



Attachment 3 to Item 4.1.1

Public Agency Responses

Date of meeting: 12 September 2023
Location: Council Chambers
Time: 6:30 p.m.

**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
Hawkesbury City Council	LEP002/22	Ref-2095	Lachlan Mackenzie	11/04/2023	9/05/2023	14/04/2023

Address	Land Title
4 HALL STREET PITT TOWN 2756	Lot 1 DP 89958

Scope of Development Application or Planning Proposal

Proposed Rezoning from SP2 - Water Supply System to R5 Large Lot Residential at the subject site for Sydney Water.

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).
- Provision for a low voltage service conductor / customer connection point coming from a low voltage pillar located approximately 13 metres to the east on 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	5	Before You Dig	Before commencing any underground activity the applicant must obtain advice from the Before You Dig service.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6	Bush Fire	Risk needs to be managed to maintain the safety of customers and the communities served by the network.
<input type="checkbox"/>	<input type="checkbox"/>	7	Construction Management	Integrity of electricity infrastructure must be maintained and not impacted by vehicle / plant operation, excessive loads, vibration, dust or moisture penetration.
<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	18	Flooding	Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
<input type="checkbox"/>	<input type="checkbox"/>	19	Hazardous Environment	Electricity infrastructure can be susceptible to hazard sources or in some situations be regarded as a hazardous source.
<input type="checkbox"/>	<input type="checkbox"/>	20	Modifications	Amendments can impact on electricity load and the contestable works required to facilitate the proposed development.
<input type="checkbox"/>	<input 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 type="checkbox"/>	22	Network Asset Design	Design electricity infrastructure for safety and environmental compliance consistent with safe design lifecycle principles.
<input type="checkbox"/>	<input checked="" 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 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 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 checked="" type="checkbox"/>	30	Service Conductors	Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'.
<input type="checkbox"/>	<input type="checkbox"/>	31	Solar / Generation	The performance of the generation system and its effects on the network and other connected customers needs to be assessed.
<input type="checkbox"/>	<input type="checkbox"/>	32	Streetlighting	Streetlighting should be reviewed and if necessary upgraded to suit any increase in both vehicular and pedestrian traffic.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	33	Sustainability	Reducing greenhouse gas emissions and helping customers save on their energy consumption and costs through new initiatives and projects to adopt sustainable energy technologies.
<input type="checkbox"/>	<input type="checkbox"/>	34	Swimming Pools	Whenever water and electricity are in close proximity, extra care and awareness is required.
<input type="checkbox"/>	<input type="checkbox"/>	35	Telecommunications	Address the risks associated with poor communications services to support the vital electricity supply network Infrastructure.
<input 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				Advice

Cornelis Duba | Development Application Specialist

M 0455250981

E comelis.duba@endeavourenergy.com.au

51 Huntingwood Drive, Huntingwood NSW 2148. Dharug Country

endeavourenergy.com.au |    



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

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

- The Planning Proposal does not appear to address in detail whether the electricity services are available and adequate for the proposed development.

1.1 SUBJECT SITE AND SITE CONTEXT

All essential utility services exist on and near the site.

- The electricity distribution network generally provides a single customer connection point for each developable lot for the provision of electricity supply for a basic low voltage connection service where the total maximum demand is no greater than 100 amperes 230 volts (single phase) or no greater than 63 amperes 400 volts (three phase).

The Site Plan from Endeavour Energy's G/Net Master Facility Model shows there is provision for a single customer connection point coming from the low voltage pillar located approximately 13 metres to the east on the road verge.

Applications for connection of load for a single dwelling or up to four strata units are usually capable of direct connection to the existing low voltage network. Such applications can be completed online and permission to connect may be provided immediately if it complies with the above requirements.

- To ensure an adequate connection, the applicant may need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development.
- The low voltage service conductor and customer connection point must comply with the 'Service and Installation Rules of NSW'.
- 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 Planning Proposal. However, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

Condition or Advice

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

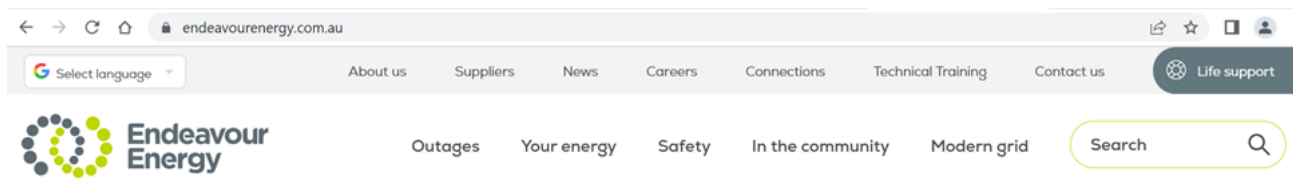
For example, the obtaining advice from the Before You Dig service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations is a standard / regulatory requirement. It will be generally indicated as 'Advice'. If the Site Plan from Endeavour Energy's G/Net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

Decision

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

Further Advice

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



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

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

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

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

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

Google Maps Street View





NSW RURAL FIRE SERVICE

Hawkesbury City Council
PO Box 146
WINDSOR NSW 2756

Your reference: Ref-2096 (PP-2022-1673)
Our reference: SPI20230413000051

ATTENTION: Lachlan Mackenzie

Date: Friday 28 April 2023

Dear Sir/Madam,

**Strategic Planning Instrument
Rezoning**

Proposed Rezoning from SP2 - Water Supply System to R5 Large Lot Residential at the subject site for Sydney Water

I refer to your correspondence dated 11/04/2023 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and subsequently raise no concerns or issues in relation to bush fire.

For any queries regarding this correspondence, please contact Kathryn Murphy on 1300 NSW RFS.

Yours sincerely,

Adam Small
**Supervisor Development Assessment & Plan
Built & Natural Environment**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

Our Ref: ID 1928
Your Ref: PP-2022-1673

03 May 2023

Rachel Hughes
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

email: rachel.hughes@dpie.nsw.gov.au
CC: shelly.stingmore@one.ses.nsw.gov.au

Dear Rachel,

Planning Proposal for 4 Hall Street, Pitt Town

Thank you for the opportunity to provide comment on the Planning Proposal for 4 Hall Street, Pitt Town. It is understood that the planning proposal seeks to rezone the site from SP2 Infrastructure – Water Supply System to R5 Large Lot Residential, to permit the construction of a dwelling or equivalent permissible use on the subject site.

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunamis in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The NSW SES has reviewed the proposal and the flood risk information (e.g. Hawkesbury-Nepean Flood Studies 2013, Hawkesbury-Nepean Floodplain Risk Management Study and Plan 2012, Hawkesbury-Nepean Valley Regional Flood Study 2019 etc.) available to the NSW SES, and notes that the proposed site is located on a Low Flood Island, which would become isolated during a 2% Annual Exceedance Probability (AEP) event and subsequently inundated during a probable maximum flood (PMF).

Low Flood Islands represent a significant risk factor that would be best avoided for development due to the difficulties in carry out large scale evacuation operations, resulting a large risk of mass rescue, as detailed in subsequent sections. There is also a significant risk regarding evacuation constraints across the Hawkesbury Nepean Valley, including Pitt Town. Although the site only increases the number of properties at risk by a small amount, it places the future residents at direct risk to flooding and isolation, and may set a precedent for future increases across the floodplain resulting in a significant cumulative risk to life and property.

The consent authority will need to ensure that the planning proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.1 – Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the NSW Floodplain Development Manual, 2005 (the Manual). Attention is drawn to the following principles outlined in the Manual which are of importance to the NSW SES role as described above:

- **Zoning should not enable development that will result in an increase in risk to life, health or property of people living on the floodplain.**

The proposed site is located on a low flood island, where the only evacuation route out is a small road (Old Stock Route Road) until it is cut around a 1 in 50 AEP flood. It subsequently becomes inundated by floodwater in a PMF. Low Flood Islands are where a flood island is lower than the limit of flooding (i.e. below the PMF) or does not have enough land above the limit of flooding to cope with the number of people in the area. During a flood event the area is initially isolated by floodwater, in Pitt Town's case well before inundation of many properties. If floodwater continues to rise after it is isolated, the island will eventually be completely covered, and in Pitt Town's case this can be for several days. People left stranded on the island may drown and property will be inundated and potentially damaged and or destroyed.

- **Risk assessment should consider the full range of flooding, including events up to the PMF and not focus only on the 1% AEP flood.**

The site is susceptible to high hazard flooding in a PMF, with depths potentially exceeding 2 metres¹, which is unsafe for people and vehicles and all buildings are vulnerable to structural failure. NSW SES are aware of a revised 2D Flood Study currently underway by Infrastructure NSW, which should be considered as an indication of risk.

- **Risk assessment should have regard to flood warning and evacuation demand on existing and future access/egress routes. Consideration should also be given to the impacts of localised flooding on evacuation routes. Evacuation must not require people to drive or walk through flood water.**

Frequently proposals may only assess the impact of riverine flooding on evacuation routes for the development. However, in many instances, the local streets acting as evacuation routes may be cut by localised flooding, which could see evacuation not completed in time. The problem of localised closure of roads due to inadequate stormwater capacity can be critical where the available warning and evacuation time is short.

¹ NSW Government. 2019. Hawkesbury Nepean Valley Regional Flood Study

Ideally the access/egress routes should provide rising road access and/or be passable up to at least a 1 in 500 year local flooding, as adopted across the Hawkesbury Nepean Valley.

- **In the context of future development, self-evacuation of the community should be achievable in a manner which is consistent with the NSW SES's principles for evacuation. Future development must not conflict with the NSW SES's flood response and evacuation strategy for the existing community.**

At first glance it may seem that if people live in an area where frequent low-level floods occur, they would be more flood aware. Unfortunately, although they may be aware of flooding, they generally come to the view that they are not at risk because they think all floods are like the small ones they often see. This is not true and big floods will almost always catch people by surprise and exceed their capacity to deal with the situation unless they have considered this scenario in their planning and preparedness.

- **Development strategies relying on deliberate isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation.**

'Shelter in place' strategy is not an endorsed flood management strategy by the NSW SES for future development. Such an approach is only considered suitable to allow existing dwellings that are currently at risk to reduce their risk, without increasing the number of people subject to such risk. The flood evacuation constraints in an area should not be used as a reason to justify new development by requiring the new development to have a suitable refuge above the PMF. Allowing such development will increase the number of people exposed to the effects of flooding.

Other secondary emergencies such as fires and medical emergencies may occur in buildings isolated by floodwater. During flooding it is likely that there will be a reduced capacity for the relevant emergency service agency to respond in these times. Even relatively brief periods of isolation, in the order of a few hours, can lead to personal medical emergencies that have to be responded to.

- **Development strategies relying on an assumption that mass rescue may be possible where evacuation either fails or is not implemented are not acceptable to the NSW SES.**

Mass rescue has historically been required for low flood islands where whole towns have needed rescue. The use of flood boats and helicopters may not always be feasible due to weather, resource availability or risks, which can result in large number of people trapped on the floodplain.

There are significant risks associated with mass rescue, including:

- Insufficient number of flood rescue boats for the number of people remaining on low flood islands.
 - Insufficient air lift capacity
 - Severe weather which makes rescue by boat or air more difficult e.g. wind fetch caused waves
 - Potential exposure to sewage, contaminants, disease, chemical hazards, electrical hazards, hidden snags, displaced wildlife dead animals and debris such as glass and metal that can cause injury.
 - Drowning or injuries related to floodwater hazards.
- **The NSW SES is opposed to the imposition of development consent conditions requiring private flood evacuation plans rather than the application of sound land use planning and flood risk management.**
 - **NSW SES is opposed to development strategies that transfer residual risk, in terms of emergency response activities, to NSW SES and/or increase capability requirements of the NSW SES.**

The proposed site would become isolated in a moderately frequent flood, and would become inundated prior to a PMF. Even if flooding does not inundate the site during a particular event, SES resources will likely be required for resupply purposes, or for flood rescues such as if people attempt to evacuate the area once floodwaters have inundated evacuation routes. The proposal would increase the number of people residing within this high-risk location, and therefore this risk would be transferred to NSW SES.

- **Consent authorities should consider the cumulative impacts any development will have on risk to life and the existing and future community and emergency service resources in the future.**

You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- [Reducing Vulnerability of Buildings to Flood Damage](#)
- [Designing Safer Subdivisions](#)
- [Managing Flood Risk Through Planning Opportunities](#)

Please feel free to contact Claire Flashman via email at rra@ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours sincerely



Elspeth O'Shannessy

A/ Senior Advisor Hawkesbury Nepean Strategy - Future Risk Team Leader

NSW State Emergency Service