Reference Code

Respondent name

Council Name

Council Address

Council Address

Date: / /

Dear [X],

**Re: [Proposed Rezoning/Development]**

I refer to your letter dated [XX/XX/XX] concerning the above development. This letter is Ausgrid’s response under clause 45(2) of *State Environmental Planning Policy (Transport and Infrastructure) 2021.*

**Environmental considerations**

As you would be aware, the assessment and evaluation of environmental impacts for a new development that requires development consent (or where development consent is modified) is undertaken in accordance with requirements of Section 79C of the *Environmental Planning and Assessment Act 1979*. One of the obligations upon consent authorities, such as local councils, is to consider the suitability of the site for the development which can include a consideration of whether the proposal is compatible with the surrounding land uses and the existing environment.

In this regard, Ausgrid require that due consideration be given to the compatibility of proposed developments with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, electric and magnetic fields (EMF), noise, visual amenity and other matters that may impact on Ausgrid or the development.

**Proposal considerations**

It should be noted that trying to mitigate such impacts for established developments can be very expensive and is often limited by design factors. For this reason, the most cost-effective option is usually modification of the proposed development early in the assessment process. Such measures could include appropriate buffer distances, screening structures, building design, orientation and construction.

**Conditions of approval**

Where Council considers that the site of the development is suitable and the development comprises or involves a type listed in Table 1, then Ausgrid require the following development consent conditions to be imposed to ensure the safety and compatibility of both the development and Ausgrid’s assets.

**Comments welcome**

If you would like further assistance in this matter, please contact Ausgrid’s

William Close on 0423 205 782.

Yours sincerely,

Your name

Title

**Ausgrid**

***Table 1: Development types and relevant consent conditions***

|  |  |  |
| --- | --- | --- |
| **SEPP (Infrastructure) 2007 clause** | **Development type** | **Consent condition** |
| 45(a) | Penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower. | A, B |
| 45(b)(i) | Development carried out within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists). | A, E, D |
| 45(b)(ii) | Development carried out immediately adjacent to an electricity substation. | A, C\*, D, F |
| 45(b)(iii) | Development within 5m of an exposed overhead electricity power line. | A, D |
| 45(c)(i) | Installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level. | A |
| 45(c)(ii) | Installation of a swimming pool any part of which is within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool. | A |
| 45(d) | Development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned. | A |

\* For development adjacent to a substation, Ausgrid requests that council seek a noise assessment report from the applicant prior to the Development Application being determined. The assessment must address, in relation to the adjacent substation, the requirements of the amenity noise levels in section 2.4 of the *NSW Noise Policy for* *Industry* (EPA, 2017)[[1]](#footnote-1). Where a noise assessment has not been provided by the applicant, Ausgrid request that condition C be imposed on any consent that is granted.

**Condition A:** Prior to any development being carried out, the approved plans must be submitted to Ausgrid’s local customer service office for approval to determine whether the development will affect Ausgrid’s network or easements[[2]](#footnote-2).

**Condition B:** The applicant must check the location of underground cables by using *Dial Before You Dig* [[3]](#footnote-3) and comply with the requirements of *NS156: Working Near or Around Underground Cables* (Ausgrid, 2016)[[4]](#footnote-4).

**Condition C:** Prior to the issue of a Construction Certificate (or an Occupation Certificate where a Construction Certificate is not required), the applicant must provide to council and Ausgrid a noise assessment report. The report must address, in relation to the adjacent substation, the requirements of the amenity noise levels in section 2.4 of the *NSW Noise Policy for* *Industry* (EPA, 2017)1

**Condition D:** The development must comply with both the Reference Levels and the precautionary requirements of the *Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz* (ARPANSA, 2021)[[5]](#footnote-5).

**Condition E:** The development must comply with *Tree Safety Management Plan* (Ausgrid, 2020)[[6]](#footnote-6).

**Condition F:** The development must be carried out in accordance with *ENA EG1-2006: Substation Earthing Guide* (Energy Networks Association, 2006).

1. <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/noise/17p0524-noise-policy-for-industry.pdf> [↑](#footnote-ref-1)
2. [www.ausgrid.com.au/Common/Our-network/Accredited-service-providers/On-the-job-safety.aspx](http://www.ausgrid.com.au/Common/Our-network/Accredited-service-providers/On-the-job-safety.aspx) [↑](#footnote-ref-2)
3. [www.ausgrid.com.au/Common/Safety/Safety-around-our-network/Dial-Before-You-Dig.aspx](http://www.ausgrid.com.au/Common/Safety/Safety-around-our-network/Dial-Before-You-Dig.aspx) [↑](#footnote-ref-3)
4. [www.ausgrid.com.au/Common/Our-network/Standards-and-Guidelines/Network-standards.aspx](http://www.ausgrid.com.au/Common/Our-network/Standards-and-Guidelines/Network-standards.aspx) [↑](#footnote-ref-4)
5. <https://www.arpansa.gov.au/sites/default/files/rps_s-1.pdf> [↑](#footnote-ref-5)
6. <https://cdn.ausgrid.com.au/-/media/Documents/In-your-community/Trees/Tree-Safety-Management-Plan--July-2020.pdf?rev=ba23daeb0fd94365919249eadd228248&hash=56D0F577B6DA20EE7624F6AA01C93A70>

   [↑](#footnote-ref-6)