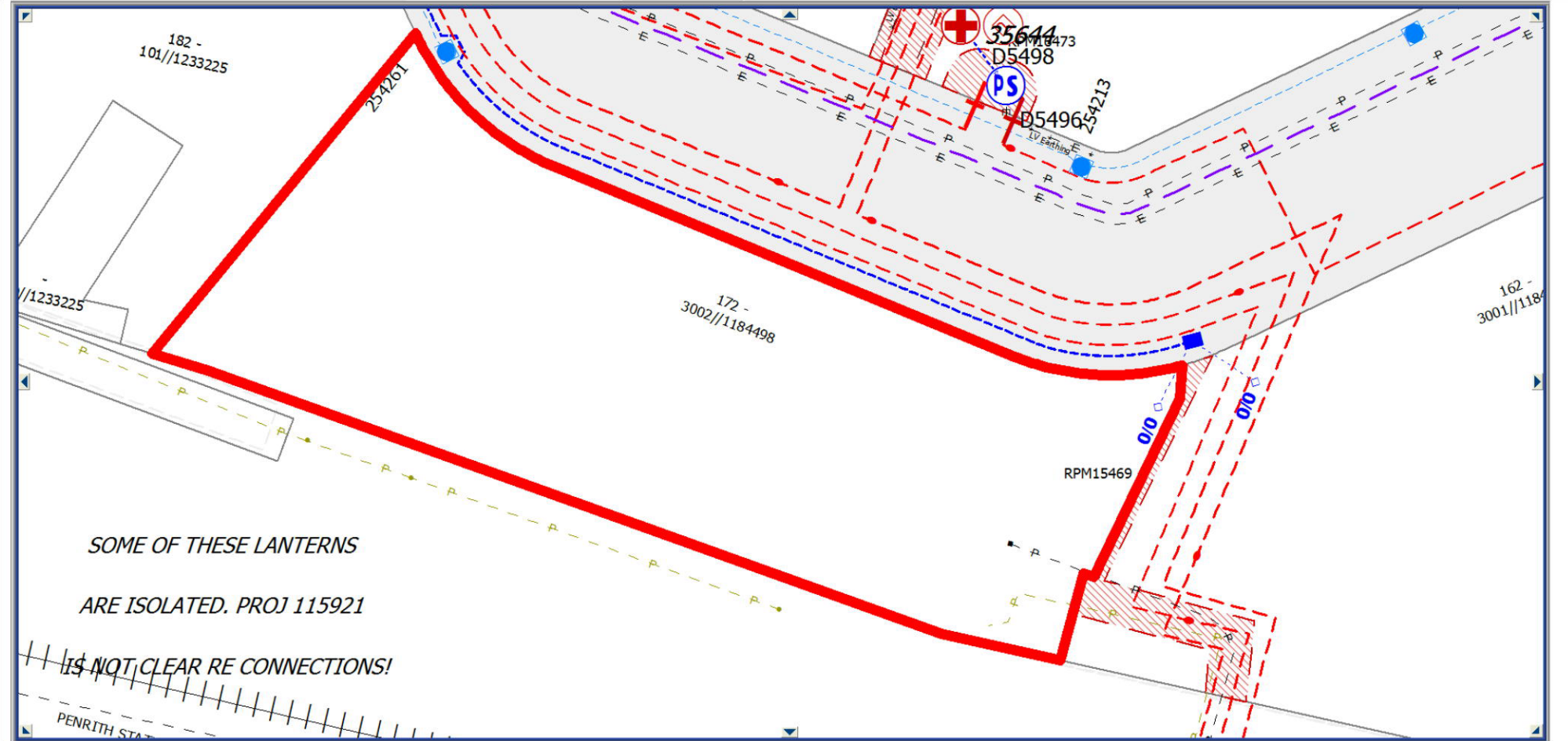
Site Plan from Endeavour Energy's G/Net Master Facility Model




























G3E_FID	Feature Name	Component Name	G3E_CID	G3E_ID	LOT	SECTION	DP
79447563	Crown Parcel	Crown Parcel Find	1	2147842	3002		1184498

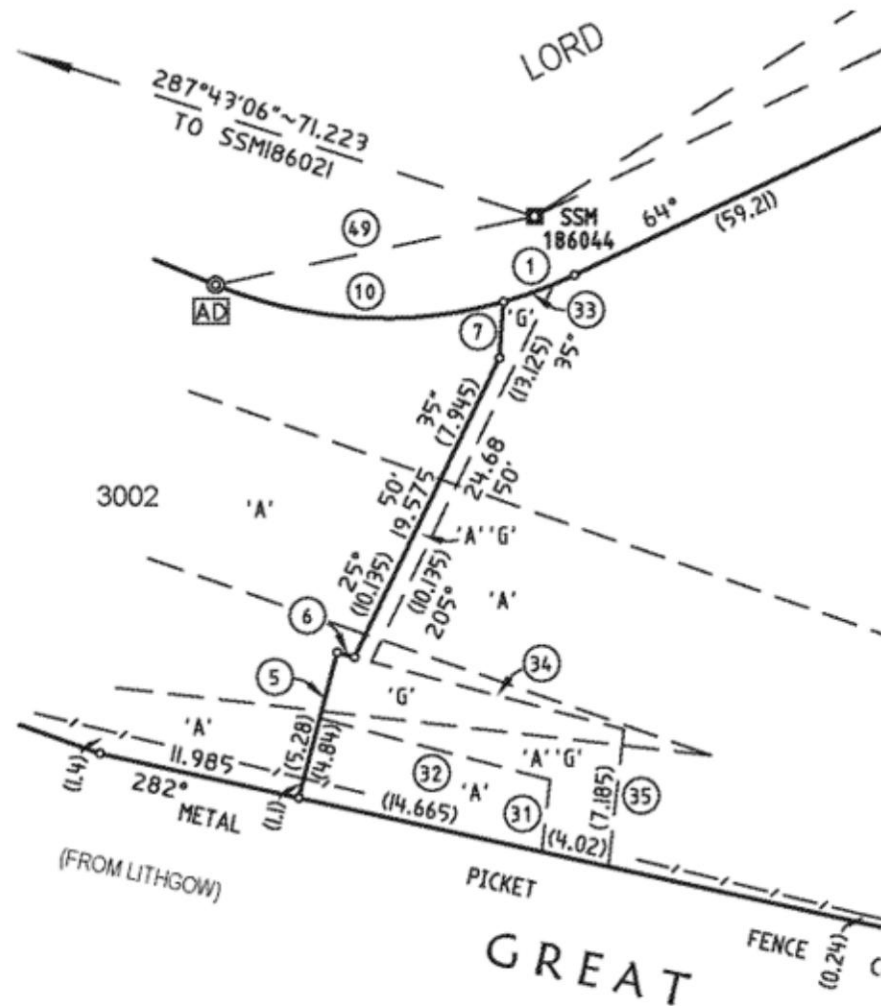
Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of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

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



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

DP1184498



SCHEDULE OF LINES

No.	BEARING	DISTANCE
2	115°37'40"	10.78
3	179°25'45"	5.85
4	192°30'45"	8.94
5	14°58'05"	8.84
6	104°58'05"	1.045
7	4°00'40"	3.305
13	154°49'15"	4.485
23	289°54'10"	4.6
27	61°26'05"	8.485
31	6°31'30"	4.26
32	284°58'05"	14.03
34	104°58'05"	15.415
35	186°31'30"	8.13
40	180°03'10"	4.275 (DP1184495)
42	227°51'20"	5.52
43	132°31'15"	20.845
49	258°50'55"	17.84

DIAGRAM 2

'G' - EASEMENT FOR UNDERGROUND CABLES 1 WIDE, 4 WIDE AND VARIABLE WIDTH

Google Maps Street View



Google Maps Street View



7 February 2023

The General Manager
Penrith City Council

Attention: Concurrence Referral

Dear Sir or Madam

DA22/1086 at 172 LORD SHEFFIELD CIRCUIT PENRITH 2750

I refer to the referral of 6 February 2023 from NSW Planning & Environment regarding NSW Government concurrence and referral request CNR-48934 for Penrith City Council Development Application DA22/1086 at 172 LORD SHEFFIELD CIRCUIT PENRITH 2750 (Lot 3002 DP 1184498) for additional information for 'Construction of two 10 storey mixed use buildings comprising of 287 residential apartments, commercial offices, ground floor retail tenancies with 3 levels of basement carparking and associated landscaping'. Submissions need to be made to Council by 27 February 2023.

Endeavour Energy's previous submission made to Council on 29 November 2022 indicated that the Building Services Report (Appendix S) mentioned in the Statement of Environmental Effects does not appear to be included in the documents available in the NSW Planning Portal or the Council's DA Tracker on their website and therefore has not been reviewed by Endeavour Energy in the making of this submission.

The Utilities & Infrastructure Servicing Report prepared by Integrated Services Group dated 4 November 2022 and uploaded to the NSW Planning Portal on 23 December 2022 which contains the following advice in Section 3 'Electrical'.

3.4 Summary & Conclusions

Based on the preliminary maximum demand of the site 2x1000kVA substations are required. A chamber substation with 2x1000kVA 11kV/0.6kV transformers on ground floor with easy truck access for EE personnel is recommended. The main switchboard of the site shall be within 40m of the substation location. Final substation location and HV feeder route will be subject to detailed level 3 design.

In the construction phase it is required to relocate the existing HV feeders which are currently going through the site. A markup was previously done by AADLER on 03-02-2022 which shows the indicative proposed easements of the new HV routes to be relocated. Once the relocation plans are finalised, a proposal for asset relocation will need to be submitted to EE. The proposal form is attached in Appendices. Moreover, the HV underground cabling running out front of the site boundary will need to be protected during construction phase.

In addition to the UG HV cables, an LV pillar on the site boundary will need to be decommissioned and removed as per EE guidelines. This will need to be coordinated with EE for further instructions. The street light pole on the front of the NW boundary of the site will need to be removed during construction stages and reinstalled/replaced afterwards.

The foregoing appears to be consistent with the recommendations and comments provided in Endeavour Energy's submission. Accordingly Endeavour Energy has no further advice or conditions regarding the Development Application.

For further advice the applicant can call Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666 and the following contacts:

- Customer Network Solutions Branch for matters related to the electricity supply or asset relocation who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP). Alternatively contact can be made by email cicadmin@endeavourenergy.com.au .
- Easement Officers for matters related to easement management or protected works / assets. Alternatively contact can be made by email Easements@endeavourenergy.com.au .
- Property Branch for matters related to property tenure. Alternatively contact can be made by email network_property@endeavourenergy.com.au (underscore between 'network' and 'property').
- Field Operations Branch for safety advice for building or working near electrical assets in public areas. The site is in the area covered by Penrith Field Service Centre. Alternatively contact can be made by email Construction.Works@endeavourenergy.com.au .

Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified above or in Endeavour Energy's previous submission in relation to the various matters. Due to the high number of development application / planning proposal notifications submitted to Endeavour Energy, to ensure a response contact by email to property.development@endeavourenergy.com.au is preferred.

Yours faithfully

Cornelis Duba | Development Application Specialist

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